

## **BY-LAW NUMBER 2015/38**

BY-LAW NO. 2015/38 is a by-law of the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of amending the "Aspen Grove" Area Structure Plan.

WHEREAS: Section 191 of the Municipal Government Act, 2000, Chapter M-26 allows for the amendment of by-laws;

AND WHEREAS: Notification and procedural requirements outlined in Section 230 and 606 of the Municipal Government Act, 2000, Chapter M-26 have been met;

NOW THEREFORE: The Council of the County of Wetaskiwin No.10, hereby enacts as follows:

1. By-law 2015/38 is a By-law within the County of Wetaskiwin No.10 for the purpose of an amendment to Area Structure Plan By-law 2009/50 within NW 14-47-24-W4M known as the "Aspen Grove" Area Structure Plan.
2. This by-law comes into effect on the date of third and final reading.

READ: A First time this 11<sup>th</sup> day of June A.D., 2015

READ: A Second time this 11<sup>th</sup> day of June A.D., 2015

READ: A Third time and finally passed this 9<sup>th</sup> day of July A.D., 2015

  
\_\_\_\_\_  
REEVE  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**ASPEN GROVE  
AREA STRUCTURE PLAN**

**PREPARED FOR:  
1823115 Alberta Limited  
(Land Owner)**

**NW14-47-24-W4M**

**PREPARED BY:  
SPUR CONSTRUCTION INC.  
APRIL 30, 2015**

## SITE LOCATION



**ASPEN GROVE**  
**1823115 Alberta Limited**  
**NW14-47-24-W4M**  
**APRIL 30, 2015**

**ASPEN GROVE AREA STRUCTURE PLAN  
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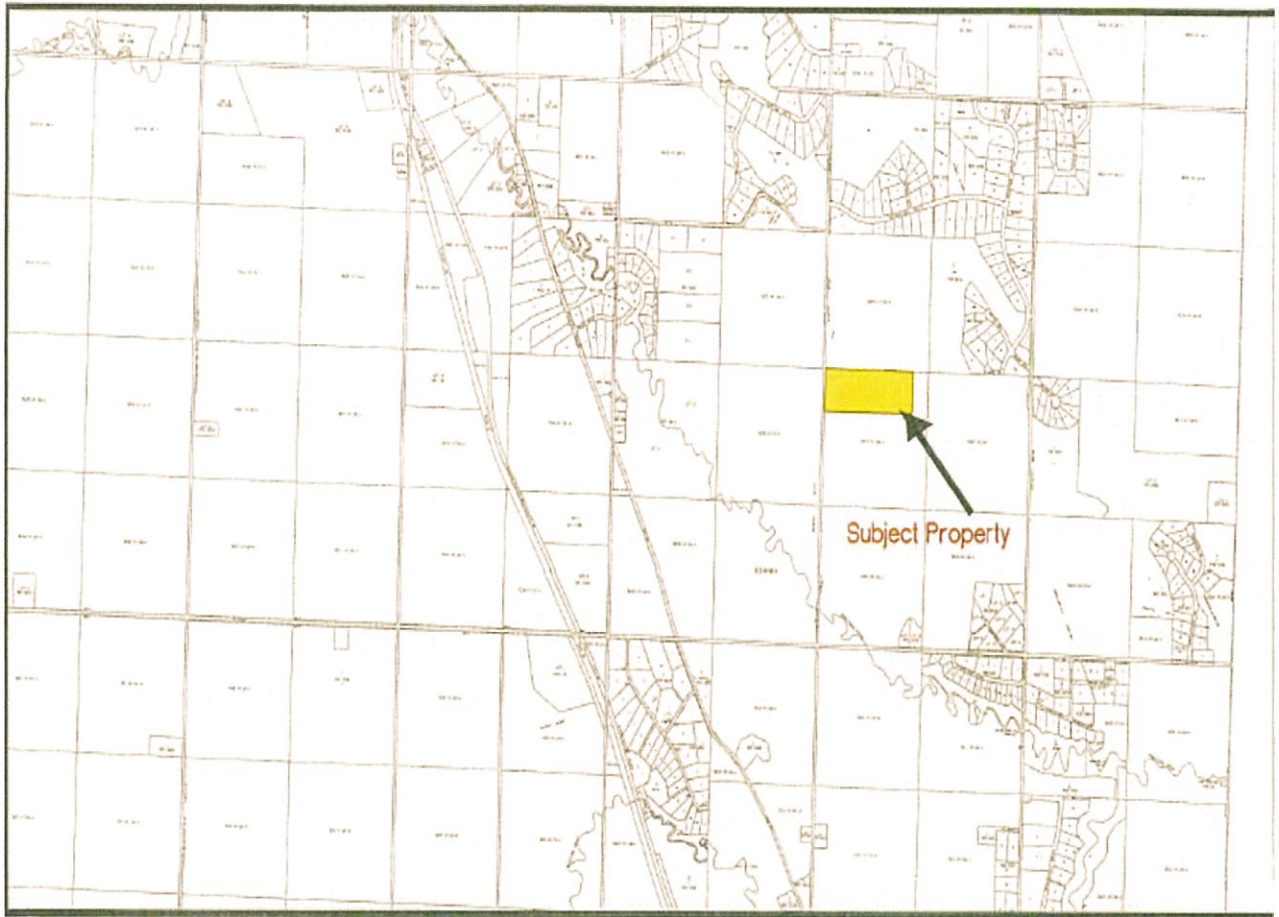
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**APPENDICIES:**

