

## **BY-LAW NUMBER 2008/46**

BY-LAW NO. 2008/46 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 Lynn Creek Estates Area Structure Plan (SW 33-46-6-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, as per Policy 6606, an Area Structure Plan has been prepared for SW 33-46-6-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:

- (a) The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as the "*Lynn Creek Estates Area Structure Plan in (SW 33-46-6-W5M)*".
  - (i) The addition of a walking trail dedicated as Municipal Reserve between the north side of the creek and the south side of lots 22 to 24 of Phase II; and
  - (ii) Clarification of the status of oil and gas industry rights of way and well sites.


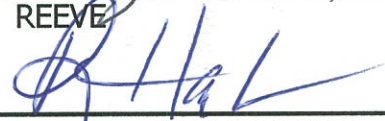
2. This by-law comes into effect on the date of third reading.

READ: A First time this 10<sup>th</sup> day of July, A.D., 2008.

READ: A Second time this 10<sup>th</sup> day of July, A.D., 2008.

READ: A Third time and finally passed this 10<sup>th</sup> day of July, A.D., 2008.

Note  
Need updated  
ASP with  
amendments.

  
REEVE  
  
SECRETARY-TREASURER

**AREA STRUCTURE PLAN  
FOR  
PROPOSED SUBDIVISION  
OF  
LYNN CREEK ESTATES  
SW 33 – 46 – 6 – W 5  
IN  
COUNTY OF WETASKIWIN**

**Prepared**

**June, 2008**

## INTRODUCTION

The Owners of SW 33 – 46 – 6 – W 5 – hereinafter referred to as the Developer – are proposing to subdivide a portion of their land into a Country Residential Subdivision, consisting of a total of 45 lots including the existing farm site.

The proposed subdivision is located at the northwest end of Buck Lake in the County of Wetaskiwin. The distance to the lake from the east end of the subdivision is approximately 300-m.

The concept of the proposed subdivision is to provide prospective residents with a country style living in close proximity to a lake with the various recreational opportunities it may offer. Another drawing feature for the subdivision will be the wide undeveloped natural buffer area along either side of the creek.

The subdivision is expected to attract people who enjoy nature and the outdoors while maintaining some privacy with a minimum amount of fencing.

The proposed residential lots vary in sizes between 0.43 and 1.07 hectares (1.1 and 2.6 acres) with 0.52 hectares (1.3 acres) being the average.

An Area Structure Plan (ASP) is required by the County of Wetaskiwin before Council will approve a rezoning and subdivision. An ASP describes in broad terms the concept of the development and implication for the surrounding environment. This ASP has been prepared based on information obtained from the County of Wetaskiwin, Land Data Technologies Inc., the Developer and other sources.

The Appendix to this ASP contains

Location plan

Aerial photo

Lot layout plan

Contour plan

Water Level Monitoring Report

Notice & Minutes Of Public Meeting

Aquifer Evaluation Report

## EXISTING CONDITIONS

### 2.1 Site characteristics

There is an unnamed creek running across the quarter in a west to east direction and emptying in to Buck Lake. The water level in the creek varies during the year. The creek bed itself has sufficient capacity to carry runoff without overflowing.

The soil is predominantly a thin layer of organic topsoil over a silty clay subsoil. The ground water level is approximately 0.9 – 1.5 meters below the surface as noted in the attached water level monitoring report. It is noted that a detailed soils investigation has not been carried out at this point in time.

The subject land is sloping gently towards the creek and towards the lake. A contour plan in 1:2000 scale, prepared by Land Data Technologies Inc., will be submitted with this ASP.

Approximately 75 % of the land is cleared with the remainder in bush, consisting mostly of mature spruce with some birch and willow in lower locations around the creek and drainage courses.

An aerial photo is attached in the Appendix to illustrate the site characteristics.

### 2.2 Use of Surrounding Land

The land surrounding the proposed subdivision is partly cleared and used mainly for hay.

There is Lakeshore Residential Subdivision currently under development to the east, directly across the county road in the SE of 33 and a Country Residential Subdivision currently under development to the west, directly across the county road in the SE of 32.

There is a sour gas well to the north of SW 33 located at a distance of approximately 300-m north of the north boundary of SW 33. The well operator's will be notified in order to incorporate the new residences in to their emergency response plan (ERP).

The Buck Lake Provincial Park is located about 1.8 km to the north of the proposed subdivision.

There are no intensive livestock operations in the vicinity of the proposed subdivision.

### 2.3 Former Land Use

The land has been used primarily for cattle pasture and or hay, following the clearing of bush many years ago. Some of the land has also been seeded in crops about 3 years ago.

There was a farm site adjacent to the County road along the east side of the quarter. The buildings were abandoned around 1940 and there is no trace of the site today.

No pesticides or herbicides have ever been used on the land and chemical fertilizer has been used very little.

### 2.4 Present Land Use

The Owners of the SW 33 have a residence and a machine storage/workshop on the quarter and are planning to build a new home on the site.

The land is currently used for hay and any of the undeveloped areas will remain in hay.

