

BY-LAW NUMBER 2007/64

BY-LAW NO. 2007/64 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 the area known as SE 26-47-24-W4M (Harvey and Myrna Luedtke) 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, as per Policy 6606, an Area Structure Plan has been prepared for SE 26-47-24-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, 2000, Chapter M-26.1, and amendments thereto.

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


- (a) The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as the *"Harvey and Myrna Luedtke's Area Structure Plan "*.

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


READ: A First time this 15th day of November, A.D., 2007.

READ: A Second time this 15th day of November, A.D., 2007.

READ: A Third time and finally passed this 15th day of November, A.D., 2007.



REEVE



SECRETARY-TREASURER

Proposed
AREA STRUCTURE PLAN

For

SE 40 acres of SE 1/4 -26-47-24-4

In the

COUNTY OF WETASKIWIN

Owners: HARVEY AND MYRNA LUEDTKE

Introduction:

The County of Wetaskiwin requires that an area structure plan (ASP) be prepared, before council will approve a subdivision that will lead to there being more than three parcels on a quarter section of land.

The owners of SE 40 acres of SE 1/4 -26-47-24-4 proposes to create ten residential lots. This land is already zoned country residential by the County of Wetaskiwin. The land is located on the quarter north of the Lansdowne Park sub-division.

Present Land Uses:

This property is cleared and twenty-three acres are grain farmed. The remaining acres are bluffs of native trees, mainly poplar and willow. One area contains a large horse corral and has been used to pasture horses.

Physical Features:

The 2003 air photograph still applies as nothing has changed since that date. The proposed sub-division is rolling, with a slope from east to west, with bluffs of native trees.

Township road 474 runs along the south edge of the property and leads to Range Rd. 242 on the west, and highway 814 to the east leading to Wetaskiwin. There is a road allowance (Range Rd. 241) to the east of the property that is not developed. Millet is approximately five kilometers to the west.

Previous Land Uses:

From talking to seniors from the area, this property has always been used for agricultural purposes.

Historical and archaeological features:

In rural areas of Alberta, features of historical and archaeological interest are usually found adjacent to lakes and rivers, on hilltops, and on land which was cleared before the time of white settlement. It is extremely unlikely that the subject land contains any features of historical or archaeological interest. However, as required by the provincial Subdivision and Development Regulations, a copy of this document will be sent to the Historical Resources Division of Alberta Community Development with a request for comments.

Conflicting Land Uses:

The County of Wetaskiwin's standards for the preparation of area structure plans require the developer to identify any conflicts with the following land uses:

Confined feeding operations: There is a 120 head operational dairy farm to the north and east of this property. The county requires there be no dwellings within 274 meters. This sub-division easily meets this requirement.

Airfields: The subject land is not close to any airfields.

Sour gas facilities: There are none in the area.

Landfills: The closest landfill is approximately two miles away, just to the east of Millet (SW33-47-24-W4M).

Proposed Land Use:

Millet acreage study shows this land as suitable for acreage development.

It is proposed that we sub-divide this 40 acre parcel into 10 lots and a reserve area. It will be a residential sub-division with building restrictions similar to Lansdowne Park, making it an attractive addition to the community. This will be a phase one, with a phase two in the works when and if the county bylaw is changed allowing more sub-divisions per quarter.

Soil Quality:

The forty acres is good for pasture with 15-30 degree slope and has #4 and #5 soil. The soil is similar to Lansdowne Park which is directly across the road to the south. This land has a 23% farm land assessment rating. (FAR)

Road Access:

The proposed approach to the sub-division will be approximately 650 feet to the east of the Lansdowne Park approach. The internal road will be built with a 20 meter right of way, with a 5 meter utility easement on each side. The roads will be oiled or a County caveat will be placed on the lots for a local improvement requiring funds towards pavement in the future.

The county has a requirement for a \$2000.00 per lot contribution towards improving or upgrading roads providing access directly or indirectly to the new subdivisions. This per lot contribution will be provided prior to registration of the plan of subdivision.

Proposed Subdivision Design:

Ten lots of varying sizes will be created with access from an internal road created from an approach from the main paved road. Every lot will have a building site, power and natural gas will be available at the edge of each lot. A reserve of 4 to 5 acres has been set aside.