- A. Ground Water Evaluation
- B. Certificate of Title
- C. Potable Water Evaluation





ASPEN GROVE  
AREA STRUCTURE PLAN  
Location Map No. 1  
Pt. NW14-47-24-W4M

Sept 2009



## **1.1 PREAMBLE**

The purpose of the amendment to the Aspen Grove Area Structure Plan, under the ownership of 1823115 Alberta Limited, is to provide overall land use framework for a 16.69 hectare (41.4 ac.) parcel located approximately 3.2 kilometers east of Millet. This Plan will describe how the development will be implemented and will provide engineering information with respect to the provision of potable water, sewage, utilities and storm water management. The plan will also describe the necessary amendments required to the original Area Structure Plan. The necessary amendments are to increase the density of lots. This is required to make the project viable due to the substantial cost of paving 800 meters of adjacent county road 242 which relates to Policy #6615.

## **1.2 LOCATION & PLAN AREA**

The subject parcel (hereafter called “the parcel”) has been previously subdivided and is the north portion of the NW Sec. 14-47-24-W5M.

The parcel is adjacent to an upgraded rural road and is within 0.8 kilometers of a paved road, with access to the Town of Millet, Hwy 2A, Hwy. 814. The major urban centre, the City of Wetaskiwin, is approximately 9.6 kilometers south of the parcel. There are also numerous other rural subdivisions located on the maps provided, which are described graphically surrounding the Plan area.

The parcel is bounded by a municipal gravel surface road on the west, country residential development to the north and agricultural land on the remaining two sides. There are several other rural subdivisions in the surrounding area. The parcel fall within the Millet Acreage Study Plan area and is suitable for country residential purposes.

The parcel is 16.69 ha. (41.14 acres) in area, more or less, and is the only subdivision separated from the ¼ section.

## **1.2 RELEVANT LEGISLATION, BYLAWS AND SUPPORTING DOCUMENTS**

This Plan has been prepared with due consideration of the policies and regulations of Statutory Plans and Bylaws of the County of Wetaskiwin. This Plan

has also been prepared with due regard to County of Wetaskiwin Policy No. 6606: Requirements for Area Structure Plans.

### **1.3.1 COUNTY OF WETASKIWIN MUNICIPAL DEVELOPMENT PLAN**

This Plan has been prepared to conform to the provisions of the County of Wetaskiwin Municipal Development Plan.

### **1.3.2 COUNTY OF WETASKIWIN LAND USE BYLAW**

The entire parcel is currently zoned country residential.