There is an old oil well located near the center of the quarter. Production from the well has now been terminated. The well site is currently being reclaimed and the pipeline from the well will be removed. The developer will obtain a reclamation certificate prior to developing lots in this area (phase 1).

There are several gas pipelines located along the eastern portion of the quarter, as shown on the lot layout plan in the Appendix.

The plan for a pipeline to be located along the center of the quarter in a north-south direction has been abandoned. Accordingly, rights held by the Right-of-way agreement have been surrendered and the agreement terminated.

### 2.5 Historical and Archaeological Features

It is considered unlikely that the subject land contains any features of historical and/or archaeological interest. However, as required by Provincial Regulations, a copy of this ASP will be forwarded to the Historical Resources Division of Alberta Community Development for comments.

## PROVINCIAL AND FEDERAL REGULATIONS EFFECTING DEVELOPMENT

The proposed subdivision is not located adjacent to a provincial highway. Since the distance to the nearest highway exceeds 800 m the Developer is not required to submit an ASP for review by Alberta Transportation under the Municipal Government Act.

There are no operating oil or gas wells on the property and no intensive livestock operations in the vicinity of SW 33 requiring set-back to the residential lots.

The residential lots will maintain a minimum 100-m distance from the nearest existing gas pipeline running through the east side of the quarter.

The creek running through the quarter and the nearby Buck Lake will not be impacted by the development. The storm water runoff from the proposed subdivision will be channeled into three storm water storage ponds (fire ponds).

Along with the required 6-m Environmental Reserve along both sides of the creek a much wider undeveloped buffer area on either side of the creek has been left in the farm site area (Lot 44) to help preserve the integrity of the creek.

## PROPOSED SUBDIVISION DEVELOPMENT

The layout of the proposed subdivision is shown on the attached lot layout plan in the Appendix.

The subdivision is designed in a manner that would provide maximum benefits in terms of view, privacy and in terms of storm runoff.

There are a total of 42 residential lots that will be developed in three phases. Lots 1 – 5 and 14 – 16 will be developed as phase 1, lots 6 – 13 as phase 2, lots 17 – 24 as phase 3 and lots 25 – 42 as phase 4. The lot sizes vary between a minimum of approximately 0.43 hectares to a maximum of approximately 1.07 hectares (between 1.1 and 2.6 acres) with 0.52 hectares (1.3 acres) as an average.

In addition to the 42 residential lots there will be 1 larger parcel – lot 45 approximately 2.19 hectares (5.4 acres) located at the south end of the property, east of the pipelines designated for Rural Commercial (future storage compound).

Lot 43 consists of the three fire pond areas and their accesses as well as any other areas designated as Public Utility Lots (P.U. L.).

The remainder of the quarter section lands, with the exception of the Municipal Reserve Area in the northwest corner and the Environmental Reserve along the creek, will be allocated to Lot 44 that includes the existing yard site.

#### 4.1 Municipal Reserve/Environmental Reserve, Public Utility Lots, Easements

The County requires a municipal reserve in the amount of 10 % of the quarter section. Lots 1 – 45 including roadways less the Environmental Reserve is approximately 63.4 hectares or 156.7 acres). A treed area in the northwest corner of the quarter section consisting of approximately 6.38 hectares (290 m x 220 m) or 15.76 acres has been allocated for the Municipal Reserve.

The Developer has allocated the required 6-m Environmental Reserve along both sides of the creek banks. The 6-m widths will be measured from both the north and south banks of the creek.

The Developer also recognizes the importance of preserving land along the creek for both environmental and esthetic reasons and has therefore left a much greater undeveloped buffer along either sides of the creek as part of lot 44 (farm site).

There will be three ponds that will act as both storm water retention ponds and fire ponds and they will be located on Public Utility Lots (43 A, 43 B, and 43 C). The pond for phases 1 and 2, north of Lot 5 will have access for maintenance through a 10-m P.U.L. along the east side of lot 5. The pond in phase 3 will be located east of Lot 24 and be accessed off the roadway. The pond in phase 4 will be located east of Lot 36 and be accessed through a 10-m easement along the south side of lot 36.

The internal subdivision roadways will have 5-m utility right of way along each side as required by the county.

The Developer has allocated a 5-m P.U.L. between Lots 21 and 22 in Phase 3 as an emergency access as requested by the county.

The Developer has allocated a 5-m P.U.L. along the south side of the quarter extending from the pond access to the municipal road as requested by the county.

The Developer has allocated a 5-m road widening all along the east and west sides of the quarter, adjacent to the municipal roads as required by the county.

#### 4.2 Road Access

The developer is committed to the \$2,000.00 per lot County Roadway Levy that is to be paid as each phase is developed, prior to its registration with Alberta Land Titles.

The two existing county roads – along the east and the west sides of the quarter – have a gravel surface.

The internal subdivision roads will have a 20-m right-of-way, which would allow for a cross-section to county specifications for rural subdivisions. The surface will have a 7.3- m gravel finish of minimum 100 mm of Designation 4, Class 20 gravel or approved equivalent. All roadway construction, culverts and driveways will be in accordance with County Standards and Specifications. The turn-around at the end of the internal subdivision roadways will have a 25-m R.O.W. radius. Interim turnarounds will be constructed to County Standards to facilitate the phased development.

