



## Subdivision Authority

### Agenda

*Council Chambers, Leduc County Centre, Nisku, AB*

***Tuesday, October 20, 2020***

1. **Order – 1:30 p.m.**
2. **Organizational Meeting of the Authority**
  - a) Nomination of Chair
  - b) Nomination of Vice Chair
3. **Adoption of agenda**
4. **Adoption of previous minutes**
  - Subdivision Authority Minutes – Tuesday, September 15, 2020 ✓
5. **Subdivision Applications**

1. SD20-022 – Stephen Yu on behalf of Nickel Properties Ltd. – NE 31-50-24-W4	✓	Dave Desimone
2. SD20-030 – Donna Oliver on behalf of Leo & Mary Wieschorster – SW 21-50-23-W4	✓	Dave Desimone
3. SD20-031 – Donna Oliver on behalf of Leo & Jennifer Leblanc – SW 16-50-23-W4	✓	Dave Desimone
6. **Adjournment**

**Delegated Authority Decisions: - September - 2**

*✓ Attachment provided*

*Leduc County is dedicated to serving its citizens and will create an enhanced quality of life through effective leadership, committed partnerships and open, transparent communication.*



*✓*



## **Subdivision Authority Minutes**

*Council Chambers, Leduc County Centre, Nisku, AB  
Tuesday, October 20, 2020*

### **Order and roll call**

The meeting was called to order at 1:30 p.m. on Tuesday, October 20, 2020, by Rick Thomas, Secretary of Subdivision Authority and committee members Tanni Doblanko, Kelly-Lynn Lewis, Kelly Vandenberghe and Ray Scobie present. Committee member, Glenn Belozar was absent.

### **Other attendees**

- Mrs. Charlene Haverland, Manager, Development Services
- Mr. Dave Desimone, Senior Planner, Development Services
- Mrs. Rae-Lynne Spila, Senior Municipal Engineer
- Mr. Rick Thomas, Secretary of Subdivision Authority
- Mrs. Adele Pysar, Recording Secretary

There was one other individual present.

### **Organizational Meeting of the Authority**

Mr. Rick Thomas, Secretary of the Subdivision Authority, indicated as per Bylaw 24-08, that the Chair and Vice Chair are to be elected at the first subdivision meeting following the council organizational meeting.

### **Nomination of Chair**

Mr. Rick Thomas, Secretary of the Subdivision Authority, requested nominations for Chair of the Subdivision Authority. Committee Member Ray Scobie nominated Mayor Tanni Doblanko. A second nomination was called. A third nomination was called. No further nominations came forward.

**41-20** Committee Member Kelly-Lynn Lewis – that the nominations cease and confirm Mayor Tanni Doblanko as Chair of the Subdivision Authority.

Carried Unanimously

### **Assume the Chair**

Mayor Tanni Doblanko assumed the Chair and asked for nominations for Vice-Chair of the Subdivision Authority.

Committee Member Kelly-Lynn Lewis nominated Kelly Vandenberghe as Vice-Chair. A second nomination was called. A third nomination was called. No further nominations came forward.

**42-20** Committee Chair Tanni Doblanko – which the nominations cease and confirm Kelly Vandenberghe as Vice-Chair of the Subdivision Authority.

### **Agenda adoption**

**43-20** Committee Chair Tanni Doblanko – that the agenda for the Tuesday, October 20, 2020 Subdivision Authority be adopted as amended with removal of item 3. SD20-031.

Carried Unanimously

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**Previous Minutes – Tuesday, September 15, 2020**

**44-20** Committee member Kelly-Lynn Lewis – that the Tuesday, September, 15, 2020 Subdivision Authority minutes be accepted as circulated.

Carried Unanimously

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**Proposed Subdivision – Stephen Yu on behalf of Nickel Properties Ltd. – NE 31-50-24-W4 SD20-022**

Mr. Dave Desimone, Senior Planner, Development Services, presented a staff report with respect to the application by the applicant Stephen Yu on behalf of Nickel Properties Ltd. Staff recommends approval to subdivide a 1.48 ha (3.65 ac) parcel for industrial use from a parcel with a title area of 12.1 ha (29.9 ac).