### **1.3.3 MUNICIPAL GOVERNMENT ACT AND LAND USE POLICIES**

Section 633 of the Act sets out the requirements for an Area Structure Plan. The basic requirements of an ASP are adhered to in this Plan. Further, this Plan has been prepared to confirm to the policy directions of the Provincial Land Use Policy. Future subdivision in accordance with this Plan will confirm to the requirements of the provincial regulation associated with the Act.

### **1.3.4 COUNTY OF WETASKIWIN POLICY 6606**

This Plan has been prepared with due regard to the County's policy for preparation of Area Structure Plans including contour mapping an existing storm water drainage patterns.

## **1.4 INTERPRETATION OF PLAN POLICIES**

It is not intended that the policies of this Plan be "fixed in stone" or inflexible. As changing conditions dictate, this Plan will be reviewed and amended as required by the municipality.

## **BACKGROUND INFORMATION**

### **2.1 CURRENT LAND OWNERSHIP**

1823115 Alberta Limited is the current owner of the land. The current registration of the title to the subject parcel is under the title number 142 207 901, a copy of the title is attached in Appendix B.

### **2.2 SUBDIVISION HISTORY & REGISTRATIONS**

The current parcel has an approved ASP for country residential lots. The quarter-section was previously subdivided to create the parcel.

The certificate of title currently contains a number of registrations that physically impact the parcel, including:

- ICG Utilities: An easement and utility right of way under RW Plan 822-0247. This plan impacts the northwest corner of the parcel and is addressed further within the environmental constraints section of this Plan.
- A blanket easement has been registered in favour of the Battle River Rural Electrification Association Ltd. The easement corresponds to an above ground power line that extends in an east-west direction, parallel to the north boundary of the parcel.

### **2.3 TOPOGRAPHY, SOILS & VEGETATION**

The parcel is not well suited for agricultural use for a variety of reasons. The soils on the parcel are very thin and of poor quality. The relief in the area does not lend itself well to crop farming and in its natural state, is very poor for foraging. Finally, surface water supplies are very limited.

Map 2: Relief provides contours the initial relief of the property. The higher land is generally in the north portion of the property. There is a land locked low area in the N.E. area of the development. The localized low area has been enhanced with an embankment to allow for the construction of a fire pond for the development.



A hill located in the west of the land divides the drainage basin and an east drainage basin. Within the two larger drainage basins there are two small drainage basins. The major low area is in the middle area of the property. The overall relief is approximately 11 meters.

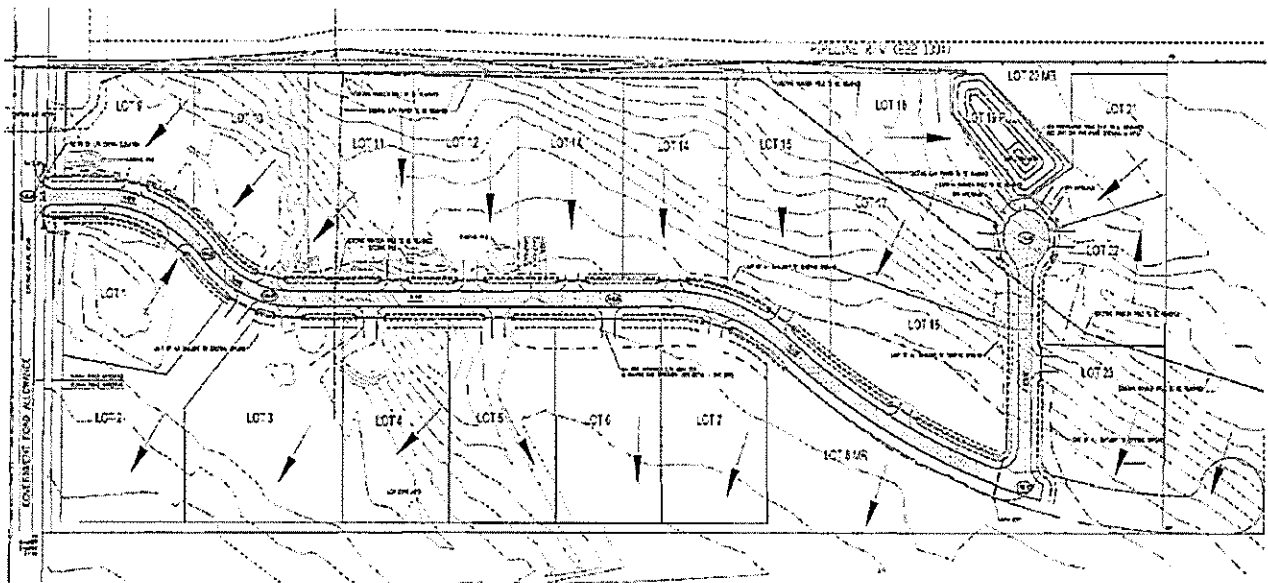
Vegetative cover on the parcel is limited to three areas. The first area is located in the southwest corner of the property. The second area extends diagonally southeast to northwest near the centre of the parcel. The third area is an intermittent growth of trees near the east boundary of the parcel.

