



**SUBDIVISION AUTHORITY
MEETING AGENDA
Tuesday, August 18, 2020**

- 51 -

1. **ORDER** – 1:30 p.m.

2. **ADOPTION OF AGENDA**

3. **ADOPTION OF PREVIOUS MINUTES**

Subdivision Authority Minutes – July 21, 2020

4. **SUBDIVISION APPLICATIONS**

1. SD20-023 – Robert & Leanne Tessier – NW 28-48-2 W5

2. SD20-027 – Dean & Nicole Payne – NE 17-48-26 W4

5. **ADJOURNMENT**

√ Attachment Provided

Delegated Authority Decisions: July - 0

MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY HELD ON TUESDAY, AUGUST 18, 2020 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, August 18, 2020 by Chair Tanni Doblanko with Committee Members Kelly-Lynn Lewis, Glenn Belozar, Kelly Vandenberghe. Ray Scobie was absent.

Also present were:

Mr. Dave Desimone, Senior Planner

Mr. Greg McGovern, Planner

Mr. Rick Thomas, Secretary of Subdivision Authority

Mrs. Rae-Lynn Spila, Senior Municipal Engineer

Mrs. Laurie Stoetzel, Recording Secretary

3 other individuals were present.

Agenda Adoption

20-31 Committee Member Glenn Belozar - that the Agenda for the August 18, 2020 Subdivision Authority meeting be accepted as presented.

Carried Unanimously

Previous Minutes – July 21, 2020

20-32 Committee Member Kelly-Lynn Lewis - that the July 21, 2020 Subdivision Authority minutes be accepted as circulated.

Carried Unanimously

Proposed Subdivision – Robert & Leanne Tessier – NW 28-48-2 W5

SD20-023

Mr. Greg McGovern, Planner, Development Services presented a staff report with respect to the application by the applicant Robert Tessier. Staff recommends approval to subdivide a 8.34 ha (20.61 ac) residential parcel from a previously subdivided quarter section with a title area of 51.4 ha (127.01 ac).

HISTORY

The subject lands are located off Range Road 24, approximately 1.75 km south of the intersection of Range Road 24 and Highway 39. The subject quarter section was previously subdivided in 1998 and resulted in the creation of a 13.35 ha (32.99 ac) parcel located along the north boundary of the quarter section. The proposed subdivision is located along the south boundary of the existing 13.35 ha (32.99 ac) parcel.



DISCUSSION

The future residential portion of the proposed subdivision is located at the end of a long and narrow strip of land that follows the north boundary of the titled area. This narrow strip of land would be developed as a driveway and would provide access to the future dwelling from the range road. The broader east portion of the proposed subdivision encompasses an undeveloped clearing of land surrounded by rows of trees. A watercourse and valley are located near the quarter section boundary at the easternmost portion of the proposed parcel.

The Agricultural Land Suitability Rating system indicates the subject land consists of mix of Class 3 and Class 7 soils. It is estimated that roughly 1.6 ha (3.95 ac) are under cultivation, including the narrow strip (the future driveway) of land following the north boundary of the titled area. The lands to the east in the location of the river valley are regarded as marginal and not suitable for agricultural production. The Municipal Development Plan regards any land designated of Class 3 as Prime Agricultural Land.

The subject lands are located within the Agricultural Area A (West) of the Municipal Development Plan where policies are aimed at conserving agricultural land on a comprehensive basis for a broad range of agricultural operations. Subdivision within Area A shall be limited to a physical severance, farmstead subdivision, or a residential subdivision provided an AIA has been undertaken and can demonstrate prime agricultural land is not being converted to non-agricultural use, the proposed subdivision minimizes the fragmentation on land through site location and design, and the proposal will not negatively impact the agricultural use of the existing quarter section.

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.

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

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

- Only losing drive way for farming. Balance is used for pasture;
- Neighbor to the north rents land for cattle;
- Cannot access proposed parcel with agriculture equipment;
- Is supportive of smaller parcel;
- Currently farming south piece with access from Range Road 24;
- Property to the north is owned by original land owner that did original subdivision; there are corrals and buildings and he rents his land for pasture;
- Will continue to farm land to the south and eventually proposed parcel will be sold to daughter and son-in-law;
- Small ravine is a low lying area that holds water, there is no running creek;

- Big equipment cannot access proposed parcel.

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

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration. Dave Desimone advised that:

- Although the Agriculture Impact Assessment score was high, the subject lands are ideally located and no agricultural land will be taken out of production.

