



SUBDIVISION AUTHORITY  
MEETING AGENDA  
TUESDAY, FEBRUARY 18, 2020

- 11 -

1. **ORDER** – 1:30 p.m.

2. **ADOPTION OF AGENDA**

3. **ADOPTION OF PREVIOUS MINUTES**

Subdivision Authority Minutes – January 27, 2020

4. **SUBDIVISION APPLICATIONS**

1. SD19-049 – Viorel Bujor on behalf of Zoryana Bujor –  
SW 34-49-22-W4 – Plan 8120845 Lot 1
2. SD19-059 – Kimberly Lupul – NE 33-48-27 W4
3. SD19-061 – Harvey & Karen Horvath on behalf of Austin Taylor –  
NE 31-49-3-W5

5. **OTHER BUSINESS**

1. Discharge of Deferred Municipal Reserves – Plan 1821664, Block 1,  
Lot 9

6. **ADJOURNMENT**

√ Attachment Provided

Delegated Authority Decisions – (January - 0)

MINUTES OF THE REGULAR SUBDIVISION AUTHORITY MEETING OF LEDUC COUNTY  
HELD ON TUESDAY, FEBRUARY 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, February 18, 2020 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. Rae-Lynne Spila, Senior Municipal Engineer
- Mrs. Adele Pysar, Recording Secretary
- Rick Thomas, Secretary of Subdivision Authority
- Des Mryglod – Director of Public Works & Engineering

Six other individuals were present.

**Agenda Adoption**

**20-08** Committee Member Kelly-Lynn Lewis - that the Agenda for the February 18, 2020 Subdivision Authority meeting be accepted as circulated.

Carried Unanimously

**Previous Minutes – January 27, 2020**

**20-09** Committee member Ray Scobie - that the January 27, 2020 Subdivision Authority minutes be accepted as circulated.

Carried Unanimously

**Proposed Subdivision – Viorel Bujor on behalf of Zoryana Bujor –  
SE 20-50-2 W5**

**SD19-049**

Mr. Dave Desimone, Senior Planner, presented a staff report with respect to the application by the applicant Viorel Bujor on behalf of Zoryana Bujor. Staff recommends approval of the application to subdivide a developed 290 sq. m (0.07 ac) parcel for commercial use from a title area of 0.213 ha (0.53 ac)

**HISTORY**

The subject lands area located within the Village of New Sarepta on Centre Avenue and backing on to 1<sup>st</sup> Street. The proposed parcel is developed with a building leased to Canada Post. The remnant parcel has a modular building operating a daycare and an accessory building. The subject lands are districted C1 – Commercial in the Leduc County Land Use Bylaw 7-08.

## DISCUSSION

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The applicants have indicated the proposed subdivision is needed to possibly sell the building located on the proposed parcel which is leased by Canada Post, and develop the remnant parcel with a commercial business. The Leduc County Land Use Bylaw stipulates the Minimum Site Area for lots in the C1 – Commercial District Shall not be less than 150 m<sup>2</sup> (1614 ft<sup>2</sup>) with a width of not less than 5 m (16.4 ft) and a depth of not less than 30 m (98.4 ft). The site area of the proposed parcel is 290 m<sup>2</sup> (3121.53 ft<sup>2</sup>) with a width of 9.55 m (31.33 ft) and a depth of 30 m (98.4 ft).

Part 6.9.1 of the Leduc County Land Use Bylaw 7-08 stipulates all development, including building additions and changes in the use or intensity of use on a site shall be required to provide on-site parking in accordance with the parking regulation. The existing Post Office on the proposed lot would best be defined as a Business Office under the parking regulation of the Land Use Bylaw, which has a minimum on-site parking requirement of 1 per 30.0 m<sup>2</sup> (323 ft<sup>2</sup>) of Gross Floor Area. The Gross Floor Area of the Post Office is approximately 125 m<sup>2</sup> which would require four (4) on-site parking areas. Despite this requirement of the Land Use Bylaw, a goal of the New Sarepta Area Structure Plan is to develop a centralized commercial hub that supports a Hamlet centre which is dynamic, accessible, and vibrant. Administration is of the opinion a Complete Streets design standard is appropriate for the main street of New Sarepta which supports mixed uses and on-street parking. On-site parking, requiring parking lots that would separate buildings from the street-front, would obscure commercial frontage, create an impediment to pedestrian access and would not be appropriate for the commercial/mixed-use of a hamlet main street. For this reason, administration recommends parking remain on-street.

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.

Dave Desimone provided the following:

- confirmed administration's recommendation to go with on street parking.

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

- proposed parcel will contain building leased by Canada Post.
- may want to sell this building in the future.
- would like to develop remnant parcel with a commercial business.

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

- Why not subdivide straight across or ½ of the area – reason being possible future relocation of day care.
- Administration feels more appropriate to park on street.
- Balance of property – utility supplies restrict different subdivisions.
- Building (post office) does not have access to the back – future development would include 1<sup>st</sup> access.
- Future commercial business for balance of property.