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**HISTORY**

The subject lands are located off Township Road 510 and Range Road 245. The subject lands were subdivided in 2005 creating the titled area northwest of Irvine Creek. The lands were redistricted to IND – Industrial and MB – Manufacturing Business Incubation District in 2014 which was supported through the adoption of the Nisku Business Generator Outline Plan in the same year.

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**DISCUSSION**

The purpose of the subdivision is to remove the existing warehouse and office, which are districted IND – Industrial, from the remaining lands which are districted IND – Industrial and MB – Manufacturing Business Incubation District. The existing development is compliant with the existing land use district and aligns with the intention of the Nisku Business Generator Outline Plan which provides a land use framework and servicing concept.

The lands are located within the Business Park Area of the North Major Area Structure Plan and the Major Employment Area of the Leduc County Municipal Development Plan which is intended to accommodate commercial, light industrial, and medium industrial development which creates significant concentrations of business and economic activities.

Dedication of road right-of-way is required without compensation for the continuation of the Spine Road as a condition of this subdivision approval as well as the condition for a storm water management plan for the newly created lot to ensure the existing building maintains and manages storm water runoff.

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

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

Dave Desimone advised:

- If appealed the application would go to Subdivision and Development Appeal Board. The internal road shown on the Tentative Plan of Subdivision is not there. No road exists.

Rae-Lynne Spila advised:

- Township 510 is a dangerous road and this has been taken into consideration.

Dave Desimone advised:

- The purpose of the Manufacturing Business Incubation District is to allow for development within a business park-like setting, of mixed-use live/work units combined with manufacturing and business development, for the purpose of business incubation, and to be operated in such a way as to create

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no disturbances outside of the enclosed buildings. The implementation of this District to any lands within the County must be supported through an adopted Area Structure Plan, Local Area Structure Plan or Outline Plan

- The applicants/landowners came to council some time ago with an outline plan to create some support for new business, but this did not get off the ground.
- An outline is to create a setting or demand for business and lands. Economy in general creates that demand. Outline Plan is just a proposed setting for that.

Chair Tanni Doblanko called upon the applicant to speak to the subdivision.  
There was no applicant present.

**45-20** Committee Member Kelly Vandenberghe that the application to subdivide a 1.48 ha (3.65 ac) parcel for industrial use from a parcel with a title area of 12.1 ha (29.9 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:
  - a) provision for a storm water management plan for the newly created lot;
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. The applicant/owner shall prepare a shared access agreement. Terms of the agreement are to be determined by the applicant/owner and approved by Leduc County. The access agreement shall be registered on the newly created titles by caveat;
5. 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;
6. Pursuant to 662(1) of the Municipal Government Act, the applicant/owner shall dedicate without compensation, by Plan of Survey, road dedication along Township Road 510 required for the Spine Road of approximately 0.3 ha, as per Schedule A – Right of Way for Waterline Purposes; and
7. The subdivision be registered pursuant to Alberta Land Titles requirements.

Carried Unanimously

**Proposed Subdivision – Donna Oliver on behalf of Leo & Mary Wieschorster – SW 21-50-23-W4 SD20-030**

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Donna Oliver on behalf of Leo & Mary Wieschorster. Staff recommends this application be **REFUSED** for the following reasons:

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1. Pursuant to Section 654(1)(b) of the Municipal Government Act, the proposed subdivision does not conform to the following objectives and policies of the Municipal Development Plan (08-19):
  - a) Policy 4.2.0.1 which states in the Rural County, the Country Residential area, Local Employment areas, Growth Hamlet, and Lakeshore Communities shall be guided by Area Structure Plans;
  - b) Policy 4.5.1.2 which states one or more Area Structure Plans will be prepared to guide subdivision and development of the Country Residential area as identified in Map 4: Rural County Land Use Concept to promote interconnected neighbourhoods, transportation and stormwater infrastructure, drainage patterns, natural areas, and wildlife habitats.

## HISTORY

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The subject lands are located off of Range Road 234 and a half mile south of Highway 625. The quarter section was subdivided in 1992 creating two 80 ac parcels.

## DISCUSSION

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According to the Municipal Development Plan the subject lands are located within the Country Residential area where policies are aimed to provide rural living opportunities and lands designated Country Residential in this area will continue to accommodate this type of development. Policy 4.5.1.2 of the Municipal Development Plan stipulates one or more Area Structure Plans will be prepared to guide subdivision and development of the Country Residential area and promote interconnected neighbourhoods, transportation and stormwater infrastructure, drainage patterns, natural areas, and wildlife habitats. Leduc County is currently underway in the development an Area Structure Plan for this area; however, it has not been completed at this time.

The proposed parcel represents the third parcel from this quarter section. Administration is of the opinion that until an Area Structure Plan is prepared for this area that can address roadway connections, the allocation of park space, stormwater, environmental features and future development, further subdivision would represent incremental and unplanned development.

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

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration. Dave Desimone provided the following information:

- Correction – The proposed parcel represents the second parcel from this quarter section – not third as indicated in the administrative report.
- We are recommending refusal because policy states in Rural Country, Country Residential areas shall be guided by an Area Structure Plans.
- An Area Structure Plan provides guidelines for stormwater management, interaction with traffic, etc., thus the danger of not having one. If we do not have a focused plan, then we do not know what the impacts are. An Area Structure Plan provides a clear picture of what will happen.
- The timeline for an Area Structure Plan in this area is anticipated to be the end of 2021.
- Agriculture is actively happening on remnant parcel.

Rae-Lynne Spila provided the following information:

- The Applicant would submit an application as to where they would like a second access to be for the remnant parcel.

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

- There already is an approach coming into the Quonset on the remnant parcel.
- To wait until 2021 to deal with this property would be difficult. There are tenants living in the house now and they want to buy property.
- Does not believe an Area Structure Plan would make any difference.
- The house was built in 1995 and is in immaculate condition. Trees surround it.
- Grading may be necessary to accommodate an Area Structure Plan.
- New septic system has been installed
- Have done everything we can to make this work

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

- There is a Quonset and three cattle sheds also on the remnant parcel
- Renting the remnant parcel to a neighboring farmer
- Intend on using the Quonset for boat storage.

Chair Tanni Doblanko asked if Committee Members had any comments or questions for administration. Dave Desimone provided the following information:

- The Area Structure Plan will provide future development needs.
- There could be other things brought up in the Area structure Plan that could affect other properties and aspects such as roads, drainage, etc.
- If we approve today knowing an Area Structure Plan is coming in a year's time, impossible to know if this would make a difference. Perhaps Range Road 234 needs to be widened, and then Leduc County is dealing with two properties and possibly paying for additional road allowance.
- Risk is minimal but Area Structure Plan is necessary.
- How does water flow off the property – driveway has been there since 1995.
- A condition for the dedication of municipal reserves due at the earliest possible stage.

**46-20** Committee Member Kelly Vandenberghe that the application to subdivide a 0.70 ha (1.73 ac) lot for Country Residential Use from a lot with a title area of 1.56 ha (3.85 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 669(1) of the Municipal Government Act, municipal reserves in the amount of ten percent of the title area ( $32.37 \text{ ha} \pm \times 10\% = 3.237 \text{ ha} \pm$ ) shall be deferred to the title of the remnant parcel; and

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

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

Con: Committee Chair Tanni Doblanko

Carried


The subdivision approval does not impede any future Area Structure Plan or other developments.

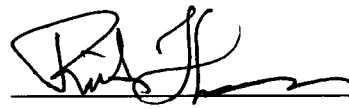
**Adjournment**

**47-20** Committee member Kelly-Lynn Lewis – that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting was adjourned at **2:00** p.m.

  
Chairman

  
Secretary