20-32 Committee Member Glenn Belozer that the application to subdivide an 8.34 ha (20.61 ac) residential parcel from a previously subdivided quarter section with a title area of 51.4 ha (127.01 ac) be approved with the following conditions:

1. Pursuant to Policy 4.3.0.4 of the Leduc County Municipal Development Plan, the proposed parcel be reduced in size from 8.34 ha (20.61 ac) to 6.95 ha (17.17 ac) in order to conserve agricultural land, as per Exhibit No.2.
2. Pursuant to Section 669(1) of the Municipal Government Act, municipal reserves in the amount of ten percent of the title area ($51.4 \text{ ha} \pm \times 10\% = 5.14 \text{ ha} \pm$) shall be deferred to the title of the remnant parcel;
3. 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;
4. 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;
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

Proposed Subdivision – Dean & Nicole Payne – NE 17-48-26 W4

SD20-027

Mr. Greg McGovern, Planner, Development Services presented a staff report with respect to the application by the applicant Dean Payne. Staff recommends refusal to subdivide a 4.05 ha (10 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.37 ha (80 ac).

HISTORY

The subject lands are located off Range Road 264 approximately 1 kilometer north from the intersection of Township Road 482 and Range Road 264. The subject quarter section was originally subdivided in 1978 and resulted in the creation of a north half and a south half, each 80.0 acres in size.

20

DISCUSSION

The Land Suitability Rating System dataset indicates the subject land consists of Class 2 soil. Class 2 is considered 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. In accordance with 4.3.1.8 of the Municipal Development Plan, there shall be no more than one subdivision (two titled lots) per quarter section in Agricultural Area C (South Central /East). The proposed subdivision would result in the creation of a third lot in this quarter section, which Planning and Development regards as incremental and unplanned development that should be avoided.

The proposed parcel is located in the northeast corner of the titled area and occupies 4.05 ha (10 ac). Existing development consists of a detached dwelling and three accessory buildings: one (1) shop and two (2) sheds. The proposed parcel roughly encompasses the farmstead portion of the titled area, which, in addition to the existing building, include the existing access and driveway. The applicant's stated purpose for subdividing this parcel is to accommodate his estate planning goals.

The proposed subdivision is regarded as a Farmstead Subdivision, which the Municipal Development Plan defines as the subdivision of an existing farmstead from a quarter section. While a farmstead subdivision is an allowed type of subdivision in Agricultural Area C, Section 4.3.1.8 of the MDP requires that there be no more than one subdivision (two titled lots) per quarter section. Planning and Development does not support the proposed subdivision because it would result in the creation of a third titled lot in the subject quarter section.

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.

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration. Greg McGovern advised that:

- Farm land not being taken away so Agriculture Impact Assessment would not apply to the proposed parcel;
- Future owner could build on remnant parcel.

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

- Purchased both 80 ac parcels about 20 years ago;
- Quit farming due to health reasons but rents out farm land; Potential for another farmer an opportunity to an affordable farm;

20

- Built house on 10 ac parcel to potentially subdivide;
- Proposed parcel is encompassed in trees and won't revert back to farm land;
- Kids have the option to buy acreage;
- Is not interested in consolidating the two 80 acre parcels;
- Land is good for hay, not grain. There are three drainage draws on the land.
- Land would stay in agriculture.

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

20-33 Committee Member Kelly-Lynn Lewis - to subdivide a 4.05 ha (10 ac) farmstead parcel from a previously subdivided quarter section with a title area of 32.37 ha (80 ac) be refused for the following reasons:

1. Pursuant to Section 654(1)(b) of the Municipal Government Act, the proposed subdivision does not conform to the Policy 4.3.1.8 of the Municipal Development Plan which states there shall be no more than one subdivision (two titles lots) per quarter section in Agricultural Area C: South Central/East.
2. The proposed subdivision does not conform to Policy 6.2.2 of the Edmonton Metropolitan Region Growth Plan, which requires 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.

Pro: Committee Members Kelly-Lynn Lewis, Kelly Vandenberghe

Con: Chair Tanni Doblanko, Committee Member Glenn Beloner

Lost
Not Approved

Chair Tanni Doblanko explained the appeal process.

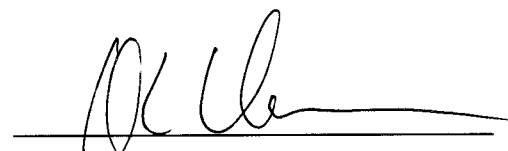
Adjournment

20-34 Committee Member Kelly-Lynn Lewis that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at 2:05 p.m.


CHAIRMAN


SECRETARY