

BY-LAW NUMBER 2020/59

BY-LAW NO. 2020/59 is a by-law of the County of Wetaskiwin No. 10 in the Province of Alberta, to authorize the adoption of an Area Structure Plan for the purpose of providing a framework for subsequent subdivision and development of NE-35-45-2-W5M in accordance with Section 633 of the Municipal Government Act, Chapter M-26.1, Revised Statutes of Alberta 2000, and amendments thereto.

WHEREAS: at the requirements of County Council, an Area Structure Plan has been prepared for NE-35-45-2-W5M.

AND WHEREAS: the proposed Area Structure Plan has been widely circulated and discussed within the County pursuant to Section 230, 606(1), and 633(1) of the Municipal Government Act, 2000, Chapter M-26.1, and amendments thereto.

NOW THEREFORE: the County of Wetaskiwin No. 10, duly assembled, hereby enacts as follows:

The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted for NE-35-45-2-W5M.

1. This by-law comes into effect on the date of third reading.

READ: A First time this 14 day of July A.D, 2020

READ: A Second time this 8 day of October A.D, 2020

READ: A Third time and finally passed this 8 day of October A.D, 2020



REEVE



**ASSISTANT CHIEF ADMINISTRATIVE
OFFICER**

Added Road allowance and land reserves.

County Of Wetaskiwin
Area Structure Plan
N. NE 35-45-2- W5

Previous Land Use:

Currently this 1/4 section of land is divided into two 80 acre parcels and is in a state of mostly trees and bush. The southerly parcel has a little more cleared land and an abandoned and reclaimed oil well site. The northerly portion the subject area is almost completely covered with trees and bush except for the existing house site and workshop areas. Formerly this land had been completely logged off- almost 50 years ago and the current cover is all second growth. The soil is what is referred to as "grey wooded" and is of overall poor quality, being too clay with too little topsoil.

Road Contribution Fee:

In this regard, the 3 new lots being created require the payment of a \$2,000.00 per lot road contribution fee prior to the registration at Alberta Land Titles. The \$6000.00 road contribution fee will be paid in full prior to the registration at Alberta Land Titles.

Construction /Access:

The revised plan prepared by Mr. Riddett will require the construction of a County road for 250 meters with a turnaround at the end built to the County Standard. Construction of the road shall be the responsibility of the developer. Only lot I (the eastern most lot) shall have direct access to Range Road 21 Road.

Sewer:

Each lot of the proposed subdivision is large enough to have their own on-site sewage disposal. It will be the choice of the buyer to install their own septic system and/or pump/out subject to the accepted Provincial Regulations. Sewer section to state that in the event that on-site sewer treatment is not provided, the land owner will be required to pay a onetime \$2,034.00 Off-site Sewer Levy payable to the County. This will be caveat and registered on the title of the respective lots.

Water Supply:

Under Land Use Bylaw 2017/48, the following regarding proof of water supply must be provided. This requirement includes a minimum 2 hour pump test and an opinion from the well driller or a hydrological engineer providing a written opinion indicating that the three additional lots will not adversely have an impact on adjacent well drawdown/well

users with a recovery rate of 90%. This pump test will be completed on an existing well located on NE 35-45-2- W5.

Warnke Drilling will be completing the testing on May 7, 2020; I will forward the report to the county when testing has been completed.

Impact on Environment:

There is no anticipated major impact on the environment with this subdivision.

Storm Water Management:

Surface water tends to flow to the northwest away from Baffle River Valley and Battle Lake itself as shown on the attached contour map by an arrow. No changes will be made to the existing drainage. This plan proposes to maintain existing natural drainage courses and to limit, to as great an extent as possible, the removal of natural vegetation in order to protect the integrity of the watershed area. Under no circumstances will more than 20 % of the natural vegetation be removed, as per the regulations of the County of Wetaskiwin Land use By-Law.

Reserves:

8 acres of land will be dedicated to the County of Wetaskiwin for reserve by caveat split equally between the 4 parcels.

Flood Risk:

There is little or no flood risk as this land is on the top of the watershed.

Conflicting Land Use:

There are no sour gas wells in the area in operation or any intensive feeder operations. The current area is lightly populated.

Public Consultation Plan:

We have sent out notices to the adjacent land owners of our 80 acre parcel located NE 35-45-2- W5M. Notifying them we are going ahead with the sub-division of our 80 acre parcel in to 4 – 20 acre parcels.

Or house and 20 acres will be lot #1 and there will be 3 – 20 acre lots in pie shape to the west.

The following notice was sent out to our adjacent neighbors/land owners in January 2020. Please see attached list of neighbors/land owners.

Hemmaway, Stacy & Susan

January 21, 2020

Re: Sub-Division, NE 35-45-2- W5M

Public consultation,

We are sending out this notice to the adjacent land owners of our 80 acre parcel located NE 35-45-2- W5M.

We are going ahead with the sub-division proposal of this 80 acre parcel in to 4 – 20 acre parcels.

Or house and 20 acres will be lot #1 and there will be 3 – 20 acre lots in pie shape to the west.

The county of Wetaskiwin requires that we notify all adjacent land owners and give them the opportunity to express their approval along with any comments, concerns and requests in regards to the completion of this sub-division.

Please fill out the following information and return via email or mail to the following addresses:

PO Box#7 Site #7 RR1 Westeros Alberta, T0C 2V0 or Hemmawaystacy@gmail.com or Hemmawaysusan10@gmail.com

I Give full approval of this sub-division and have no concern, comments or request in regards to this sub-division.

(Print) _____ . (Sign) _____.

I express the following concerns: _____

(Print) _____ . (Sign) _____.

I have the following requests: _____

(Print) _____ . (Sign) _____.

Your legal land description _____ W5M Dated: _____ 2020

Please return at your earliest convenient, no response to this matter is considered as your approval.

Set Backs:

All setbacks will be to county standards.

Design Concept:

The overall layout is that as proposed to us by Mr Bob Riddet of the West Central Planning as being the most reasonable and feasible under the circumstances, this enables us to retain our house and shop site in one undivided piece. As this property is already zoned Watershed Protection only 20% of the parcels may be cleared. The intention is to create 20 acre parcels for residential development and as a condition of subdivision approval; all existing structures will be brought into compliance with the County of Wetaskiwin Land Use By-law, by obtaining the proper permits.

Fire Protection:

Through consultation with County administration, it has been determined that fire protection infrastructure (fire pond or dry hydrant) will not be required due to the low density of the proposal.

Road allowance:

A 5 meter road widening will be required along the length of the north side of the parcel immediately abutting and running parallel with TWP Road 460. It is not necessary to have the widening by road plan or plan of subdivision at this moment, however, can be dedicated by caveat registered on the parcel or parcels to be subdivided through the landowner entering into a road widening agreement with the County.

Land Reserve:

As a result of the discussion during the Public Hearing, Reserves shall be as indicated as outlined in your Area Structure Plan with the wording: 8 acres of land will be dedicated to the County of Wetaskiwin for reserve by caveat (deferred reserve caveat) split equally between the 4 parcels.

Adding a statement related to an Expiry Clause: The Area Structure will expire if at least one (1) lot has not been registered after three (3) years of the approval.