A 5-m utility right of way on each side of the 20-m road R.O.W. will allow for installation of utilities.

Phases 1, 2 and 4 of the development will have access from the municipal road along the west side of the quarter while phase 3 will have access from the municipal road along the east side. All access points provide for a stopping sight distance in excess of 150-m in accordance with Provincial Standards for rural roads with an 80-km/hour speed limit.

#### 4.3 Water Supply

Water supply to the proposed subdivision will be by individual wells.

An aquifer evaluation report (specific for this site) was prepared by Sabatini Earth Technologies Inc. in September of 2007. The water availability studies in the area indicate sufficient quantity for the additional 42 residential lots. A copy of the report is included.

#### 4.4 Storm Water Management

The topography of the land within the four development phases does not show clearly defined drainage courses. However, the three retention ponds are located such that the storm water runoff will have positive grade along the internal roadside ditches towards the ponds.

The retention ponds will ensure that the storm flows from the development towards the creek will not increase over pre-development flows. Further, the ponds will act as sediment basins trapping sediments carried by the runoff and thus ensuring adequate storm water quality.

The ditch flow from phases 1 and 2 will be directed towards the retention pond through a channel within the 10-m P.U.L. between lots 5 and 6. The ditch flow from phase 3 will be channeled directly into the retention pond. The ditch flow from phase 4 will be directed towards the retention pond through a channel within the 10-m P.U.L. south of lot 36. The public utility lots will also provide access for maintenance of the ponds.

To further enhance the quality of the storm water, it is the intention of the Developer to limit the use of fertilizers and herbicides in the Restrictive Covenant and to apply Best Management Practices (BMP) in landscaping of the lots.

#### 4.5 Sewage Disposal

The County has currently no plans for a regional sewer trunk line in the vicinity of the proposed subdivision. The subdivision is not located immediately adjacent to a lake.

The Developer will through the Restrictive Covenant make the individual lot owners provide their own sewage disposal system through the installation of holding tanks and a pump-out system where the sewage would be hauled away to an approved municipal lagoon site. The developer will collect and pay to the county the municipal sewage treatment levy of \$2,034.00 per lot.

#### 4.6 Utilities

Natural gas will be supplied by Buck Lake Gas Co-op. There is an existing Co-op gas line along the county road.

Electricity to the subdivision will be by overhead power from the existing grid line along the county road.

Telephone will be by underground cable, connected to the main line along the county road.

All utility lines will be located within the 5-m utility right of way along the internal subdivision road.

#### 4.7 Solid Waste Disposal

The County of Wetaskiwin operates a solid waste transfer station southwest of Buck Lake near Highway 22. Individual lot owners are expected to take the waste to this site.

#### 4.8 Fire Protection

Fire protection services will be provided through the Buck Lake Volunteer Fire Department, which is managed by the County Fire Chief. The fire station is located approximately 12 km away from the proposed subdivision.

A water source (pond) for fire fighting will be located in or adjacent to each of the four phases. These ponds will also be used as storm water retention ponds. Dry hydrants will be provided that will allow access to the water from the subdivision roads.

The National Fire Code requires a volume of 18 cubic meters (4000 imp. Gal.) per lot, i.e. a total of 800 cubic meters for the 42 residential lots plus the existing residence. This volume must be available on a year round basis. The design of the ponds will take into consideration a 1-m thick ice cover and allow for 0.5 m of sediment build-up at the bottom. The side slopes of the ponds will be 3:1 or flatter and the ponds will be bermed and fenced.

The fire ponds in the proposed subdivision will have ample capacity.

The ponds and surrounding areas will be designated Public Utility Lots (43 A, B & C).

## PROPOSED ZONING

The Developer requests that a total of 26.8 hectares (including lots 1 – 42) be rezoned Country Residential in phases in accordance with the phasing outlined below and 2.2 hectares (lot 45) be rezoned Rural Commercial.

The remainder of SW 33 (lot 44) will remain Agricultural District, with exception of the Public Utility Lots (lot 43), the Municipal Reserve and the Environmental Reserve along the creek.

## **PROPOSED PHASING**

The Developer proposes to develop the subdivision in four phases, with each subsequent phase developed as the majority of lots in the current phase are sold, possibly within 1 – 3 years.

However, for logistic reasons the Developer may construct the roadways in one or more phases simultaneous but would not be registering the lot plan or doing the lot survey until the majority of the lots in the first or current phase have been sold.

## **PUBLIC PARTICIPATION PROCESS**

An orientation or public information session for the existing landowners and residents was held on April 30, 2008 in Buck Lake. This provided people with the opportunity to raise any concerns they might have regarding this subdivision. All the landowners and residents within a 1.6-kilometer radius of the proposed subdivision were personally contacted in regards to the scheduled information session by Robert Letourneau.

The orientation or public information session for the proposed development was advertised in the local newspaper (Coffee Companion).

A copy of the notice and minutes from the meeting are contained in the appendix.