The distribution of arable land and tree coverage on the parcel is not functional for sustained agriculture use. It is mostly marginal pasture without access to water for livestock and being located in an area with several residential developments is not desirable for grazing or cultivation. The soils are comprised of topsoil with varying depths and the remainder is clean fine sand.

## **2.4 GEOTECHNICAL & ENVIRONMENTAL CONSTRAINTS**

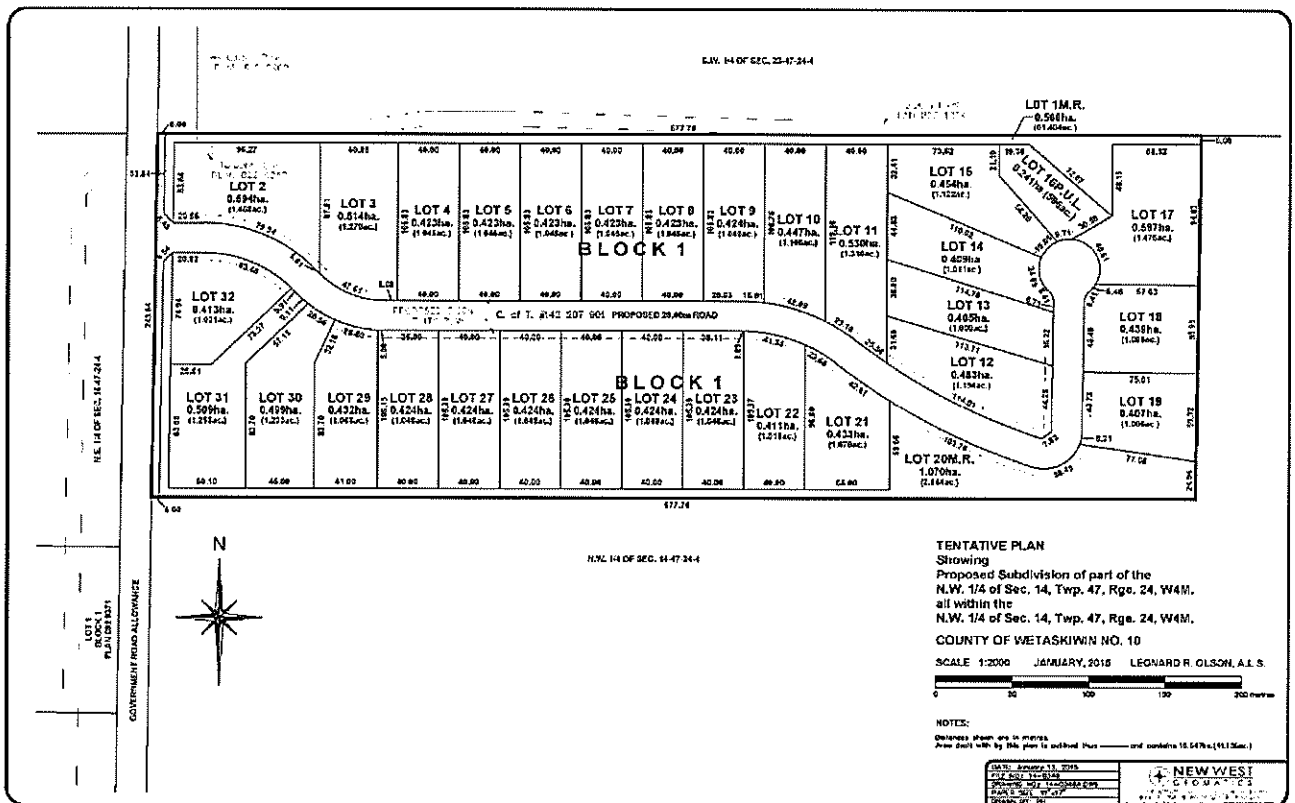
The parcel features significant natural slopes which make a significant portion of the land unworkable for either tillage or haying due to the slopes and natural low lying areas; making the land more suitable for country residential development. The previous Developer has addressed the issue through a re-contouring effort that has leveled a portion of the hill centered on the current internal road. The current internal road will be slightly modified to adjust for increased density of lots and better traffic flow. The parcel currently drains from the north to the south across the entire property. As per the requirements of the County of Wetaskiwin and Alberta Environment, a post-development drainage plan is recommended as a possible condition of subdivision approval.

