



BYLAW 2022/32

BYLAW 2022/32 is a Bylaw of the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of authorizing the adoption of an Area Structure Plan for the purpose of providing a framework for subsequent consolidation of 43.70 hectares (108.01 acre), and subdivision of 4.77 hectares (11.79 acre) parcel, located on SE 6-47-23-W4M, in accordance with Section 633 of the *Municipal Government Act*, Chapter M-26, Revised Statutes of Alberta 2000, and amendments thereto.

WHEREAS per Requirements of Area Structure Plan Policy, an Area Structure Plan has been prepared for the SE 6-47-23-W4M.

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*,

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

1. The document attached to this Bylaw as "Schedule A", together with accompanying maps, is hereby adopted for SE 6-47-23-W4M.
2. This Bylaw shall come into full force and effect upon passing of the third reading.

READ: First time this 28th day of June, 2022

READ: A Second time this 28th day of June, 2022

READ: A Third time and finally passed this 28th day of June, 2022


REEVE


ASSISTANT CHIEF ADMINISTRATIVE
OFFICER

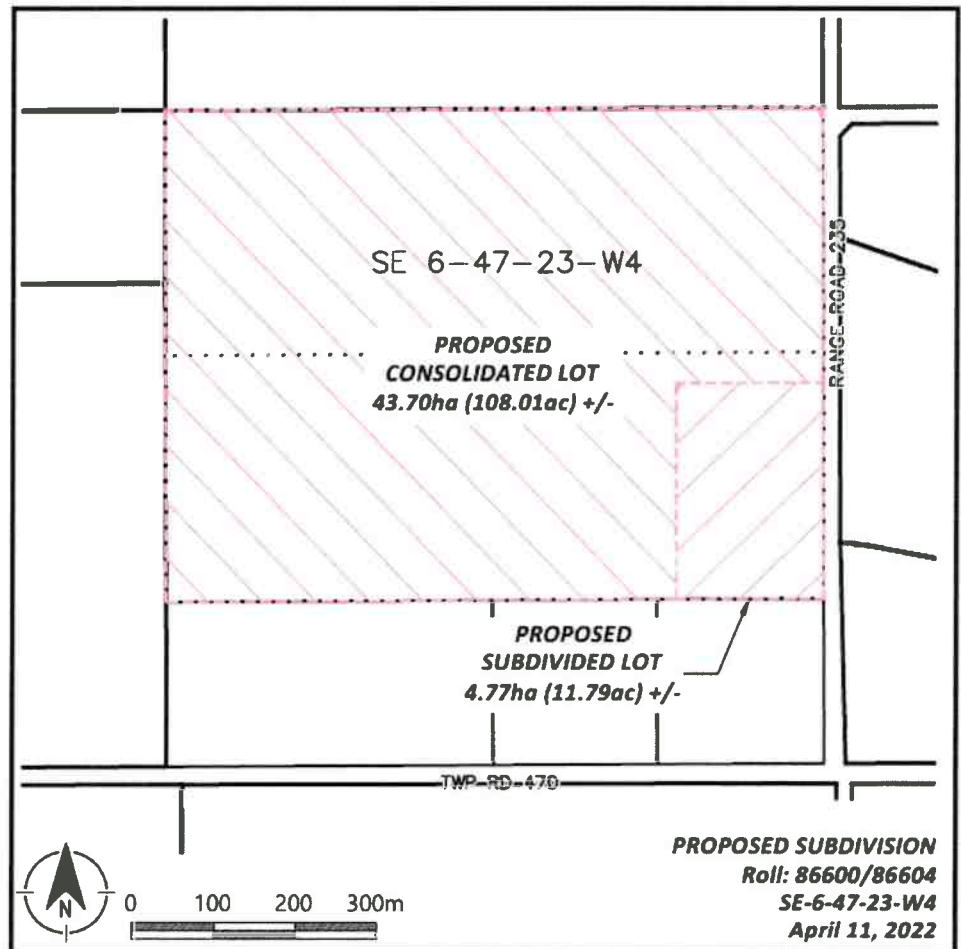


Schedule "A"