## **APPENDIX**

Location plan

Aerial photo

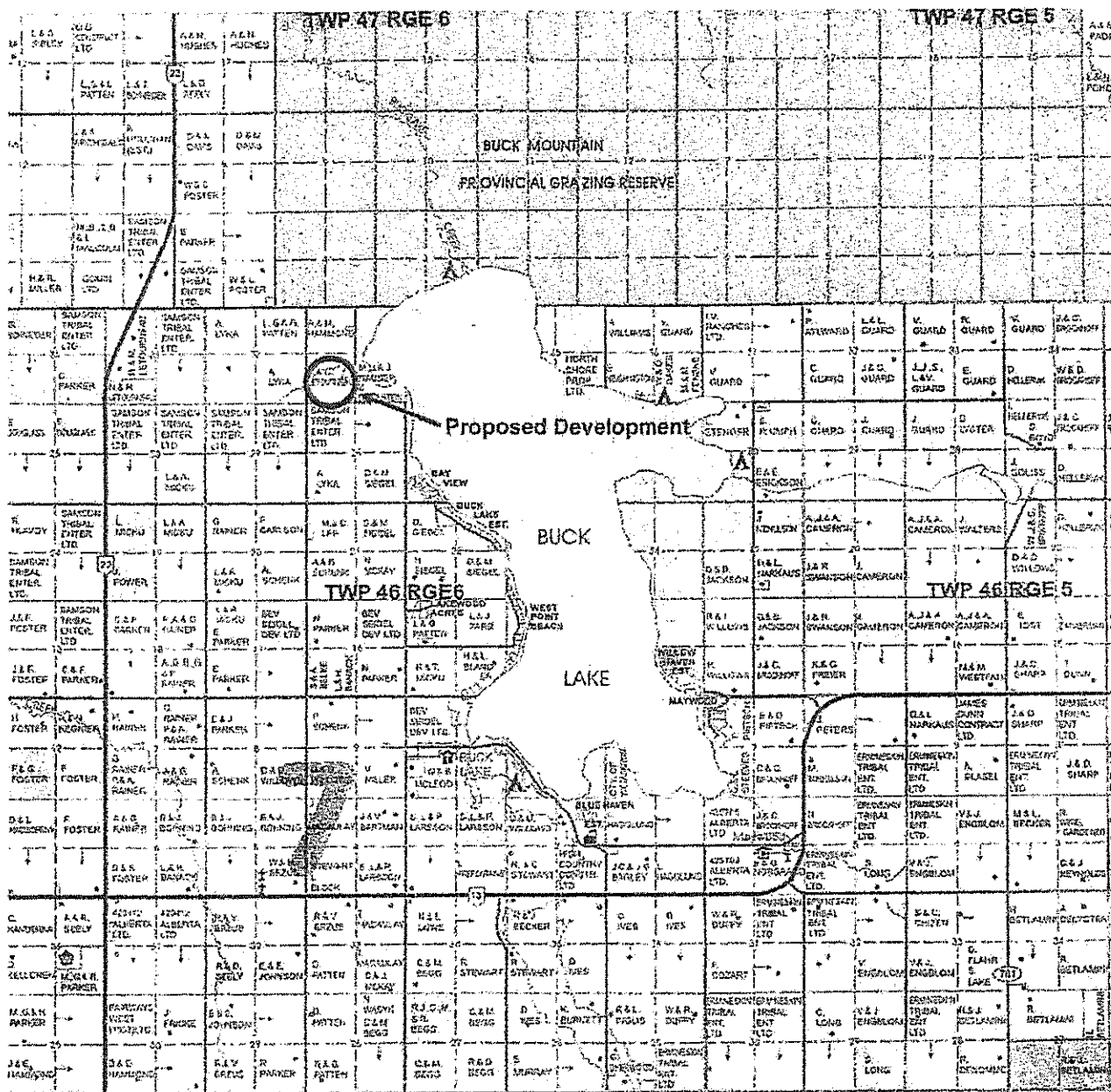
Lot layout plan

Contour plan

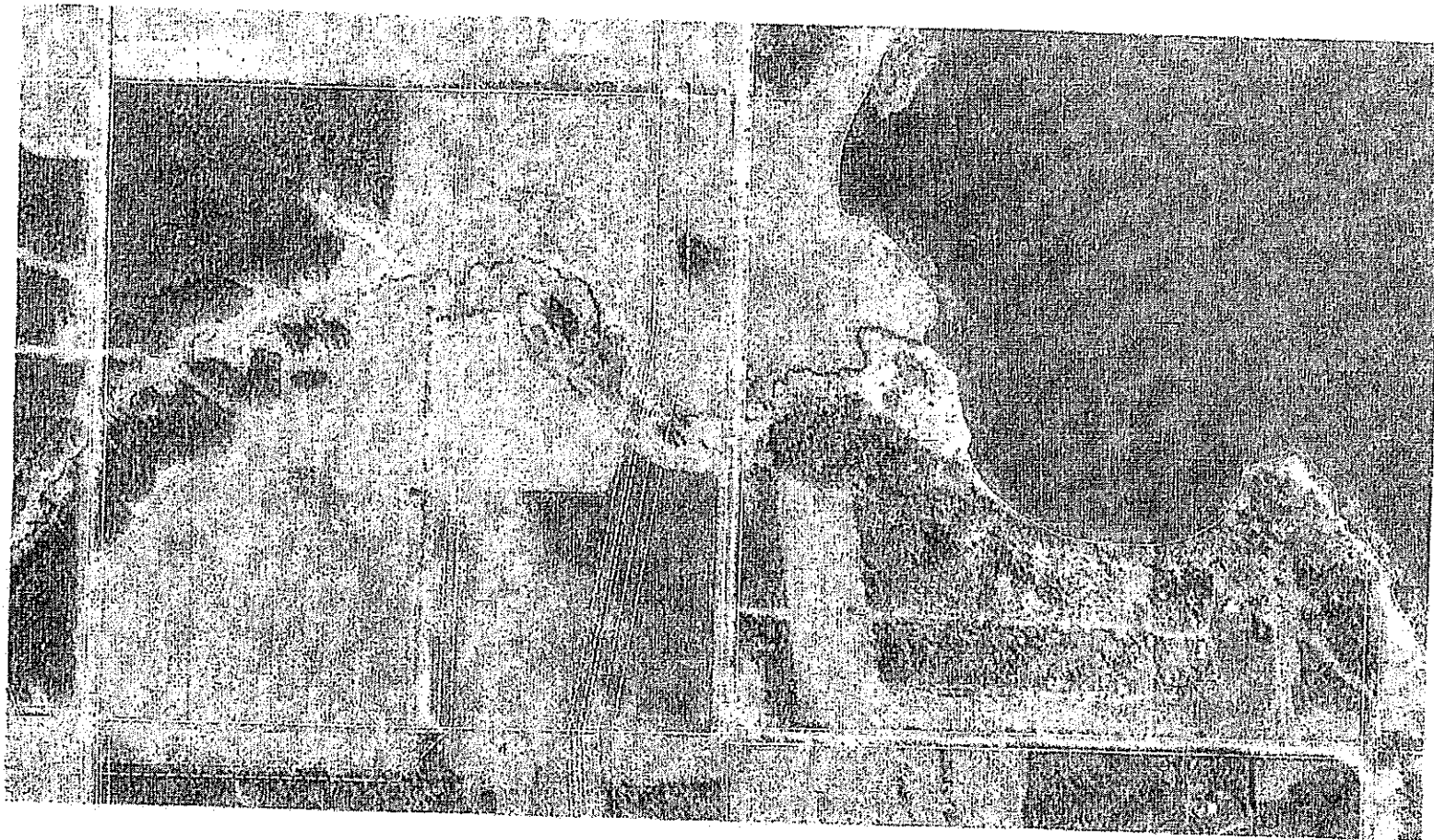
Water Level Monitoring Report

Notice & Minutes Of Public Meeting

Aquifer Evaluation Report



Location Plan



8. Line 37, 98/05/04

S1/2 33-46-6 W5

Scale  
1:8000

WEST CENTRAL PLANNING AGENCY

Suite 105, 5111 - 50th Avenue Wetaskiwin, AB T9A 0G5  
Phone 780-352-2215 Fax 780-352-2211 Email [wcpa@blueplanet.net](mailto:wcpa@blueplanet.net)