Parkland Geotechnical Consulting Ltd. prepared a report dated November 2008 under file no. RD3073 submitted with the original approved ASP. The report concluded that conventional footings may be used. A renewed waste-water treatment and disposal report is recommended as a possible condition of subdivision approval. Groundwater levels are noted to be seasonal average levels and of varying depths due to topography of the parcel.



# AREA GROVE AREA STRUCTURE PLAN NW14-47-24-W4M RELIEF MAP No 2: NTS

NOTE: This above the original approved lot layout and below is amended lot layout.





## **DEVELOPMENT CONCEPT**

### **3.1 OVERVIEW**

Under this Amended Area Structure Plan, the parcel would be subdivided in a single phase to create 29 country residential lots. This is an increase of 8 lots from the originally approved ASP. An internal road which currently consists of a cul-de-sac provides internal access to each lot to be created. The ASP is described on Map 3 and 3A: Area Structure Plan

The adjacent farmland in the remainder of the  $\frac{1}{4}$  is owned by private interests and will remain under cultivation. A panhandle within the remainder of the quarter-section in an area of approximately 4.40 hectares (10.9 ac.) may be accessed under this Plan through an extension of the proposed cul-de-sac without impacting on the quality agricultural land to the South.

The adjacent land owners have been consulted. The adjacent land owners are generally in favour of the development providing guidelines are laid out to maintain a high level of professional development. This may include a certain level of architectural control that would restrict mobile homes and unsightly mess.

### **3.2 RESIDENTIAL DEVELOPMENT**

In accordance with the provision of the County of Wetaskiwin Land Use Bylaw Country Residential District, all residential lots created under this Plan will be 0.4 ha. (1.0 ac.) and 0.61 ha. (1.5 ac.) in area and will accommodate a range of residential dwellings including single detached dwellings and modular homes.

Based upon the census data, an anticipated 84 residents would be located within the subdivision once it is fully developed.

The adoption and eventual implementation of this Area Structure Plan will not require any modifications of the I.C.G. pipeline right of way or easement

agreement as a satisfactory building site exists within the remainder of the residential lot.

### **3.3 ENVIRONMENTAL CONSIDERATION**

Wherever possible, native trees will be left during the road and approach construction to maintain the natural look and separation between lots. As many trees as possible located throughout the development will remain to limit the visibility of any one residence or from the road allowance on the West boundary.

### **3.4 PARK RESERVE ALLOCATIONS**

A full 10% of the land within the Aspen Grove will be dedicated as Municipal Reserve. Reserves will be in two (2) lots. The first lot will include park area in the north portion of the parcel with an area 0.75 ha (1.4 ac.). The second lot features a park in the south portion of the parcel with an area of 1.07 ha (2.64 ac.) Each park lot includes a linear park area suitable for a future trail system or as a simple green-space as well as a small recreational area.

Based upon on-site and technical evaluations, none of the land within the parcel qualifies for designation as environmental reserves.

### **3.5 SERVICING CONCEPT**

#### **Sanitary Sewage**

Prior to subdivision approval, an engineering evaluation will determine the design and the most appropriate way to handle sanitary sewage for the subdivision. An on-site evaluation at the development stage will be required as per the requirements of the Safety Codes Act. The choosing of the individual sites for

each lot will be dependent on the layout requirements of the individual landowner.

It is anticipated that some lots may require additional material for the construction of Safety Codes approved sewage disposal sites on each residential lot.

The developer acknowledges that at the time of subdivision approval, Council may require the payment of an off-site levy, or an off-site levy caveat may be placed on the title of each lot, requiring the owners to pay the levy at the time of construction if they intend to haul sewage to the Mulhurst Lagoon.



ASPEN GROVE  
AREA STRUCTURE PLAN

AREA STRUCTURE PLAN MAP #3  
PL NW14-47-24-W4M

STATISTICAL PROFILE

Acreage & Municipal Lots: 14.529 ha.  
Roads & Road Widenings: 2.128 ha.  
TOTAL AREA: 16.657

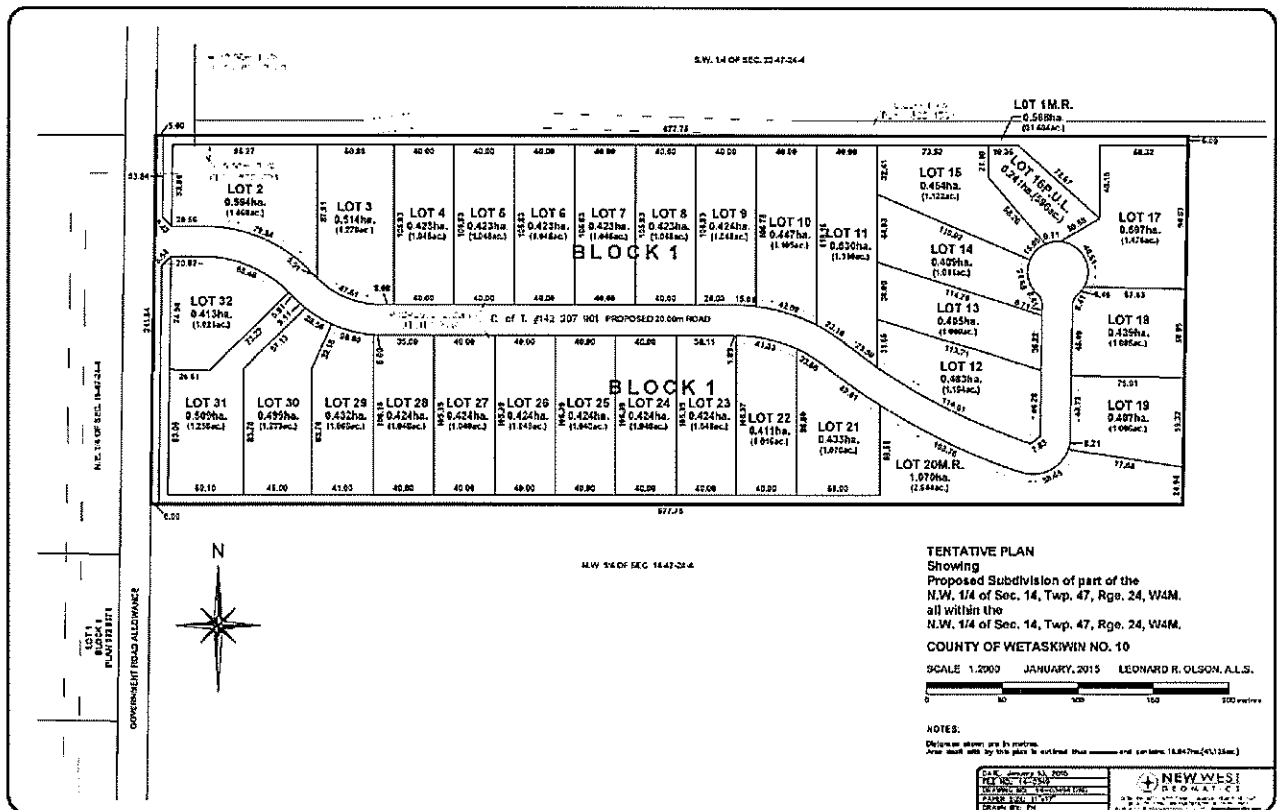
SCALE:

0 25 50 Meters  
Sept. 2008



**Note:** Above is the original lot layout, below is amended layout. New layout does not change overall statistics.

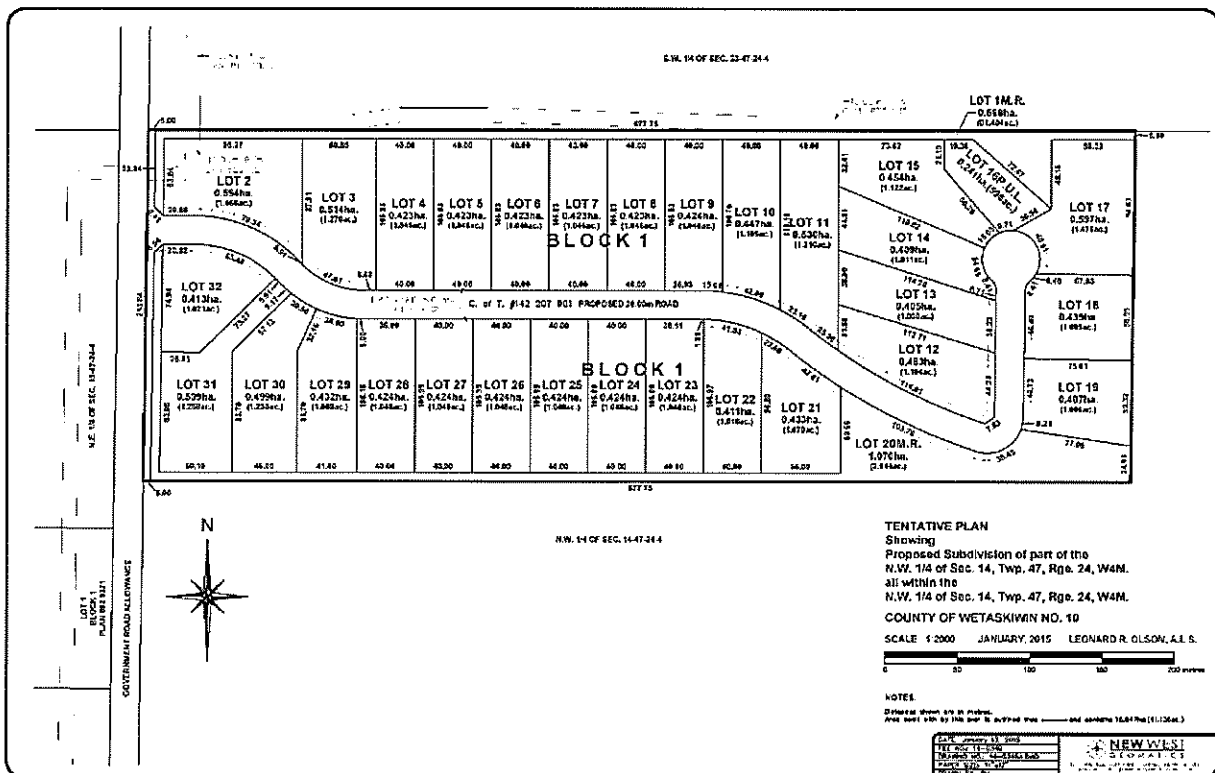




# ASPEN GROVE

## AREA STRUCTURE PLAN APRIL 2015

PAGE 10



**ASPEN GROVE  
AREA STRUCTURE PLAN**

**MAP 3A**

**AMMENDED LOT LAYOUT APRIL 2015**

**Potable Water**

HCL prepared a groundwater evaluation report dated March 2015. The report concludes there is expected to be adequate water supply for the proposed increased density subdivision. In summary the quality and quantity of water is acceptable and exceeds the requirements set out in the Alberta Water Act (1999). Sufficient potable water groundwater exists to service all residential lots proposed in this Plan. This report is appendix A. An early report is including as appendix C.