Proposed Area Structure Plan (12 pages)

Ralph Martinoff, and Glenda McNabb

SE 6-47-23-W4M





County of Wetaskiwin Area Structure Plan (ASP)

SE 6-47-23-W4M

Last updated: March 30, 2022
Prepared for: Ralph Martinoff / Glenda McNabb

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General Overview

Introduction

This Area Structure Plan (ASP) is prepared in support of County of Wetaskiwin Policy #61.1.6 which requires landowners to prepare an Area Structure Plan if a proposed subdivision will result in the creation of three or more lots on a quarter section. While this ASP does not propose a subdivision that creates additional lots, the quarter section subject of this ASP currently consists of five (5) lots and therefore triggers the requirement for an ASP.

Ownership

The applicants own two abutting lots within Pt. SE 6-47-23-W4 each consisting of ± 60 acres (± 24 ha) as follows:

1. Roll # 86600 located at 470028 Range Road 235 consisting of ± 59.9 ac (± 24.24 ha) within the Agricultural District of the Land Use Bylaw.
2. Roll # 86604 located at 470014A Range Road 235 consisting of ± 60 ac (± 24.28 ha) within the Agricultural District of the Land Use Bylaw.

Purpose

The ASP has been prepared to provide an overview of the entire quarter section of the SE 6-47-23-W4, approximately 160 acres (± 64.75 ha) more or less.

This Plan supports a lot line adjustment and redistricting application in relation to the two abutting agricultural lots owned by the applicants.

The purpose of the lot line adjustment and redistricting application is to:

- adjust the boundaries of Roll #86600 and #86604 by subdividing ± 48 acres (± 19.51 ha) from Roll #86604 and consolidating it into Roll #86600 increasing the parcel size from ± 59.9 acres (± 24.24 ha) to ± 108 ac (± 43.76 ha) to support the continued agricultural use (pasture/hay) on a larger tract of land; and
- rezone the remaining ± 11.79 ac (± 4.77 ha) in Roll #86604 from Agricultural District to Agricultural Hobby Farm District, in accordance with the County of Wetaskiwin Land Use Bylaw to support agricultural use on a smaller tract of land.

The boundaries and parcel sizes of the two agricultural lots described above will be verified at the time of subdivision.

Pre-ASP Information

Planning Area and Location

The plan area includes the entire quarter section of SE 6-47-23-W4 (approximately 160 acres more or less) which is located at the crossroads of Range Road 235 and Township Road 470, approximately ± 5 km northeast of the City of Wetaskiwin boundary.

There are currently five titled lots on the quarter section as follows (see [Appendix 1](#)):

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- 2 titled lots districted Agricultural with access off Range Road 235; each comprised of ± 60 acres with one residence.
- 3 titled lots along the southerly border districted Rural Residential comprised of:
 - 20 acres with one residence and access off of Township Road 470;
 - 10 acres with two residences (each with own access off Twp Road 470); and
 - 10 acres bare land with no access.

Range Road 235 to the north is a dead-end road near Pipestone Creek abutting the NE 6-47-23-W4 quarter section. Highway 814 is approximately 2 km to the west while Highway 13 is approximately 4 km to the south.

The quarter sections to the north, south and west of the plan area consist of rural residential and agricultural uses. The adjacent quarter to the east across Range Road 235 contains a large water body identified as Huard Lake.

The soil classification for the quarter section is CLI 3 and CLI 4. See [Appendix 2](#)

Policy Context

County of Wetaskiwin Municipal Development Plan

The agricultural objectives and policies of the Municipal Development Plan are relevant to this Plan.

- Objective 1.1. of the MDP is to prevent fragmentation of farmland in the County.
- Objective 1.2 is to protect agricultural land to remain in production.