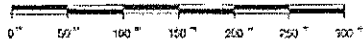
File: RW/Letourneau

# LOT LAYOUT PLAN

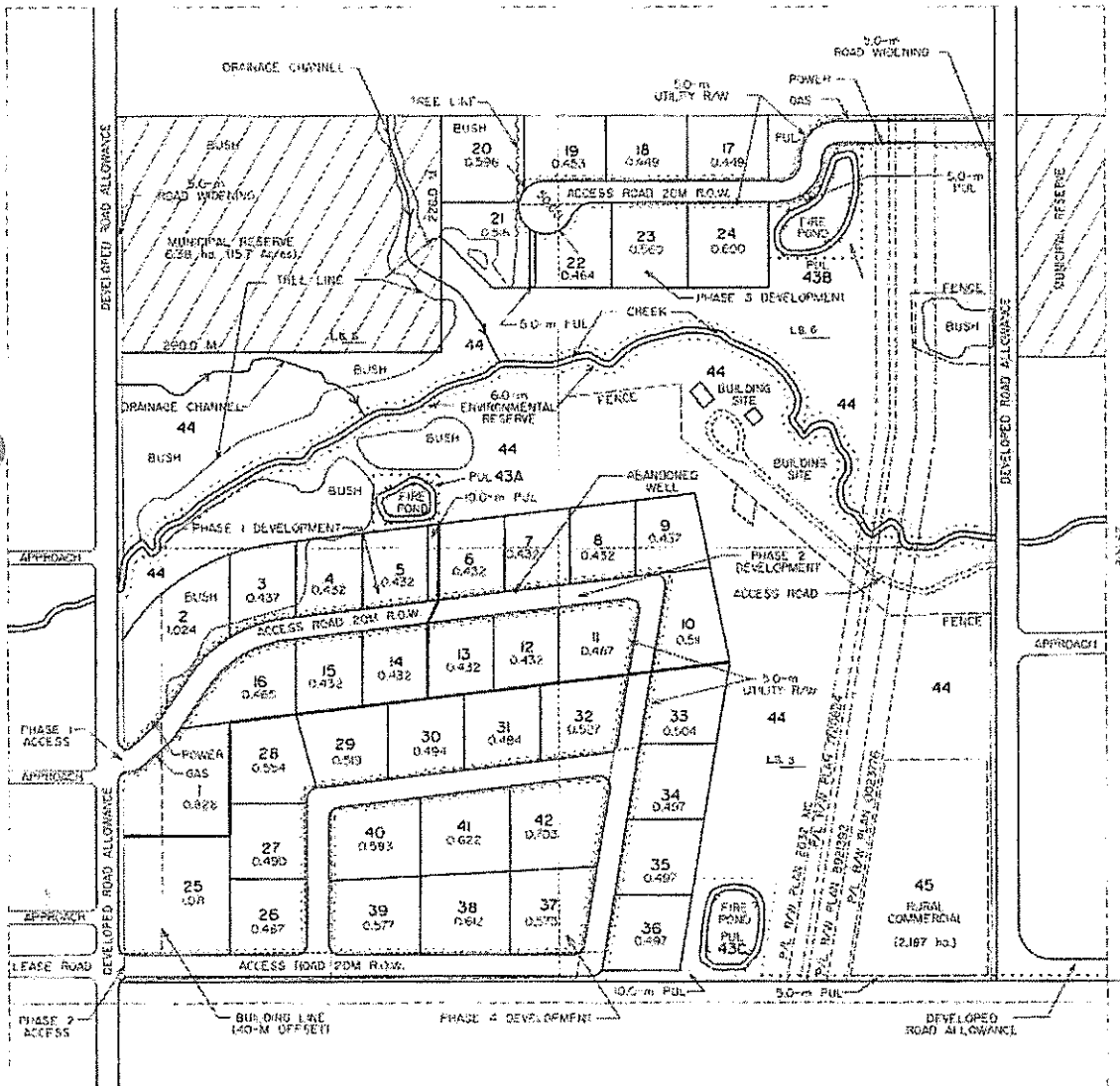
LOCATION SW SEC. 33 TP. 46 RGE. 5 W. 6 M

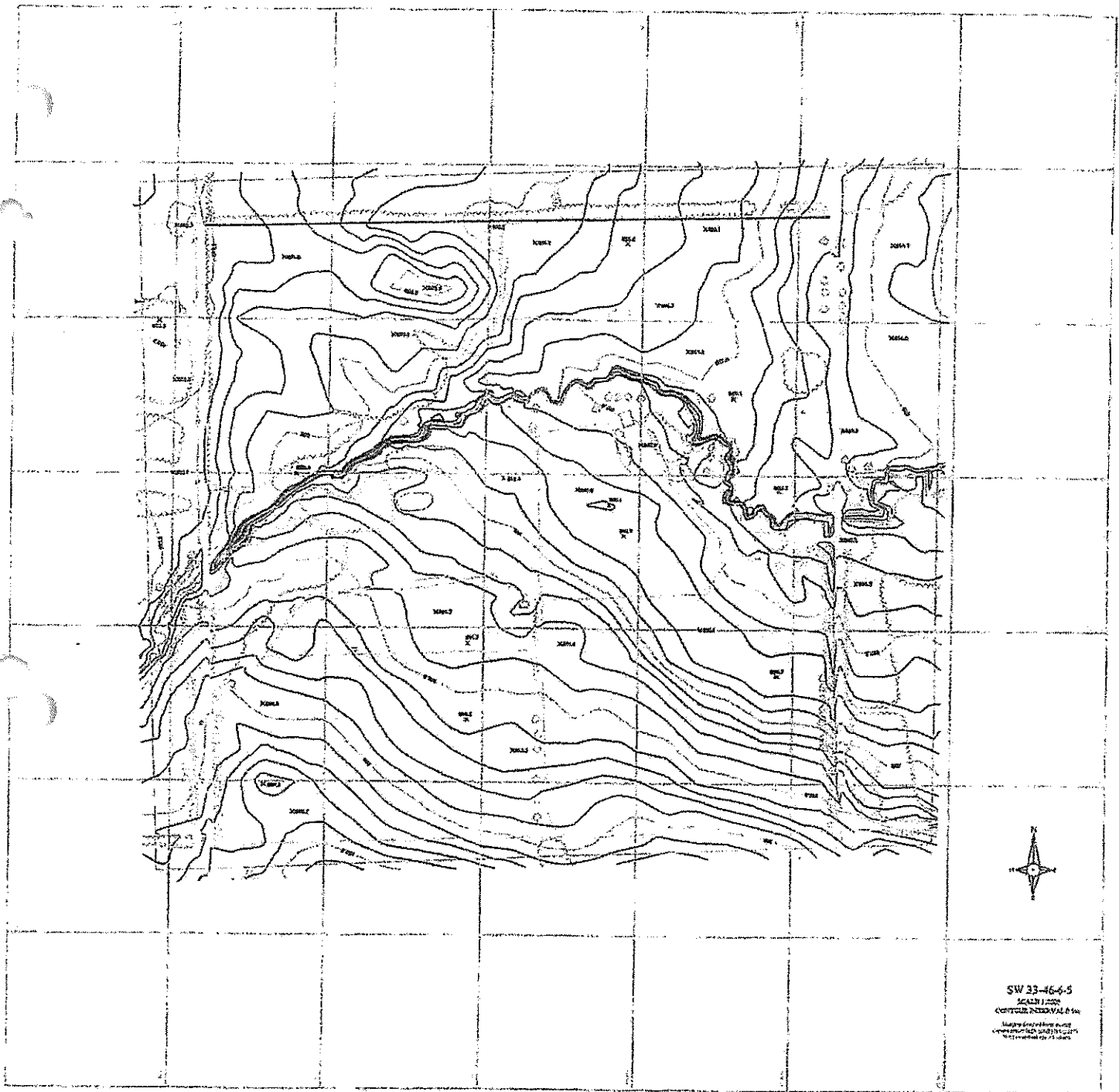
OWNER: ROBERT D. LETOURNEAU & CATHERINE L.

