

SUMMARY

Date and Location of Hearing:	April 1, 2025 Council Chambers and Through Electronic Communications
Appellants:	1221940 Alberta Ltd. Jeff Richardson
Appeal File Number:	025-STU-004
Application Number:	2024-S-041
Legal Address of Property:	E 32-53-26-W4 Block 1; Plan 9223219
Nature of Proposed Subdivision:	Refusal of a consolidation and a 1.75 ha parcel

BEFORE:

Board Members: Julius Buski (Chair), Lee Danchuk, Nicole Mackoway, Amanda Papadopoulos, and Kristin Toms

Board Administration:

Dianne Mason, Acting Clerk, Subdivision and Development Appeal Board
Melodie Steele, Secretary, Subdivision and Development Appeal Board

Planning & Development Services Staff:

Jonathan Heemskerk, Planner, Current Planning, Planning & Development Services

INTRODUCTION:

The Chair opened the hearing at 2:00 p.m.

The Chair introduced the SDAB members and Administration to all those present.

The Chair provided an overview of the SDAB process and asked if there was anyone opposed to the process. No one was opposed.

The Chair asked all those in attendance if there was anyone opposed to any of the Board Members hearing the appeal. There was no one opposed to the composition of the Board.

SUMMARY:

SUBDIVISION AUTHORITY'S PRESENTATION

Jonathan Heemskerk, Planner, Current Planning, Planning & Development Services made a presentation on behalf of the County and provided information regarding the application (see Planning & Development Services Report).

In response to questions from the Board, Mr. Heemskerk responded:

- The standard of 2 large agriculture major parcels and 2 acreage parcels has been long standing in the County, dating back 30+ years. It has been very restrictive in terms of the shape and configuration, and it works on quarter sections that are very standard.
- In the past there have been different interpretations of how the river lots are evaluated considering some of them stretch for many acres of land. In this case the lot is outside of the river lot designation, it is adjacent to it. Administration has done their best to interpret it as one quarter section for agricultural purposes so there is no extra discretion in terms of the value.

APPELLANTS' PRESENTATION

The Appellant, Jeff Richardson, provided a verbal presentation, background information, and reasons for the appeal. To summarize:

- He understands and generally agrees with the MDP, and corresponding subdivision policies set forth in Sturgeon County, in which sustainable agricultural areas and parcels are protected and maintained however, he believes this parcel is an exception.
- As seen from the map provided from Administration and the legal plan attached to this presentation, E -32-52-26 W4 does not have a N or S assigned to it. It is an odd parcel, L shaped, which expands the entire the North-South distance of what two quarter sections would be.
- Effort was made when it was split into the two farmland parcels to maintain the same size but due to the lack of road frontage along Township Road 540, the remnant lot was created as 76 acres, and lot 2 was created as 86 acres. Lot 2 has only 106 feet of frontage along Township Road 540. Getting farm equipment onto the lot is quite limited as you could not turn around and that width extends down along the acreage.
- The application proposes to combine two large agricultural parcels and re-create a larger more efficient parcel of land to farm and maximize its agricultural value. The smaller parcel proposed has a barn, power and some facilities that would encourage acreage living as well as a small-scale hobby farm or diversified agricultural operations.
- The application does not seek to create any additional parcels but rather optimize the value and use of the existing land and preserve agricultural land, which is the basis of the MDP policy.

In response to questions from the Board:

- Mr. Richardson responded that, should the Board grant the appeal and approve the subdivision, he accepts the conditions as outlined by the Subdivision Authority.
- He is subdividing with the intent to sell the smaller proposed residential parcel. Currently he owns 3 of the 4 titles - both large parcels and an acreage parcel. If the proposed lot is sold, then there would be 3 different title owners on the quarter section.
- Currently the proposed remnant lot is pasture with the farming potential for a grain crop and he

- has friends in the area who are interested in farming the land.
- Mr. Heemskerk stated that if the three acreage titles were sold there is still a fully constructed access to the farmland.

No additional written submissions were received by other affected persons after the publication of the hearing agenda.

CLOSING COMMENTS:

PLANNING AND DEVELOPMENT SERVICES

Mr. Heemskerk advised that Administration appreciates that should the application be approved there is the potential to better facilitate agricultural operations. Some of the low-lying land in the middle of the remnant parcel could create a challenge for a future owner when trying to effectively access the land for agriculture purposes.

This is a variance from the Land Use Bylaw but other than the configuration of 3 acreages and 1 large piece of farmland purpose, Administration has no objections.

APPELLANTS

The Appellant declined the opportunity to provide closing comments.

The Chair advised that the hearing was concluded at 2:24 p.m. and that in accordance with section 687(2) of the *Municipal Government Act*, the Board will issue a decision within 15 days. No decision is binding on the Board until it issues a written decision.

THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Sturgeon County



Julius Buski, Chair