This Plan is consistent with the objectives and policies of the Municipal Development Plan. This Plan does not propose the conversion of agriculture land to a non-agriculture use or propose further fragmentation of the farmland. Rather, this Plan maintains the lands in agriculture use. The Plan proposes to adjust the boundaries of two existing agricultural lots, creating an agricultural parcel more conducive to pasture and hay production on a larger tract of land and creating an Agricultural Hobby Farm on a smaller tract of land.

The quarter section is comprised of lower capability soils, classification CLI 3 and CLI 4 and are described as sandy. The topography is gentle rolling, low lying with bush and trees. Municipal Development Plan policy 1.2.2 supports Agricultural Hobby Farm Districts on lower capability soils.

County of Wetaskiwin Land Use Bylaw No. 2017/48

The two lots owned by the applicants are currently districted Agricultural (AG). The purpose of the Agricultural District is to maintain and preserve land for productive agricultural uses and to allow for limited subdivision and development of residential use compatible in the farming community.

It is proposed the most northerly lot (Roll #86600) remain districted Agriculture (AG) to allow the applicants to provide pasture and hay for their cattle. There is an existing bungalow home built in ± 1975 as well as a shop, garage and pumphouse. The dwelling and the outbuildings meet the setback requirements of the land use bylaw.

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The minimum size for a lot intended to be used for extensive agriculture is 80 acres. The lot line adjustment proposing to increase the size of the lot from 60 acres to 108 acres will bring the lot into conformance with the Land Use Bylaw.

The resulting ± 11.79 ac (± 4.77 ha) lot (Roll #86604) is proposed to be redistricted from Agricultural District to Agricultural Hobby Farm District. The purpose of this Agricultural Hobby Farm District is to provide for small parcels that exist on poorer agricultural land for residential hobby farm purposes.

There is an existing bungalow home built in ± 1972 as well as a mobile home, pumphouse, cattle shelter and old barn. The dwelling and the outbuildings will meet the setback requirements of new property boundaries resulting from the lot line adjustment. The ± 1972 's mobile home currently located on the lot will be converted to a storage shed.

The soils of the lands proposed to be redistricted from Agricultural Hobby Farm District are lower capability (CLI 3) and is consistent with the intent of the Agricultural Hobby Farm District.

The resulting lot size of ± 11.79 ac (± 4.77 ha) is in alignment with the lot size requirements of the Land Use Bylaw - 10.3.6 Agricultural Hobby Farm District, which states the lot size of the Hobby Farm District shall be respectively be between 5 ac (2.0 ha) to 80 ac (32.4 ha).

Overall vision for development

The overall vision for this Plan is for the subject quarter section to remain as a mix of rural residential and agricultural uses. The change envisioned is only to the boundary of the two agricultural lots and the redistricting of one of those lots to Agricultural Hobby Farm. The boundaries, parcel sizes and district of the three titled residential lots located in the SE 6-47-23-W4M are to remain the same.

Contents of the ASP: Studies and Reports

Public Input

The adjacent landowners were consulted and no objections to this Plan were received. Please refer to the attached letters in [Appendix 3](#).

Geotechnical and Groundwater Percolation Reports

The existing development and the existing agricultural and residential uses on the two lots subject of the subdivision and redistricting application are not proposed to change and therefore a geotechnical and groundwater percolation report is not required.

Sewage Treatment

The two lots subject of the subdivision and redistricting application both have open discharge septic systems. The effluent from the open discharge on the lot proposed to be redistricted to Agricultural Hobby Farm and reduced in size to ± 11.79 acres will be contained within the property and the location of the open discharge will meet the required setbacks to the newly established property lines.

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Storm Water Management

The existing development and the existing agricultural and residential uses on the two lots subject of the subdivision and redistricting application are not proposed to change and therefore there will be no change to the existing landscape or drainage patterns.

Water Supply

The two lots subject of the subdivision and redistricting application are privately serviced by wells.