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PHASE	LOTS	ROADS	TOTALS
PHASE 1 DEVELOPMENT	161	8.077 ha	173.30 ha
PHASE 3 DEVELOPMENT	181	3.763 ha	14.91 ha
PHASE 4 DEVELOPMENT	661	10.307 ha	12.546 ha
TOTALS AREA	1421	22.141 ha	26.785 ha





Contour Plan  
Contour Interval 0.5 m

HENNING F. RASMUSSEN, P. Eng.  
Consulting Civil Engineer  
7202 -112 Street  
Edmonton, Alberta  
Canada, T6G 1J3

Phone/Fax (780) 988-2633

Re.: PROPOSED SUBDIVISION – LYNN CREEK ESTATES

SW 33 – 46 – 06 – W 5 M in County of Wetaskiwin

### WATER LEVEL MONITORING REPORT

A subsurface water level report has been requested by the County of Wetaskiwin as a supporting document with regards to the Area Structure Plan for a proposed residential subdivision in SW 33 – 46 – 06 – W 5 M.

6 holes were drilled throughout the quarter section on August 29., 2007. The holes were drilled to approximately 2.0 – 2.5 m depth and 4" dia. plastic pipe was installed. The location of the holes is shown on the attached plan.

The Developer, Mr. Robert Letourneau, checked the water level in the holes 24 hours after the completion of the drilling by measuring the vertical distance from ground level to the level of the water. The results were as follows:

# 1 – 86 cm, # 2 – 102 cm, # 3 – 112 cm, # 4 – 91 cm, # 5 – 140 cm, # 6 – 152 cm.

4 weeks later, on Sept. 27., 2007, the water levels were checked again by the undersigned, Henning F. Rasmussen, P. Eng., and the results were as follows:

# 1 – 60 cm, # 2 – 90 cm, # 3 – 140 cm, # 4 – 95 cm, # 5 – 130 cm, # 6 – 160 cm.

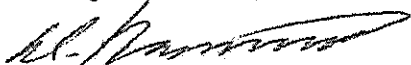
It is seen that there is no substantial change from the previously measured – some levels were slightly higher and others were lower. The general indication is that the water levels are relatively high throughout the area.

The conclusion is that housing development should be limited to dwellings without basements unless an engineered subdrainage system is constructed around the perimeter of the dwellings.

I trust the above brief monitoring report meets with the County's requirements.

April 18, 2008

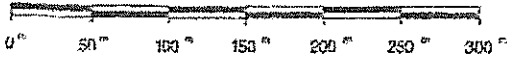
Henning F. Rasmussen, P. Eng.