Water Supply:

Each of the proposed lots will have an individual well. A report on groundwater has been prepared by Sabatini Earth Technologies Inc. This report confirms that there is sufficient water for the proposed 10 lots, without depleting the supply to existing users in the area.

Sewage Treatment:

All lots will be large enough to allow on-site sewage treatment using a septic tank and tile field. This system requires a lot of at least 1800 square meters or about half an acre to comply with the Alberta Private Sewage Systems Standard of Practice.

Storm Water Drainage:

The density of development is low enough that the run off coefficient is unlikely to increase appreciably. An engineer will be retained to determine this. If he advises construction of a detention pond, this will be constructed on a Public Utility Lot (PUL) at the recommended cite.

Fire Protection:

There is a fire station in the Town of Millet located approximately five kilometers west of the area. A fire pond with an engineered dry hydrant will be provided within a Public Utility Lot (PUL) at a location best suited for storm water management purposes. The fire pond will include all weather access. The Fire Chief has recommended a location near the proposed Municipal Reserve lots.

Zoning:

The land is now zoned Country Residential which allows 24 lots on 160 acres, or 12 lots on 80 acres. "The applicant recognizes that the pro-rated density under the Country Residential zoning will be nearly reached with this Plan and in order to enable Phase Two (northerly 40 acres) indicated in the Plan, he will need to await the approval by Council of a higher density land use district.

Public Participation Process:

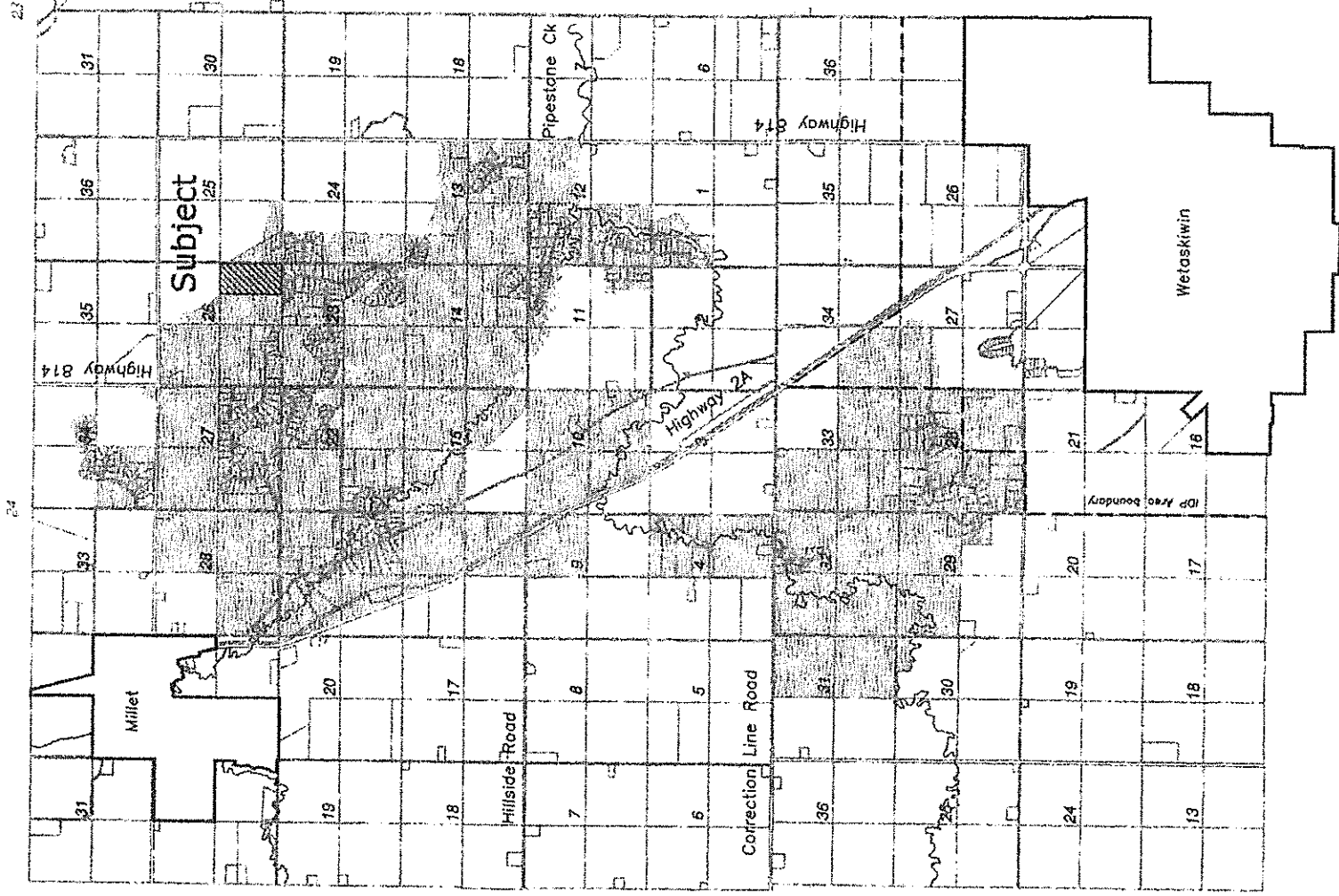
Copies of the proposed ASP have been given to adjacent landowners and the following are comments received from this circulation.