**Storm Water Management**

It is noted from the geotechnical report provided as part of the original Plan, that much of the land features a very high percolation rate. For this reason, it is not anticipated that any sufficient run off is anticipated as part of this project. Further to this, it is known that the road way that has already been constructed as part of the approved Plan has required a considerable cut into the hill located in the centre of the parcel.

For the above reasons it is anticipated that very little drainage will occur from each lot created, however, some drainage may occur from the constructed roadway. It is strongly recommended that the storm water management plan prepared as part of the subdivision process in accordance with County and Alberta Environment requirements. Due to site characteristics preparing a storm water plan at this stage would not result in any benefit to the County, Alberta Environment or future landowners. As part of the subdivision process an approved storm water management plan will be added as an appendix to this Plan.

Compliance with Alberta Environment storm-water requirements shall be maintained as part of a detailed storm-water plan prepared as part of the subdivision stage.

#### **Telephone, Power and Natural Gas**

There are no issues anticipated with the installation of telephone, internet, cable, power or natural gas companies for this parcel. The previous owner had received firm quotations to service all the aspects required. Power lines will be installed above ground for all lots. A five (5) meter right of way will be established along the frontage of the internal subdivision road for utility purposes.

#### **Fire Protection**

The County of Westaskiwin will be responsible for providing firefighting services to the proposed country residential neighbourhood and the remainder of the designated land. A fire pond has already partially been constructed in the northeast portion of the property in the PUL lot. The fire pond will be completed as a part of the initial development phase and will feature a frost free minimum of 4,000 gallons per residential lot with all-weather access and a dry hydrant.

### **3.6 TRAFFIC CIRCULATION**

Only the access road will be constructed off of Range Road 242. The internal road and approaches will be constructed to the County of Westaskiwin's development standards. The Developer acknowledges that safety concerns may arise due to the existence of only a single access point into the subdivision. To remedy this, the internal subdivision road shall be built to a wider standard so as to accommodate the flow of emergency vehicles. The internal subdivision road right of way dedication is proposed at 30 meters including right of way.

A five (5) meter road widening is provided on the frontage of the parcel adjoining Range Road 242.

An existing approach to the adjoining Range Road will be removed as part of the construction of the internal road network.

The linking road between the subdivision entrance and the paved portion of Range Road 242, north of the Plan Area, shall be paved in accordance with Policy #6615 – Pavement and Per Lot Road Contribution Fee. The pavement will continue to the southernmost boundary of the subdivision on Range Road 242.

This will maintain adequate dust control for the lots adjacent to the county road.

To further address safety, the width of the road will be a minimum of 8.2 metres from the access of Lot 3 to the exit of the subdivision at Range Road 242.

### **3.7 LAND USE DISTRICT REQUIREMENTS**

The amended application conforms to the current Land Use Bylaw

### **3.8 PLAN APPROVAL PROCESS**

This Plan will be subject to the minimum standards prescribed under the Municipal Government Act R.S.A., 2000 and any other requirements that exist for the County of Wetaskiwin



### **3.9 PLAN AMENDMENT PROCESS**

This Plan is a proposed amendment that may be further amended in accordance with the provisions of the Municipal Government Act and the requirements of the County of Wetaskiwin. It is anticipated that further amendments beyond the proposed increase in density will not be required in the short term, however, the Plan may require updating to accommodate future planning goals of the municipality. It is not anticipated that a regular review process every few years will be required.

### **3.10 OFF-SITE IMPROVEMENTS**

The \$2000 per lot levy for off-site road improvements shall be waived in lieu of the paving of Range Road 242 as stated below:

The linking road between the subdivision entrance and the paved portion of Range Road 242, north of the Plan Area, shall be paved in accordance with Policy #6615 – Pavement and Per Lot Road Contribution Fee