- Dave Desimone advised water sewer connection would have to be redone coming off 1<sup>st</sup> street – very expensive.
- Canada post not moving out.

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

- Building (post office) close to property line – Dave Desimone advised Land Use Bylaw states “0” separation.

**20-10** Committee Member Kelly Vandenberghe - to subdivide a developed 290 sq. m (0.07 ac) parcel for commercial use from a title area of 0.213 ha (0.53 ac) be approved with the following conditions:

1. Pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant/owner enter into a development agreement with Leduc County and abide by the terms therein;
  - i. Connect to existing municipal sewer and municipal water services;
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; and
4. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

**Proposed Subdivision – Kimberly Lupul - NE 12-49-23 W4 -**

**SD19-059**

**UPDATE**

This application was brought to the January 27, 2020 meeting of the Subdivision Authority Committee and was deferred in order to provide a revised plan of the application reducing the size of the proposed lot. An exhibit 3 reducing the area to 3.04 ha (7.5 ac) is attached to this report.

Greg McGovern, Planner 1, Development Services, presented a staff report with respect to an application by the applicant, Kimberly Lupul to subdivide a 4.04 ha (10.0 ac) farmstead parcel from a previously unsubdivided quarter section with a title area of 64.07 (158.31 ac).

**HISTORY**

The subject property is an unsubdivided quarter section located immediately southwest from the intersection of Township Road 490 and Range Road 273. The proposed parcel encompasses the existing dwelling, accessory buildings, farm buildings and dugout, and is located the north-central part of the quarter section along the township road.

## DISCUSSION

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The Land Suitability Rating System (LSRS) dataset indicates that the subject lands consists of a mix of Class 1 and Class 4 soils. The majority of the quarter section, including the land within the proposed farmstead parcel, is under the Class 1 designation. Approximately 6 hectares of land near the northeast corner of the subject parcel is designated as Class 4 soils. The Municipal Development Plan regards any land having a LSRS value of 1, 2 or 3 as Prime Agricultural Land. Therefore, the land within the boundaries of the proposed parcel is 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 and farmstead site occupy an area greater than 1 ha (2.47 acres), and a larger lot is needed to encompass the existing dwelling, accessory buildings, driveway and windrows. Planning and Development estimate that a 1.77 ha (4.37 ac) parcel is sufficient to capture these features, and, therefore, Planning and Development recommend that the proposed lot be reduced in size from the requested 4.04 ha (10.0 ac) to 1.77 ha (4.37 ac).

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:

- Some concern as to why the odd lot line on front where trees are – Rae-Lynne Spila advised could not find any information on this.
- Township 490 is a main road – concerned there may be some risk to traffic due to trees. Suggestion made to trim back these trees.
- Rae-Lynne Spila advised condition #5 deals with road width.

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



- Advised he spoke with the renter who is acceptable to exhibit #3 with a reduction in size to 3.04 ha (7.51 ac) subdivision.
- Willing to perform weed control and plant some grass.

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

After conditions were read out by Chair Tanni Doblanko, there was additional discussion by the applicant Craig Oslund:

- Applicant advised in speaking with Mr. Stepanko, who farms the land, he is not in favor of removal of the field access off Township Road 490.
- Why should he have to use the east access off Range Road 273 and drive ½ mile across to access westerly part of land. What if unable to drive across the land from the east because it's too wet, how does he access the land then.
- County put the access there.
- Rae-Lynne Spila advised it is a matter of safety on a high traffic road. The typical number of accesses to a ¼ of land is two – this one would have three.
- Applicant advised it was not a safety issue when the road was widened and access created.
- Access on Township Road 490 was put in when road was widened – maybe 20 years ago. It is paved, has a culvert in, and is wide for moving equipment.
- This approach would be used mainly in the spring/fall.
- Dave Desimone advised approaches must meet Leduc County standards – and that would mean access should be removed.

**20-11** Committee Member Kelly-Lynn Lewis – to subdivide a 4.04 ha (10.0 ac) farmstead parcel from a previously unsubdivided quarter section with a title area of 64.07 (158.31 ac) with the following conditions:

1. Pursuant to Policy 4.3.1.7 of the Municipal Development Plan the proposed parcel be reduced in size from 4.04 ha (10.0 ac) to 3.04 ha (7.51 ac), and as presented in Exhibit 3.
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;
  - i. Current west approach off Township 490 to remain as is.
4. 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; and
5. Pursuant to 662(1) of the Municipal Government Act, the applicant/landowner shall dedicate, by plan of survey, a 10 meter right-of-way along the road frontage of the proposed parcel approximately 118 meters long, to be in line with the remaining front property line.

6. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

**Proposed Subdivision - Harvey & Karen Horvath on behalf of Austin Taylor –  
NE 31-49-03-W5**

**SD19-061**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Harvey & Karen Horvath on behalf of Austin Taylor. Staff recommends approval to subdivide a 4.04 ha (10 ac) farmstead parcel from a unsubdivided quarter section with a title area of 64.35 ha (159.02 ac)

## **HISTORY**

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The subject lands are located at Township Road 500 and Range Road 35. The subject lands are an unsubdivided quarter section.

## **DISCUSSION**

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The Agricultural Land Suitability Rating of the subject lands ranges from Class 2 to Class 5, with water and slope being the largest constraints. The north half of the proposed parcel is mostly treed and is under the Class 2 designation.

According to the Municipal Development Plan the subject lands are located within Agricultural Area A (West) where policies are to provide for a broad range of agriculture where land use conflicts can be minimized and subdivision is limited. According to Section 4.3.1.3 of the Municipal Development Plan, subdivision is limited to a physical severance, a farmstead subdivision, a residential subdivision or an agricultural subdivision. Additionally, in accordance with Section 4.3.1.4 there shall be no more than two subdivisions (three titled lots) per quarter section in Agricultural Area A (West). 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 proposed parcel is overly large than what is needed to capture the existing dwelling, buildings yard site. Planning and Development recommend that the proposed parcel be reduced in size from 4.04 ha (10.0 ac) to 2.02 ha (5.0 ac), which is sufficient to capture the dwelling, driveway and access.

The Agricultural Impact Assessment submitted with the subdivision application received a score of 20, indicating the proposed subdivision aligns with County policy, with 10 points being scored for the proposed parcel being over 1.0 ha (2.47 ac) in size.

Two adjacent landowners submitted comments regarding the proposed subdivision.



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

- Dave Desimone confirmed Leduc County has no policy on types of livestock and suitability of livestock.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision. Harvey and Karen Horvath approached and provided the following information:

- Applying to subdivide 10 acres of land from ¼ section.
- Verbal promise was made between Harvey and his father that he would receive 10 acres of ¼ section when his father passed on.
- In believing, the land would be ours, over the years many improvements were made to the land.
- Yard site was developed and we paid taxes.
- Title on quarter section was in Harvey's brother and father's names
- Was our belief Harvey's brother would honor his Dad's wishes and thus the 10 acres were not transferred into our name.
- Harvey's brother then sold the land.
- New owner recognizes land should be Harvey's and is willing to honor the agreement.
- Will address issues of fencing, water, and shelter before any animal is brought onto the property.
- Wish to develop land now sitting idle.
- It is not agricultural and does not impact agricultural land
- The proposed lot is a wooded area comprised of hills and trees.

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

- Applicant confirmed currently there are no fences.
- Applicant confirmed they would like the larger parcel size 4.05 ha (10 ac).
- Area has no farm value to it with the hills, creek and trees that cover it other than pasture.

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

- Dave Desimone advised the blue dotted line is perhaps just a drainage channel.
- Access from Township Road 500 would require paving. The approach may already be paved but could not tell because of snow.
- Use of this approach will require written permission from oil company leaseholder.

**20-12** Committee Member Ray Scobie - to subdivide a 4.04 ha (10 ac) farmstead parcel from an unsubdivided quarter section with a title area of 64.35 ha (159.02 ac) 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. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

In response to the adjacent landowners concerns, the Subdivision Authority is of the opinion that in Leduc County there is no policy for management of livestock.

**Municipal Reserve Discharge Report**  
**Plan 182 1664, Block 1, Lot 9**

Dave Desimone, Senior Planner, Development Services, presented a report with respect to the discharge of deferred municipal reserves from Plan 1821664, Block 1, Lot 9. Staff recommends that the Subdivision Authority Committee give approval to discharge the Deferred Reserve Caveat in the amount of 1.76 ha (4.35 ac) for Leduc County lands at Plan 1821664, Block 1, Lot 9.

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

- Confirmation the request made is to release municipal reserve of 1.76 ha (4.35 ac) from an 8.11 ha (20.04 ac) parcel.
- Des Mryglod advised was an arrangement between Leduc County and Camgill.
- Deferred reserve owed.
- At this point and time deferred reserve to be used as a park – this land is more industrial.
- Des Mryglod advised not sure what this land will be used for in the future.
- Rick Thomas advised this land definitely has value to Leduc County in the long-range plan.
- Just cleaning up the title and removing the Deferred Reserve caveat.

**20-13** Committee Member Kelly Vandenberghe to discharge the Deferred Reserve Caveat in the amount of 1.76 ha (4.35 ac) from Leduc County lands at Plan 1821664, Block 1, Lot 9.

Unanimously carried.

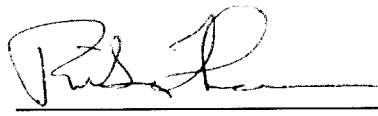
**Adjournment**

**20-13** Committee Member Glenn Belozer, that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting concluded at **2:23** p.m.

  
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CHAIRMAN

  
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SECRETARY