The existing development, and the existing agricultural and residential use of the two lots subject of the subdivision and redistricting application are not proposed to change and therefore no need for additional water sources or Water Act approvals.

Traffic and Roads

Range Road 235 is adjacent to the eastern boundary of the plan area and becomes a dead-end road approximately 1.5 km to the north near Pipestone Creek and NE 6-47-23-W4. Range Road 235 connects to Highway 13 approximately 4 km to the south of the plan area. Township Road 470 is adjacent to the southern boundary of the plan area and connects to Highway 814 approximately 2 km to the west.

The existing development, and the existing agricultural and residential uses on the two agricultural lots subject of the subdivision and redistricting application are not proposed to change. Thus, there will be no increase in traffic or need for upgrades to Range Road 235 or Township Road 470. Both agricultural lots subject of the subdivision and redistricting application have legal and physical access to Range Road 235.

Environmental Assessment

The plan area is not identified as environmentally significant and no new development is proposed. Therefore, no environmental assessment is required.

Archaeological and Historical Assessment

The plan area is not identified in the listing of historic resources.

Fire Protection

The nearest fire station is in the City of Wetaskiwin, approximately 5 kms to the south of the plan area.

Existing Land Uses

The two most northerly parcels are currently districted agriculture. The three most southerly parcels are currently districted Rural Residential.

Contents of the ASP: Maps

Maps including natural areas, existing land use

A map of the natural areas and existing land use is attached in [Appendix 2](#).

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Boundaries of adjacent municipalities

The plan area is not adjacent to any other municipality.

Municipal reserves

No new lot is proposed, only a lot line adjustment.