1. Brian Schmidt, landowner to the east: no concerns.
2. Michael Bellemey, landowner to the north: no concerns.
3. Pat and Jean Trotter, acreage to the south: no concerns.
4. Larry Stelmaschuk, acreage to the south: no comment.

5. Girard Bos, landowner to the northeast: no comment.
6. Carl Gravesen the owner to the west would like a restrictive covenant registered on the proposed sub-division. We agree to do this at the appropriate time. He is also concerned about there being enough water to supply a development of his own on the west 80 acres. We are within the County density limit and have done a water study on our development showing it would not affect his 80 acres. If he decides to develop his property, he would have to do a water study at that time.

The developer will rely on the County's advertising and public hearing process to gather input from the public. This land is located within the Millet-Wetaskiwin Acreage Study Area and as such, public consultation has previously been done regarding the concept of multi-parcel acreage development in the areas identified under the Acreage Study Area.

Please find attached maps and letters from adjacent land owners.

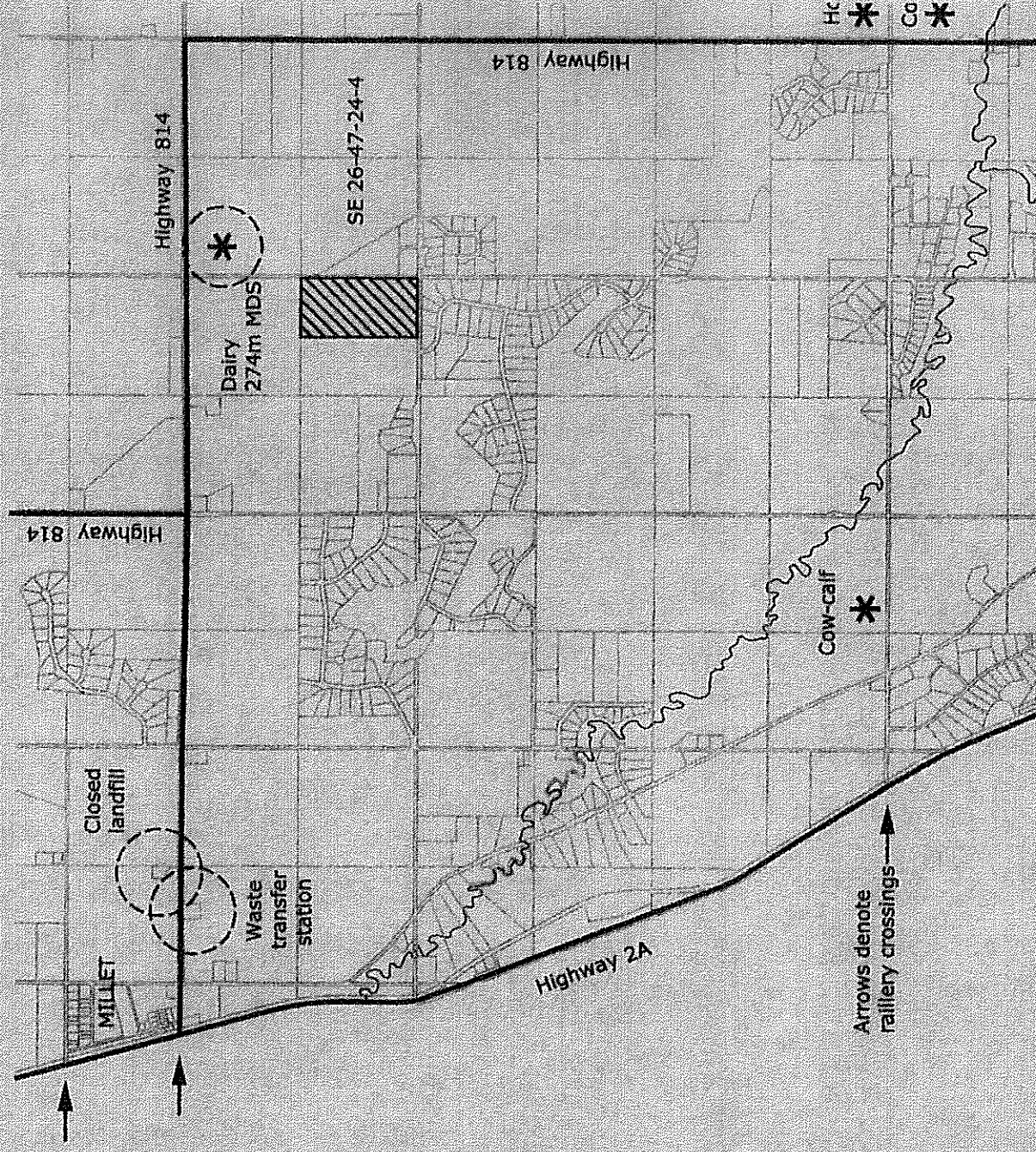


Proposed
Area Structure
Pt SE 26-47-24
Map 1
Location in the
Millet Acreage /

MILLET-WETASKIWIN ACREAGE STUDY

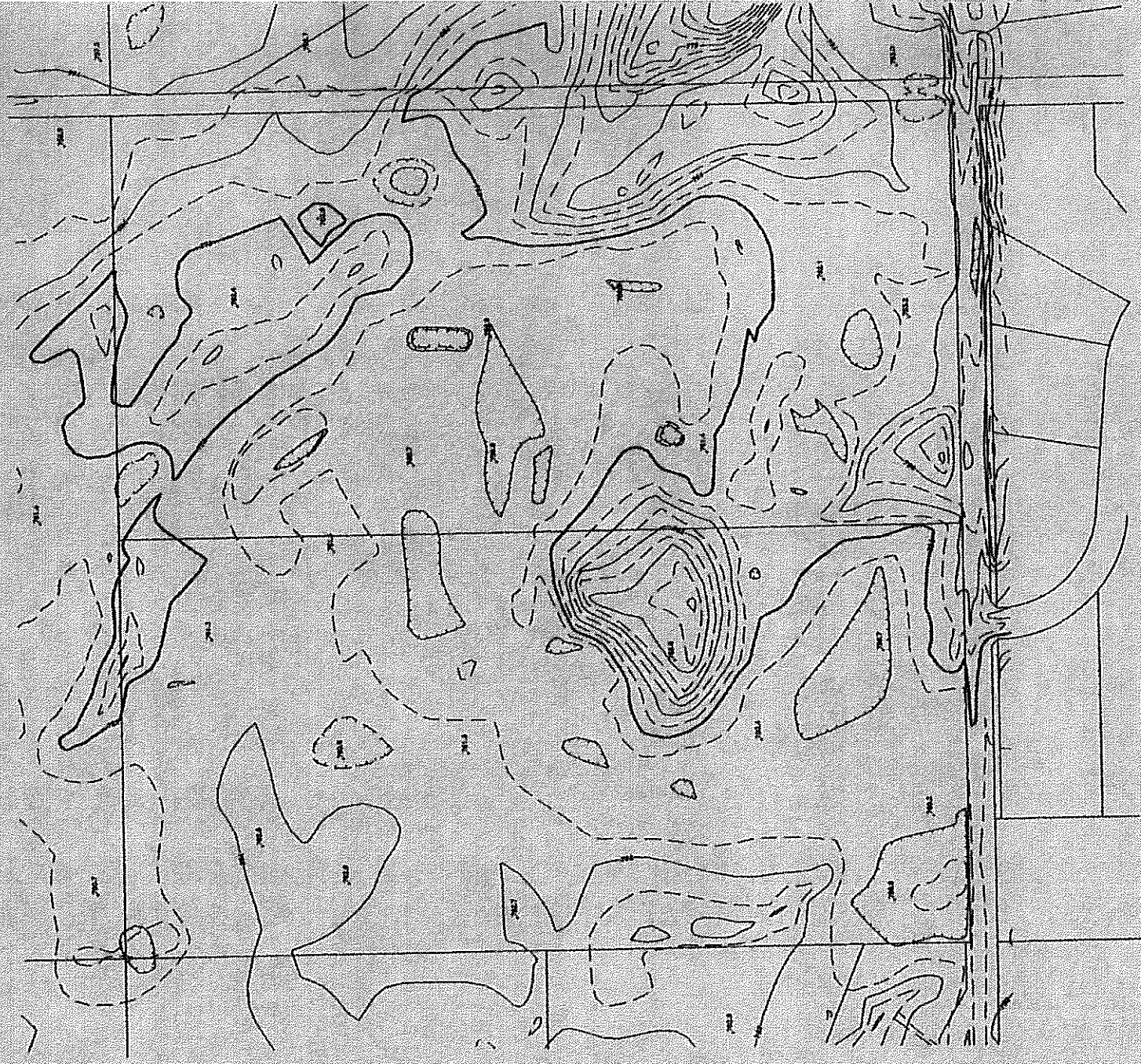
Map 1: Possible Area for Acreage Development
Amended July 2004 by Bylaw 2004/28

The areas shown shaded are, in principle, suitable for subdivision into residential acreage lots. However, before receiving subdivision approval, the owners will have to show that all proposed building sites meet the county's standards for water supply, access, and safety, and that development will not harm any farming operation or watercourse.

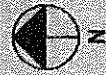


Proposed Area Structure Plan
 Part of SE 26-47-24-4
 County of Wetaskiwin
 Map 2: Neighbourhood Land Uses

