



**SUBDIVISION AUTHORITY
MEETING AGENDA
Tuesday, December 17, 2019**

1. **ORDER** – 1:30 p.m.
2. **ADOPTION OF AGENDA**
3. **ADOPTION OF PREVIOUS MINUTES**
Subdivision Authority Minutes – November 19, 2019
4. **SUBDIVISION APPLICATIONS**
 1. SD19-045 – Gordon Seller on behalf of Seller's Oil Field Service Ltd. of Devon – NW 28-49-26 W4
 2. SD19-052 – Judy Best on behalf of Steven Best and Chelsea Best – NE 12-49-23 W4
 3. SD19-053 – Dibben Blaydon on behalf of Monarch Business Park Inc. – SW 8-51-24 W4
5. **NEXT SUBDIVISION AUTHORITY MEETING**
6. **ADJOURNMENT**

√ Attachment Provided

Delegated Authority Decisions – (November - 1)

MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY
HELD ON TUESDAY, DECEMBER 17, 2019 IN THE COUNCIL CHAMBER OF THE COUNTY
CENTRE BUILDING, NISKU, ALBERTA.

Order and Roll Call

The meeting was called to order at 1:30 p.m., Tuesday, December 17, 2019 by Chair Tanni Doblanko with Committee Members Kelly-Lynn Lewis, Kelly Vandenberghe, Glenn Belozar and Ray Scobie present.

Also present were:

- Mr. Dave Desimone, Senior Planner
- Mr. Greg McGovern, Planner 1
- Mrs. Chelsey Iles, Engineering Technologist
- Mrs. Laurie Stoetzel Recording Secretary
- Rick Thomas, Secretary of Subdivision Authority

5 other individuals were present.

Agenda Adoption

19-75 Committee Member Glenn Belozar - that the Agenda for the December 17, 2019 Subdivision Authority meeting be accepted with the following revisions/additions:

- SD19-052 be moved to the last item on the Agenda;
- Reschedule upcoming Subdivision Authority meeting dates.

Carried Unanimously

Previous Minutes – November 19, 2019

19-76 Committee Member Ray Scobie - that the November 19, 2019 Subdivision Authority minutes be accepted as circulated.

Carried Unanimously

Proposed Subdivision – Seller's Oil Field Service Ltd. – NW 28-49-26 W4 **SD19-045**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Gordon Seller on behalf of Seller's Oil Field Service Ltd. of Devon. Staff recommends approval to subdivide a developed 6.64 ha (16.41 ac) parcel for oilfield industrial use from an unsubdivided quarter section with a title area of 63.13 ha (156.00 ac).

UPDATE

This application was brought forward to the November 19, 2019 Subdivision Authority meeting where a motion of deferral was carried in order for the potential redistricting of the lands, from the Agricultural District – AG to the Industrial/Agricultural Resource District – IAR, to be completed in order to support the proposed subdivision.

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HISTORY

The proposed parcel is located off Highway 39 and Range Road 264. The quarter section is currently unsubdivided.

DISCUSSION

On November 26, 2019, Leduc County Council gave third and final reading to Bylaw No. 27-19 to amend the Leduc County Land Use Bylaw 7-08 to redistrict a portion of the subject lands, comprising 6.65 ha (16.41 ac) of land from the AG – Agricultural District to the IAR – Industrial/Agricultural Resource District. The redistricting, and proposed subdivision, will allow for the continued operation of industrial use on the property. This proposed subdivision will encompass the area of the Industrial/Agricultural Resource District.

Alberta Transportation responded to the referral of this application that a 30m wide service road be dedicated along the frontage of both the proposed and remnant parcels adjacent to Highway 39. As well, they require the removal of the two accesses to the west along Highway 39 while the access along the eastern property line may remain to provide access to the proposed parcel.

There were no adjacent landowner comments submitted regarding the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration or the applicant and there were none.

19-77 Committee Member Glenn Belozor – that the application to subdivide a developed 6.64 ha (16.41 ac) parcel for oilfield industrial use from an unsubdivided quarter section with a title area of 63.13 ha (156.00 ac) be approved with the following conditions:

1. Pursuant to Section 654(1)(d) of the Municipal Government Act, the applicant/owner pay any outstanding property taxes to Leduc County or make satisfactory arrangements with the Council of Leduc County for the payment thereof;
2. Pursuant to Section 9(a) of the Subdivision and Development Regulation, access to the subdivision and balance of the quarter to be constructed to the standards of Public Works at the Owners/Developer's expense;
3. Pursuant to Section 7(g) of the Subdivision & Development Regulation, the applicant/owner confirm that any existing sewage disposal system(s) on the subject property is/are in compliance with the *Private Sewage Disposal Systems Regulation* in force at the time of application. Should the existing system(s) not be in compliance, modifications to the existing system(s) or installation of new system(s) shall be required;
4. Pursuant to Section 15 of the Subdivision and Development Regulation, a 30m wide service road be dedicated via caveat across the highway frontage of the proposed and remainder parcel;
5. Pursuant to Section 15 of the Subdivision and Development Regulation, the two western accesses be removed to the satisfaction of Alberta Transportation; and
6. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Committee Members Kelly-Lynn Lewis, Kelly Vandenberghe, Ray Scobie and Glenn Belazer
Con: Chair Tanni Doblanko

Carried

Proposed Subdivision – Dibben Blaydon on behalf of Monarch Business Park Inc. –

SW 8-51-24 W4

SD19-053

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Dibben Blaydon on behalf of Monarch Business Park Inc.. Staff recommends approval to subdivide two 2.2 ha (5.44 ac) parcels for industrial use from a parcel with a title area of 27.0 ha (66.7 ac).

HISTORY

The subject lands are located in Nisku along 8th Street and half mile north of Township Road 510. It is situated within the WAM Local Area Structure Plan and North Major Area Structure Plan. Our records indicated that one lot was created prior to 1978 along the northern boundary of the quarter section. The subject lands lie within the Industrial District..

DISCUSSION

The subdivision application is in compliance with the WAM Local Area Structure Plan, North Major Area Structure Plan, Municipal Development Plan, Leduc County Land Use Bylaw, and Capital Region Growth Plan. The WAM Local Area Structure Plan (LASP) was approved by Council on January 29, 2008. The subject lands are identified as Business Industrial in the Local Area Structure Plan. The applicant has indicated that the proposed subdivision is to accommodate an interested developer for the land.

A development agreement will address the phasing, specifics of utilities, landscaping, roads, and construction requirements. Contribution to off-site levies and sharing of servicing costs shall be in accordance with the County's Greater Nisku and Area Off-site Levy Policies and Procedures. The engineered storm water management system will have to be approved by Leduc County Public Works and Engineering and Alberta Environment.

The Land Use Bylaw states the purpose of this District is to accommodate a range of compatible industrial and commercial uses, the location of which is guided by the North Major Area Structure Plan or WAM Local Area Structure Plan.

There were no adjacent landowner comments received regarding the proposed subdivision.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration.

Dave Desimone provided the following:

- Off-site levies will be calculated and included in a Development Agreement;
- The application was presented to the Subdivision Authority as industrial applications are approved by the Subdivision Authority.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Dibben Blaydon approached and did not have any further information.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant and administration and there were none.

19-78 Committee Member Kelly Vandenberghe - to subdivide two 2.2 ha (5.44 ac) parcels for industrial use from a parcel with a title area of 27.0 ha (66.7 ac) be approved with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the developer/owner enter into a development agreement with Leduc County and abide by the terms therein. The development agreement shall include, but is not limited to the:
 - a) design, construction, and engineered drawings of a storm water management system in accordance with a Storm Water Management Study. Approval of the storm water management system from Alberta Environment is required;
 - b) provision for widening and back sloping agreements, as required;
 - c) provision respecting landscaping, as required;
 - d) provision for lot grading and/or filling;
 - e) provision for a road use agreement including, but not limited to, dust suppression;
 - f) fencing of the Public Utility Lot, as required;
 - g) provision of water and sewer services;
 - h) payment of off-site levies;
 - i) provision respecting fire protection, including but not limited to, lot building, development requirements and water or chemical supply for firefighting;
2. Pursuant to Section 654(1)(d) of the Municipal Government Act, the applicant/owner pay any outstanding property taxes to Leduc County or make satisfactory arrangements with the Council of Leduc County for the payment thereof;
3. Pursuant to Section 9(a) of the Subdivision and Development Regulation, access to the subdivision and balance of the quarter to be constructed to the standards of Public Works at the Owners/Developer's expense;
4. Pursuant to Section 669(1) of the Municipal Government Act, existing Municipal Reserves of the title area be further deferred against the title of the larger remnant parcel; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

Next Subdivision Authority Meeting

19-79 – Committee Member Kelly-Lynn Lewis - that the January 21, 2020 Subdivision Authority Meeting be rescheduled to Monday, January 27, 2020 and the March 17, 2020 Subdivision Authority Meeting be rescheduled to Monday, March 23, 2020

Carried Unanimously

Chair Tanni Doblanko declared a recess at 1:45 p.m. The meeting reconvened at 1:55 p.m.

Proposed Subdivision – Judy Best on behalf of Steven Best – NE 12-49-23 W4 SD19-052

Mr. Greg McGovern, Planner 1, Development Services presented a staff report with respect to the application by the applicant Judy Best on behalf of Steven Best. Staff recommends approval to reduce the proposal to subdivide a 16.19 ha (40.0 ac) parcel to 1.61 ha (3.97 ac) from an unsubdivided quarter section with a title area of 64.75 ha (160.0 ac).

HISTORY

The subject property is an unsubdivided quarter section located immediately southwest from the intersection of Township Road 492 and Range Road 230. The proposed parcel occupies the northeast quadrant of the subject quarter section and includes an existing dwelling. The north half of the proposed parcel is mostly treed and the south half is described by the applicant as brush land and not currently fit for agricultural use.

DISCUSSION

The Agricultural Land Suitability Rating system indicates that the subject lands consists of a mix of Class 2 and Class 3 soils. The north half of the proposed parcel is mostly treed and is under the Class 2 designation. The south half of the proposed parcel is under the Class 3 designation and is described by the applicant as non-agricultural brush land. However, the Municipal Development Plan regards any land designated as either Class 2 or Class 3 as Prime Agricultural Land.

According to the Municipal Development Plan the subject lands are located within the Agricultural Area C (South Central /East) where policies are aimed at conserving large tracts of prime agricultural land with minimal fragmentation primarily for intensive cropping operations and to protect existing and future confined feeding operations. According to Section 4.3.1.7 of the Municipal Development Plan, subdivision is limited to a physical severance or a farmstead subdivision. Additionally, in accordance with Section 4.3.1.8 there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area C (South Central /East). The proposed farmstead subdivision would result in the creation of the first parcel out of the subject quarter section.

The Municipal Development Plan defines a farmstead subdivision as the subdivision of an existing farmstead from a quarter section. The farmstead subdivision shall not exceed 1 ha (2.47 ac) in size unless a larger lot is required to accommodate the location of existing buildings or shelterbelts associated with the residential use of the parcel. The existing dwelling is located at the end of a 190-meter long driveway and a lot larger than 1 ha (2.47 ac) is needed to capture the existing dwelling. Planning and Development recommend that the proposed parcel be reduced in size from 16.19 ha (40.0 ac) to 1.61 ha (3.97 ac), which is sufficient to capture the dwelling, driveway and access.

The proposed subdivision is in the Rural Area of the Edmonton Metropolitan Region Growth Plan (EMRGP). Policy 6.2.2 of the EMRGP stipulates that in the rural area, large contiguous agricultural areas will be protected and maintained to enable efficient agricultural production and to support the agricultural sector in the Region.

The County received no comments from the adjacent landowners.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration and there were none.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Judy Best approached and provided the following information:

- In 2016 the applicant's father passed away and left the quarter section to his children, Steven Best and Chelsea Best where Chelsea has lived all of her life.
- The applicant's father said home would belong to Chelsea and Steven had agreed to this but the title was put into both names at the time of the estate settlement.
- Steven now resides in Victoria, BC and Chelsea attends school in Edmonton. Both are not able to use the land for collateral.
- There is a 5 year lease on the farm land to David Ortleib.
- The land needs to be subdivided out as the 40 acres plus the house is the same value as remnant parcel.
- Chelsea would own the proposed parcel with the house and Steven would own the remnant. If the land is not subdivided, both would have to carry each other's debt.
- It was not the intent that one of the applicants would have to take out a mortgage to buy out the other.
- Is not aware of Chelsea's intent but she is not going to sell the parcel.
- Mother and brother passed away in 2000 in a car accident and father passed away 4 years ago and the family farm is all that is remaining.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant.

- Judy Best advised that she is not in favor of the recommended parcel size reduction.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for administration and there were none.

19-80 Chair Tanni Doblanko - to subdivide a 16.19 ha (40.0 ac) parcel from an unsubdivided quarter section be reduced in size to 1.61 ha (3.97 ac) which is sufficient to capture the dwelling, driveway and access be approved with conditions.

Pro: Chair Tanni Doblanko and Committee Member Kelly Vandenberghe

Con: Committee Members Kelly-Lynn Lewis, Glenn Belozar and Ray Scobie

Defeated

19-81 Committee Member Ray Scobie to defer the application to the January 27, 2020 Subdivision Authority meeting to have administration revise the proposed plan for 30 acre parcel.

Pro: Committee Members Kelly-Lynn Lewis, Kelly Vandenberghe, Ray Scobie and Glenn Belozar

Con: Chair Tanni Doblanko


Carried

Adjournment

19-82 Committee Member Kelly Vandenberghe, that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 2:15 p.m.



CHAIRMAN

SECRETARY