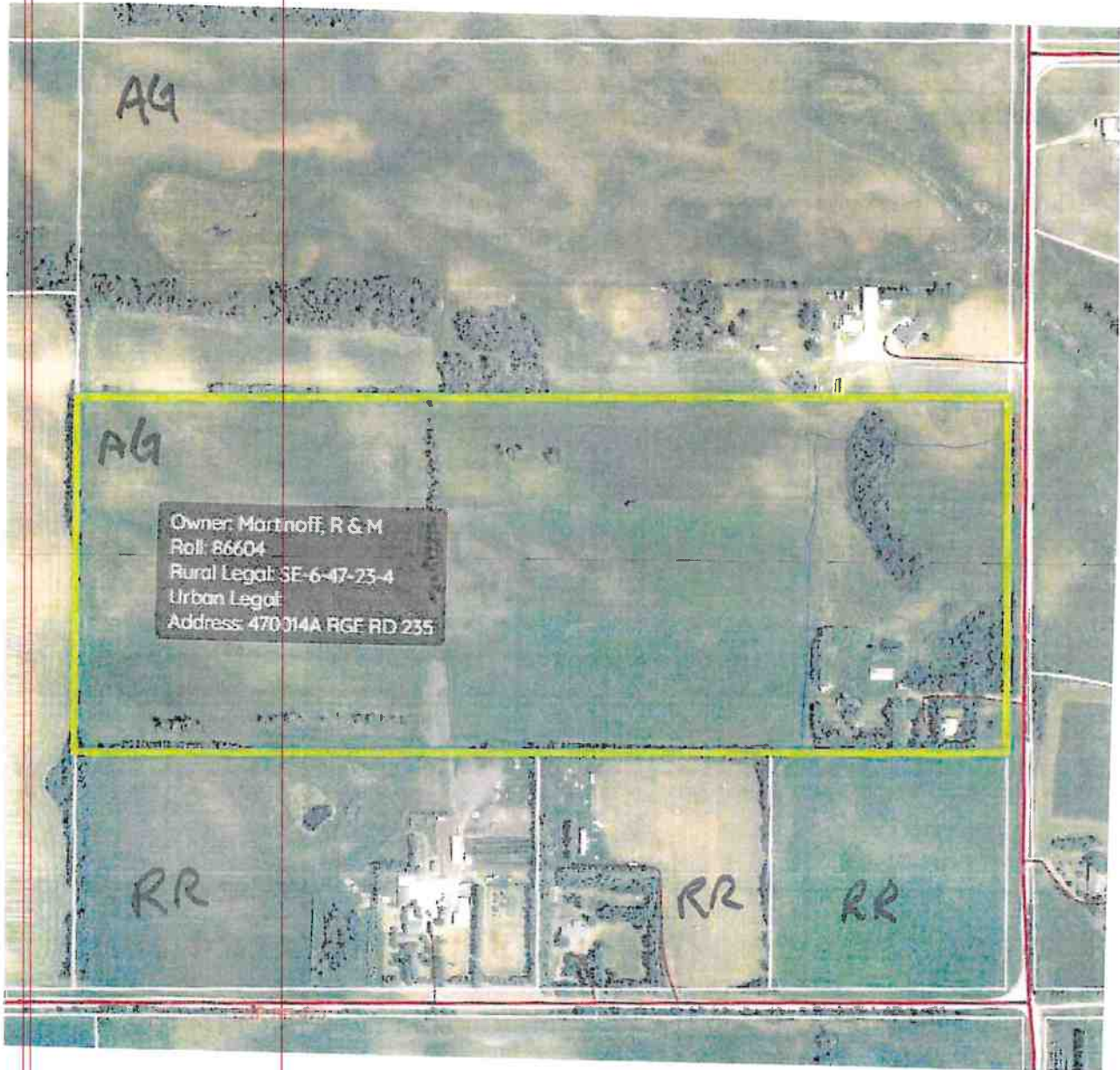
Tentative Plan of Subdivision

The tentative plan of subdivision is attached. See [Appendix 4](#). As noted on the tentative plan of subdivision, no new lots will be created. The subdivision proposes a lot line adjustment to create a larger agricultural parcel by subdividing ± 48 acres (± 19.51 ha) from Roll #86604 and consolidating it into Roll #86600 increasing the parcel size from ± 59.9 acres (± 24.24 ha) to ± 108 ac (43.76 ha) to support the continued agricultural use (pasture/hay) on a larger tract of land.

