



Subdivision Authority

Agenda

Council Chambers, Leduc County Centre, Nisku, AB

Tuesday, November 17, 2020

1. Order – 1:30 p.m.

2. Adoption of agenda

3. Adoption of previous minutes

Subdivision Authority Minutes – Tuesday, October 20, 2020

✓

4. Subdivision Applications

1. SD20-031 – Donna Oliver on behalf of Leo & Jennifer Leblanc –
SW 16-50-23 W4

✓ Dave Desimone

2. SD20-033 – Darcy Powlik on behalf of Bent Ventures Ltd. –
NE 33-49-2 W5

✓ Dave Desimone

3. SD20-042 – Alan & Dawn Mason – SW 10-48-27 W4

✓ Dave Desimone

4. SD20-044 – Peter Brouer & Robert Grigat – SW 16-48-24 W4

✓ Greg McGovern

5. SD20-045 – Barry & Christine Harrison – SW 13-50-22 W4

✓ Dave Desimone

6. SD20-046 – Chuck McNutt on behalf of J.V. Driver Corporation Inc. –
SE 36-50-25 W4

✓ Dave Desimone

5. Adjournment



Subdivision Authority Minutes

*Council Chambers, Leduc County Centre, Nisku, AB
Tuesday, November 17, 2020*

Order and roll call

The meeting was called to order at 1:30 p.m. on Tuesday, November 17, 2020, by Tanni Doblanko as chair and committee members Kelly Vandenberghe, Glenn Belozar and Ray Scobie present. Kelly-Lynn Lewis was absent.

Other attendees

- Mr. Dave Desimone, Senior Planner, Development Services
- Mr. Amro Kotb, Manager - Engineer
- Mr. Rick Thomas, Secretary of Subdivision Authority
- Mrs. Laurie Stoetzel, Recording Secretary

There were 4 other individuals present.

Agenda adoption

48-20 Committee Member Kelly Vandenberghe – that the agenda for the Tuesday, November 17, 2020 Subdivision Authority be adopted as amended with the removal of item 1. - SD20-031, 4. - SD20-044 and 6. - SD20-046.

Carried Unanimously

Previous Minutes – Tuesday, October 20, 2020

49-20 Committee member Glenn Belozar – that the Tuesday, October 20, 2020 Subdivision Authority minutes be accepted as circulated.

Carried Unanimously

Proposed Subdivision – Darcy Powlik on behalf of Bent Ventures Ltd. – NE 33-49-2 W5 SD20-033

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicant Darcy Powlik on behalf of Bent Ventures Ltd. Staff recommends **approval** to subdivide a 4 ha (9.88 ac) farmstead parcel from a quarter section with a title area of 61.51 ha (152 ac).

HISTORY

The subject lands are located in Agricultural Area A: West in the Leduc County Municipal Development Plan where the objectives are to conserve agricultural land on a comprehensive basis for a broad range of agricultural operations. Policy 4.3.1.3 of the Municipal Development Plan supports a Farmstead Subdivision which is defined as the subdivision of an existing farmstead from a quarter section. A Farmstead subdivision shall not exceed 1 ha (2.47 acres) 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. Administration is of the opinion the proposed subdivision is larger than what is required to encompass the developed yardsite and shelterbelt and for this reason are recommending the application be approved subject to a smaller parcel as presented on Exhibit 2.

Alberta Transportation was referred as part of this subdivision application and has granted a variance to the proposed subdivision with the condition that a 30m service road be dedicated via caveat across the entire frontage on Highway 622.

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.

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:

- The 30m wide service road along Highway 622 will be taken by Caveat for future road widening.

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

- 3.85ac would work but it only allows for a residential site.
- 10ac to 12ac would create a micro farming operation.
- People are looking to be out of larger centers and into the country. With the smaller size, only a house or modular would be allowed and nothing else.
- People want livestock or a market garden. A bigger size allows for market garden.
- For a bee operation, larger parcels would work better.
- The AIA score of 50, should be 40. Rated 51%, should give 20 points not 30.
- Micro farming is workable.
- Owners will continue to farm and no other development will occur.

Dave Desimone advised that a developed yard site could fit on a 2.5 ac parcel.

50-20 Committee Member Ray Scobie that the application to subdivide a 4 ha (9.88 ac) farmstead parcel from a quarter section with a title area of 61.51 ha (152 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 14(c) and 15(2) of the Subdivision and Development Regulation, a 30m wide service road right-of-way shall be dedicated by caveat across the highway frontage of the entire quarter section; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

The Subdivision Authority is of the opinion that the proposed parcel size is suitable for small holdings.

Carried Unanimously

Proposed Subdivision – Alan & Dawn Mason – SW 10-48-27 w4

SD20-042

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicants Alan & Dawn Mason. Staff recommends **approval** to subdivide a 3.99 ha (9.86 ac) parcel from previously subdivided quarter section with a title area of 27.97 ha (69.12 ac).