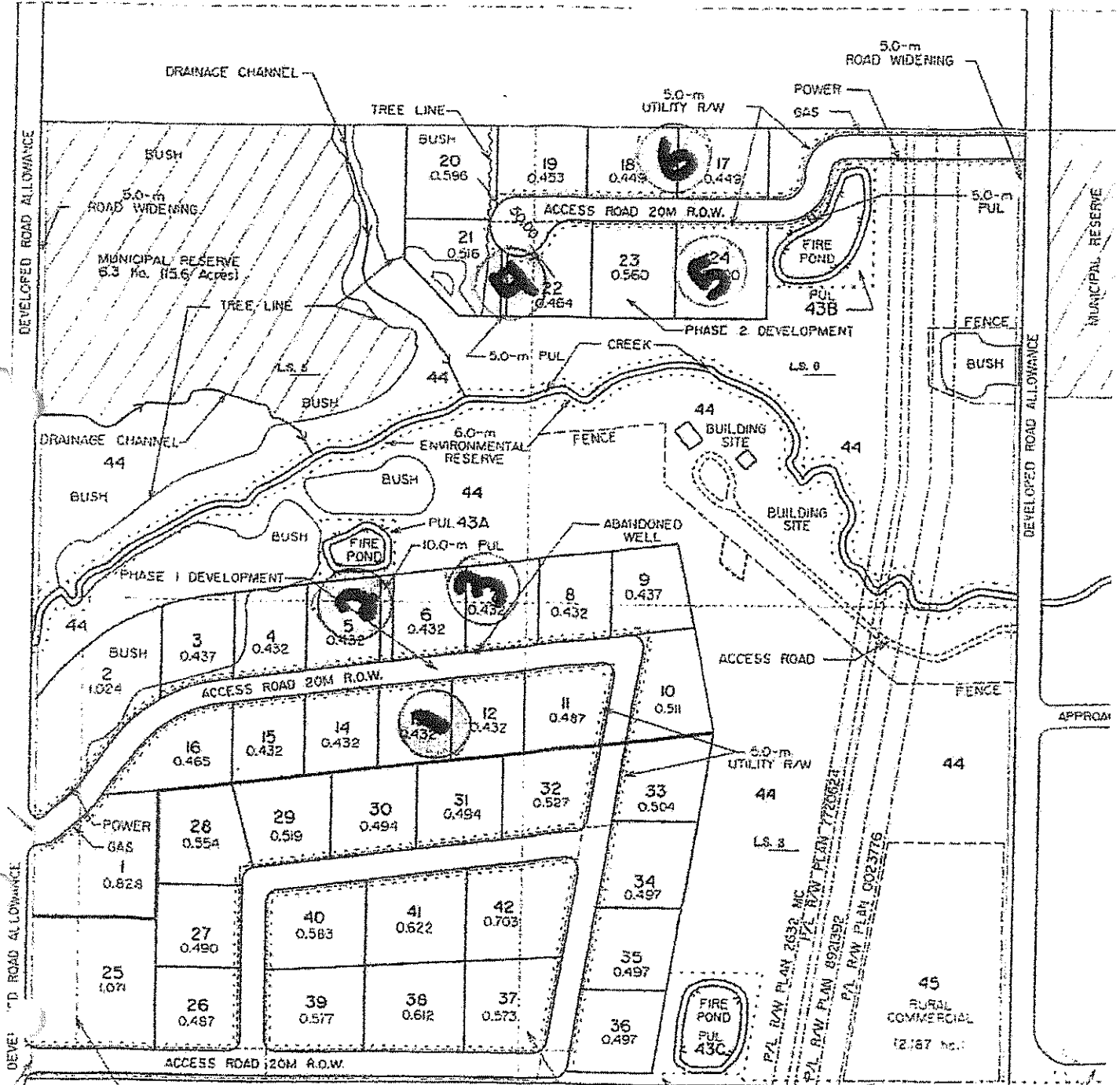
# LOT LAYOUT PLAN

LOCATION SW SEC. 33 TP. 46 RGE. 6 W. 5 M.

DRAWING BY ROBERT D. LETOURNEAU & CATHERINE L.



PHASE	LOTS	ROADS	TOT.
PHASE 1 DEVELOPMENT	(16)	8,077 ha.	1,253 ha.
PHASE 2 DEVELOPMENT	(8)	3,763 ha.	1,148 ha.
PHASE 3 DEVELOPMENT	(18)	10,301 ha.	2,247 ha.
TOTALS AREAS	(42)	22,141 ha.	4,648 ha.



**NOTICE OF INTENTION TO  
SUBDIVIDE**

We, ROBERT D. LETOURNEAU AND CATHERINE L LETOURNEAU  
of Buck Lake Alberta, intend to make application to the County of  
Wetaskiwin, in the Province of Alberta to subdivide the following property  
which is legally described as,

SW SEC 33 TWP 46 RGE 6 W 5 M

Any person wishing to express an interest in this application may do so by  
forwarding their comments in writing to:

Mr. Robert Letourneau  
P.O. Box 108  
Buck Lake, Alberta T0C 0T0

Within fourteen (14) days of this final publication.

We invite you to attend a public forum at the Buck Lake Hall on April 30  
2008 at 7:00 p.m. to discuss any interests or concerns that you may have.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Signed: \_\_\_\_\_

## Notice of Intent to Subdivide

Notices of intent to subdivide (see next page) were hand delivered to local Residents (within 1 mile) on April 14 2008. 10 notices in all complete with Plot plan map.

Advertisement for the public meeting on April 30, in local news letter (Coffee Companion) was also completed for the April addition.

No comments or concerns were expressed.

**MINUTES**

**PUBLIC MEETING  
ROBERT AND CATHY LETOURNEAU  
SUBDIVISION OF SW 33-46-6 W5M**

**APRIL 30, 2008  
BUCK LAKE COMMUNITY HALL,  
BUCK LAKE, ALBERTA  
7:00 P.M.**

**ATTENDANCE:**

Bob Letourneau  
Cathy Letourneau  
Jim Gaudet  
Bob Steil

**AGENDA:**

Bob Letourneau opened the meeting at 7:15 p.m. He thanked everyone for attending and stated that this meeting was held for public notification of his intention to subdivide his land located at SW 33-46-6 W5M. Bob presented a brief overview of the project and then invited everyone to participate with any comments or concerns that they may have regarding the proposed subdivision.

There were no comments or concerns .

**ADJOURNMENT:**

The meeting was adjourned at 8:00 p.m.

/jlb