* Livestock operation

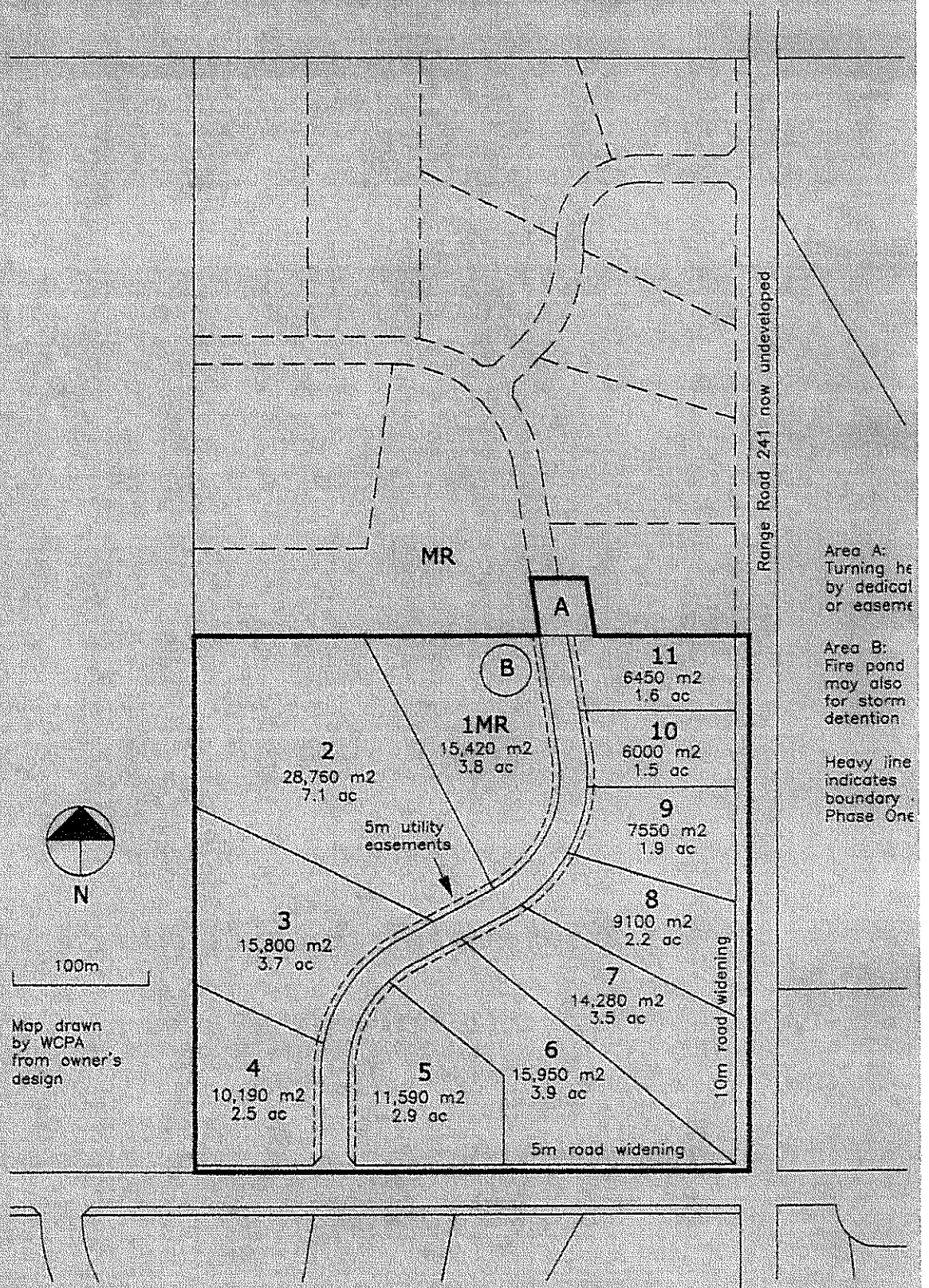


Proposed Area Structure Plan
Part of SE 26-47-24-4
Map 3
Contours and Drainage

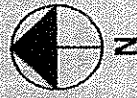
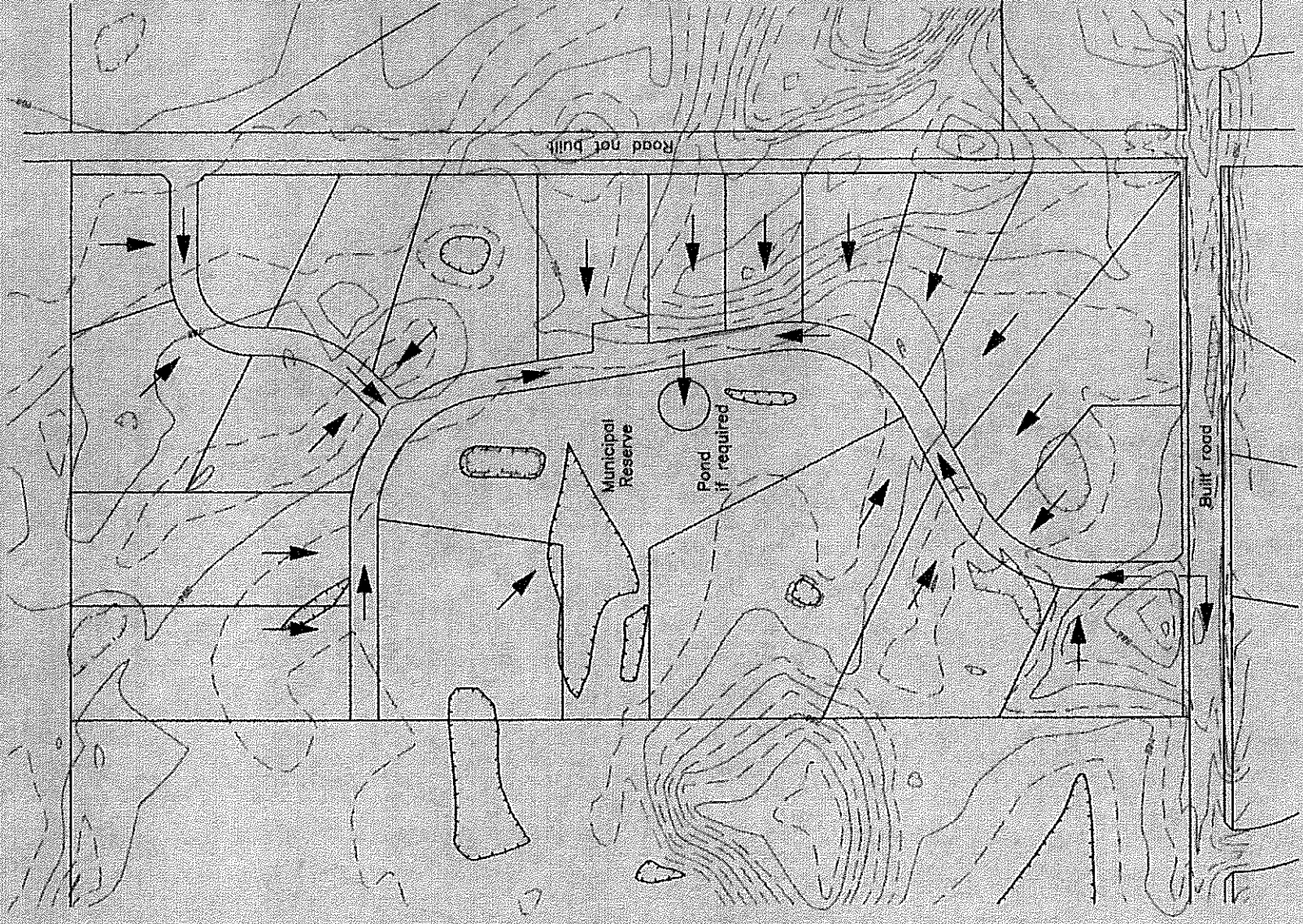


100m

Proposed Area Structure Plan
Part of SE 26-47-24-4
Map 4
Generalized Subdivision Design



**Proposed Area Structure Plan
Part of SE 26-47-24-4
Map 5
Detailed Subdivision Design**



100m

Proposed Area Structure Plan
Part of SE 26-47-24-4
Map 6
Drainage Design

TO Whom IT