HISTORY

The subject lands are located along Range Road 272 and Township Road 481 within the Watershed

maximum of 16 lots per ¼ Section (160 acres). The intent of the Watershed Conservation Area is to allow further development opportunities while protecting natural features. The proposed parcel is located in close proximity to an Organic Zone as identified in the Wizard Lake Area Structure Plan and is defined as area containing organics such as peat, muskeg and/or organic silt and clay. The proposed parcel was designed to avoid the Organic Area directly adjacent to the northeast corner of the proposed lot.

This subdivision application represents the third parcel from this quarter section, which policy stipulates requires internal road development to provide access, however, due to the location of organics within the quarter section, internal road development within the title area is prohibited, as per policy 11.8.1A of the Wizard Lake Area Structure Plan. Future subdivision in this quarter section will be defined as multi-lot which requires the support of an Outline Plan with supporting studies to further delineate the Organic Zones and protections.

Policy 12.5.2D of the Wizard Lake Area Structure Plan states where one or more cleared areas are available for the erection of the dwelling unit, additional clearing will not be permitted. Administration recommends a restrictive covenant be registered on the title of the newly created parcel and remnant as a condition of approval to limit the amount of tree removal to only what is needed to construct a single dwelling, shop, shed, gazebo and driveway.

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:

- There was a fair amount of discussion regarding this application among administration therefore the application was brought to the Subdivision Authority for a decision.

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

- Has owned the property for over 10 years and time to subdivide and sell.
- The organic zone is unique as it is muskeg and crops cannot grow there.
- A 4 wheel drive is required to get around.
- The land will remain designated agricultural as it is too expensive to develop for anything else.

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

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

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 669(1) of the Municipal Government Act, Municipal Reserves in the amount of ten percent of the title area be deferred against the title of the larger remnant parcel;
4. Pursuant to Section 655 (1) (a) of the Municipal Government Act, a restrictive covenant shall be registered on title of both the newly created parcel and remnant restricting the removal of tree cover/vegetation to only what is needed to construct a single dwelling, shop, shed, gazebo and driveway; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

Pro: Chair Tanni Doblanko, Committee Members Glenn Belozar and Ray Scobie

Con: Committee Member Kelly Vandenberghe

Carried

Proposed Subdivision – Barry & Christine Harrison – SW 13-50-22 W4

SD20-045

Mr. Dave Desimone, Senior Planner, Development Services presented a staff report with respect to the application by the applicants Alan & Dawn Mason. Staff recommends **refusal** to subdivide a 1.21 ha (2.99 ac) residential parcel from previously subdivided quarter section with a title area of 31.91 ha (78.86 ac).

HISTORY

The subject lands are located at Range Road 221 and Township Road 502. Two 40 acre parcels were subdivided from the quarter section in 1971.

DISCUSSION

The Agricultural Land Suitability Rating of the subject lands ranges from Class 2 to Class 5, with water being the largest constraint. An Agricultural Impact Assessment was completed in conjunction with this subdivision application and received a score of 154. A score of 61 or more indicates the proposed application may not align with County policy. Points were received due to the size of the proposed parcel being undeveloped.

It is Leduc County policy that quarter sections consisting of four (4) parcels or more have access through an internal road. The proposed application proposes access from Township Road 502 and does not include an internal road to provide 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.

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:

- There is no Area Structure Plan in this area. The Municipal Development Plan was referred to.
- Property is 800m from Joseph Lake.
- Policy does not support residential subdivision in Area C.

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

- An elk farm has been in operation on the 80 acres since 1988.
- Would like to subdivide the proposed parcel for daughter and son-in-law to take over the farm.
- The proposed parcel is not big enough for the elk farm but would allow for someone to live there and help out.

Chair Tanni Doblanko asked if Committee Members had any further comments or questions for the applicant. Christine Harrison advised that:

- The pasture land is suitable for elk with good tree strands.
- No crops are grown on the land and feed is brought in.
- 2.5 ac parcel would be ok.

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

52-20 Committee Member Kelly Vandenberghe that the application to subdivide a 1.21 ha (2.99 ac) residential parcel from a previously subdivided quarter section with a title area of 31.91 ha (78.86 ac) be

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 ($31.91 \text{ ha} \pm \times 10\% = 3.191 \text{ ha} \pm$) shall be deferred to the title of the remnant parcel; and
5. The subdivision be registered pursuant to Alberta Land Titles requirements.

The Subdivision Authority is of the opinion that the approval does not impede any future growth and does not set precedence

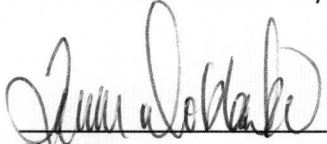
Carried Unanimously

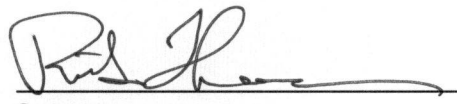
Adjournment

54-20 Committee Member Ray Scobie – that the Subdivision Authority meeting be adjourned.

Carried Unanimously

The Subdivision Authority meeting was adjourned at 2:13 p.m.


Chairman


Secretary