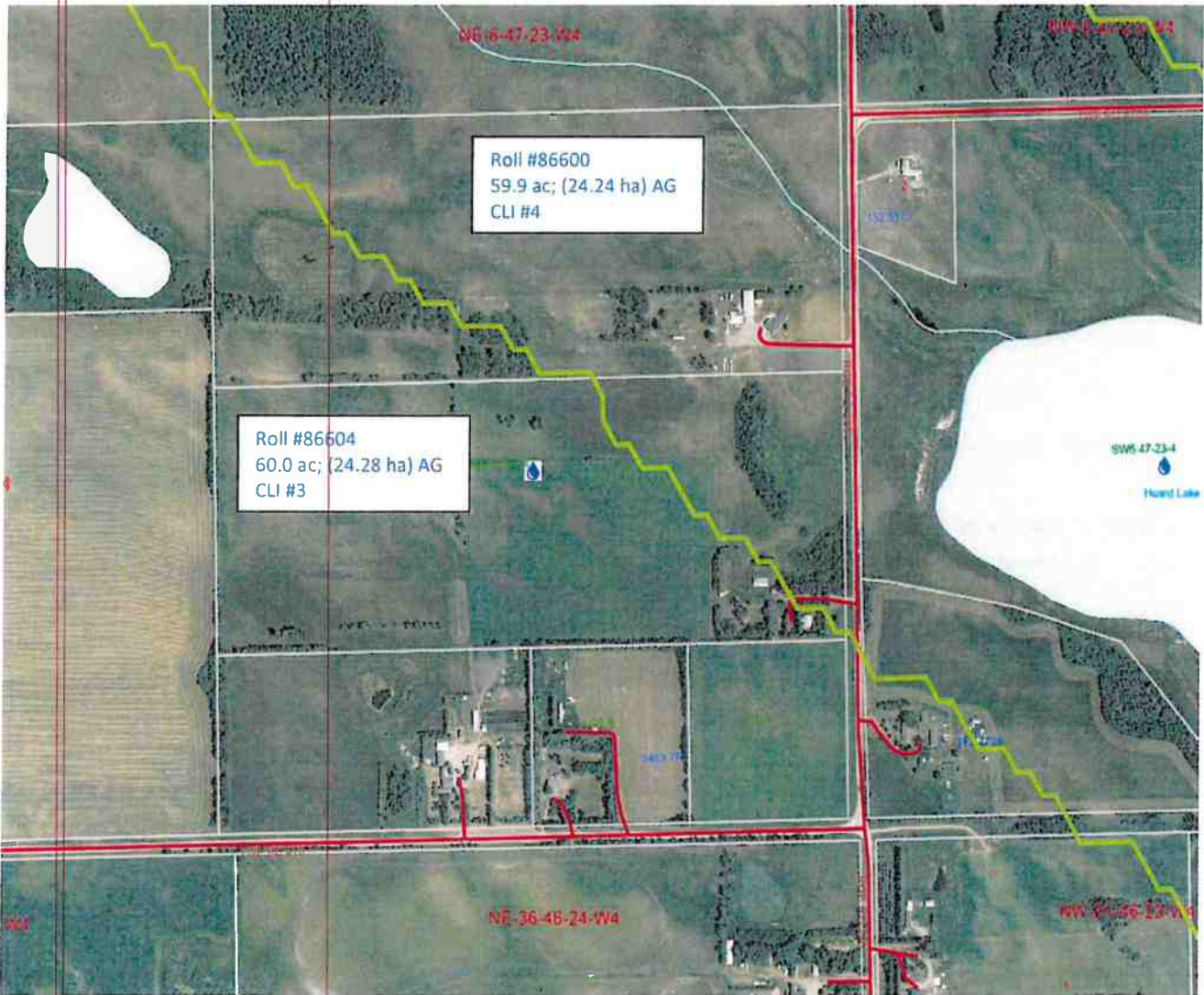
Additional Information/Conclusion

Approval of this plan will provide the framework for the applicants to create a larger tract of land that is more conducive to producing hay and pasturing cattle (extensive agriculture) while at the same time, protecting the continued agricultural use on the remnant parcel.

Appendix 1



Appendix 2



Appendix 3

Letter of Support

_____, 2022

Name: _____

Municipal Address: _____

Email / Phone: _____

To whom it may concern:

**Re: County of Wetaskiwin - Area Structure Plan on Pt. SE 6-47-23-W4
Proposed lot line adjustment, redistricting, consolidation and subdivision
Rolls #86600 (470028 Rge Rd 235) and 86604 (470014A Rge Rd 235)**

This will confirm that we, the above named landowner(s), support the proposal by Ralph Martinoff and Glenda McNabb relating to the subject quarter section Pt. SE 6-47-23-W4 consisting of a mixture of agricultural and rural residential as follows:

- adjust the boundaries of Roll #86600 and #86604 by subdividing ± 48 acres (± 19.51 ha) from Roll #86604 and consolidating it into Roll #86600 increasing the parcel size from ± 59.9 acres (± 24.24 ha) to ± 108 ac (43.76 ha) to support the continued agricultural use (pasture/hay) on a larger tract of land; and
- rezone the remaining ± 11.79 ac (± 4.77 ha) in Roll #86604 from Agricultural District to Agricultural Hobby Farm District, in accordance with the County of Wetaskiwin Land Use Bylaw to support agricultural use on a smaller tract of land.

Yours truly,

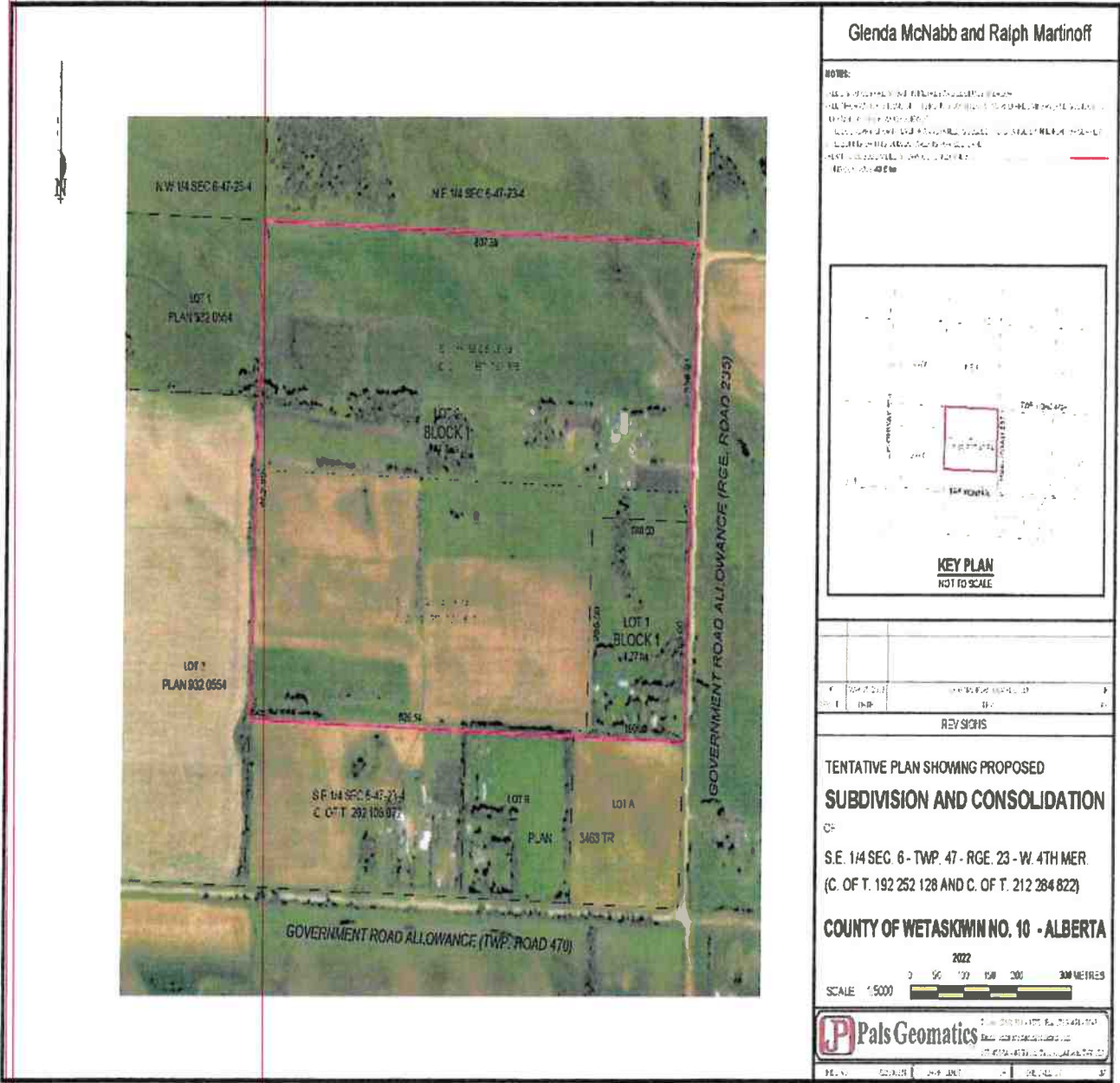
Print Name: _____

Signature: _____

Print Name: _____

Signature: _____

Appendix 4



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