MAY CONCERN

COUNTY OF WETASKIWIN

I BRIAN SCHMIDT PRESIDENT OF
LORNE'S OILFIELD MAINTENANCE (1992) LTD
IS OF NO CONCERN WHATSOEVER
HARRY KUERTKE DEVELOPER THE
SE 26-47-24 W 4'14 1/2 ~~SECT~~ QUARTER

BRIAN SCHMIDT



Oct. 18-2007

To Whom This May Concern
I, Pat & Jean Frokner
have met over the
proposed Area Structure
Plan, we have found
no concerns with what
the owners are planning,
subdividing into acreage parcels.

Mrs. J. Frokner

385380 ALBERTA LTD.

R.R. #3
WETASKIWIN, ALBERTA
CANADA
T9A 1X1

PHONE/FAX: 352-8438

Wetaskiwin, Oct. 22, 200

Re. proposed subdivision and development of
SE. 40 ac of SE $\frac{1}{4}$ - 26-47-24-4

We would like to have confirmed that there will still
be plenty of water supply for the same density of residential
development on the West $\frac{1}{2}$ of SE $\frac{1}{4}$ - 26-47-24-4.

We also request that there will be a Restrictive
Covenant registered on the proposed subdivision,
(Similar to the copy we gave to Harvey Luedtke)

ANDI GRAVESEN:



CARL GRAVESEN:

