

BY-LAW NUMBER 2009/50

BY-LAW NO. 2009/50 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 Aspen Grove Area Structure Plan (NW 14-47-24-W4M) in accordance with Section 633 of the Municipal Government Act, Chapter M-26, 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 NW 14-47-24-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, and amendments thereto.

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

1. The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as "*Aspen Grove Area Structure Plan in (NW 14-47-24-W4M)*" subject to the following amendment:
 - a. Section 3.6 – Traffic Circulation: (add)
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.
 - b. Section 3.10 – Off-site Improvements: (add)
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.
2. This by-law comes into effect on the date of third reading.

READ: A First time this 24th day of September, A.D., 2009.

READ: A Second time this 24th day of September, A.D., 2009.

READ: A Third time and finally passed this 24th day of September, A.D., 2009.



REEVE

CHIEF ADMINISTRATIVE OFFICER

**ASPEN GROVE
AREA STRUCTURE PLAN**

**PREPARED FOR
RESORTS DEVELOPMENTS INC.
(Landowner)**

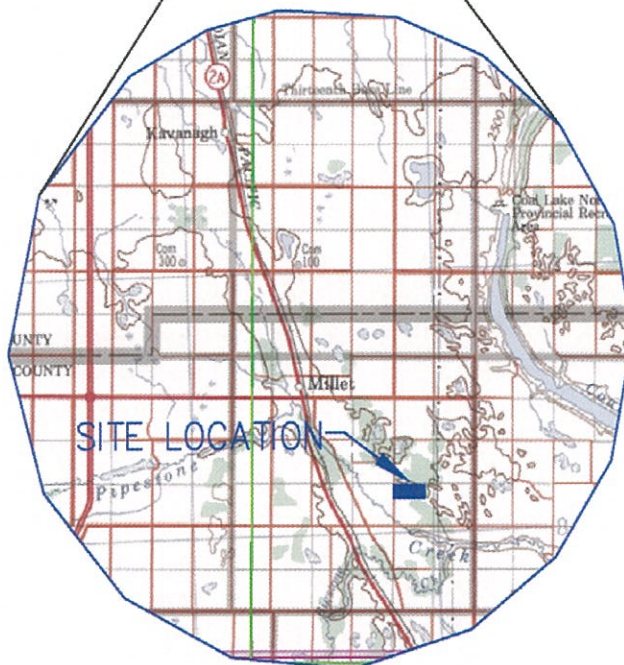
NW14-47-24-W4M

PREPARED BY:

FOCUS

 **NORTH STAR PLANNING**

JANUARY, 2010



N.W.14-47-24-W4M, ALBERTA
LOCATION PLAN - FIGURE 1

DATE: JAN., 2007

ASPEN GROVE AREA STRUCTURE PLAN

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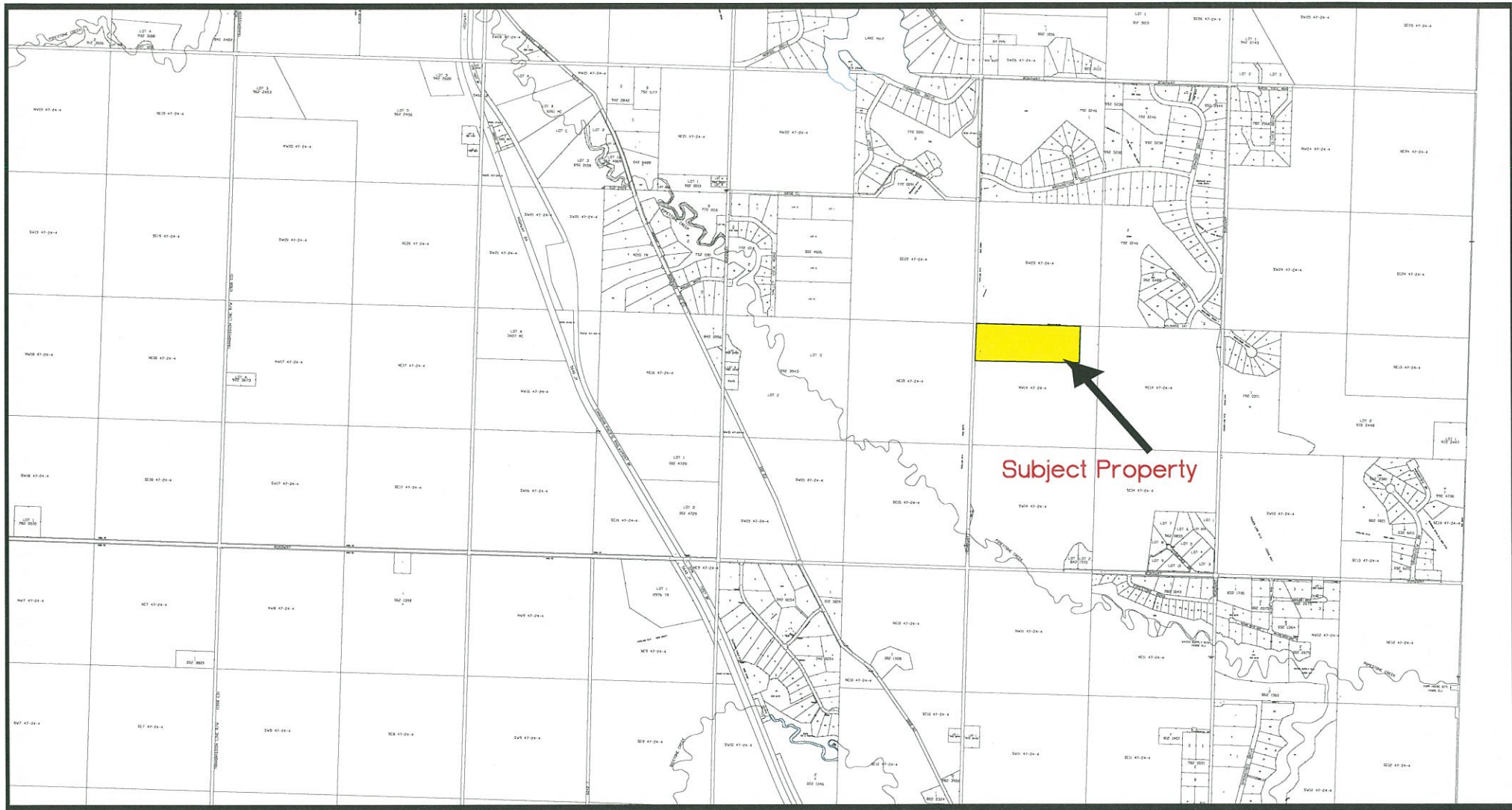
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APPENDICIES:

- a) Geotechnical Evaluation
- b) Potable Water Evaluation
- c) Certificate of Title



ASPEN GROVE AREA STRUCTURE PLAN

Location Map No. 1
Pt. NW14-47-24-W4M

Sept 2009



INTRODUCTION

1.1) PREAMBLE

The purpose of the Aspen Grove Area Structure Plan, under the ownership of 1362275 Alberta Ltd., is to provide an overall land use framework for a 16.69 hectare (41.14 ac.) parcel located approximately 3.2 kilometres 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.

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-W4M.

The parcel is adjacent to an upgraded rural road and is within 0.8 kilometres 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 kilometres south of the parcel. There are also numerous other rural subdivisions located with the immediate area. The location of the Plan Area is described graphically on Map. 1, Location Map. Map no. 2, Plan Area describes graphically the lands surrounding the parcel.

The parcel is bounded by a municipal gravel surfaced 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 falls 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.

1.3) RELEVANT LEGISLATION, BYLAWS AND SUPPORTING DOCUMENTS

This Plan has been prepared with due consideration of the policies and regulations of the 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 districted and zoned for agriculture use under the Agricultural District. An application to redistrict the remainder of the parcel to Country Residential use will be submitted with this application.

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 conform to the policy directions of the Provincial Land Use Policy. Future subdivision in accordance with this Plan will conform to the requirements of the provincial regulation associated with the Act.

1.3.4) COUNTY OF WESTASKIWIN POLICY 6606

This Plan has been prepared with due regard to the County's policy for preparation of Area Structure Plans including contour mapping and 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

Marilyn Jean MacDonald has entered into an agreement to sell the property to Resort Developments Inc. in November 2007. The current registration of the title to the subject parcel is under the Certificate of Title Number 072-677-933, a copy of the title is attached in Appendix A.

2.2) SUBDIVISION HISTORY & REGISTRATIONS

The quarter-section was previously subdivided for the purpose of the creating the parcel which is the subject of this ASP. Currently, there are two (2) titles on the quarter-section.

The certificate of title currently contains a number a 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 No. 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 will be enhanced with embankment to allow for the construction of a fire pond for the development. A hill located in the west third of the land divides the

drainage into a west drainage basin and an east drainage basin. Within the two larger drainage basins there are two smaller drainage basins. The major low area is in the middle area of the property. The overall relief is approximately 11 metres.

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 property.

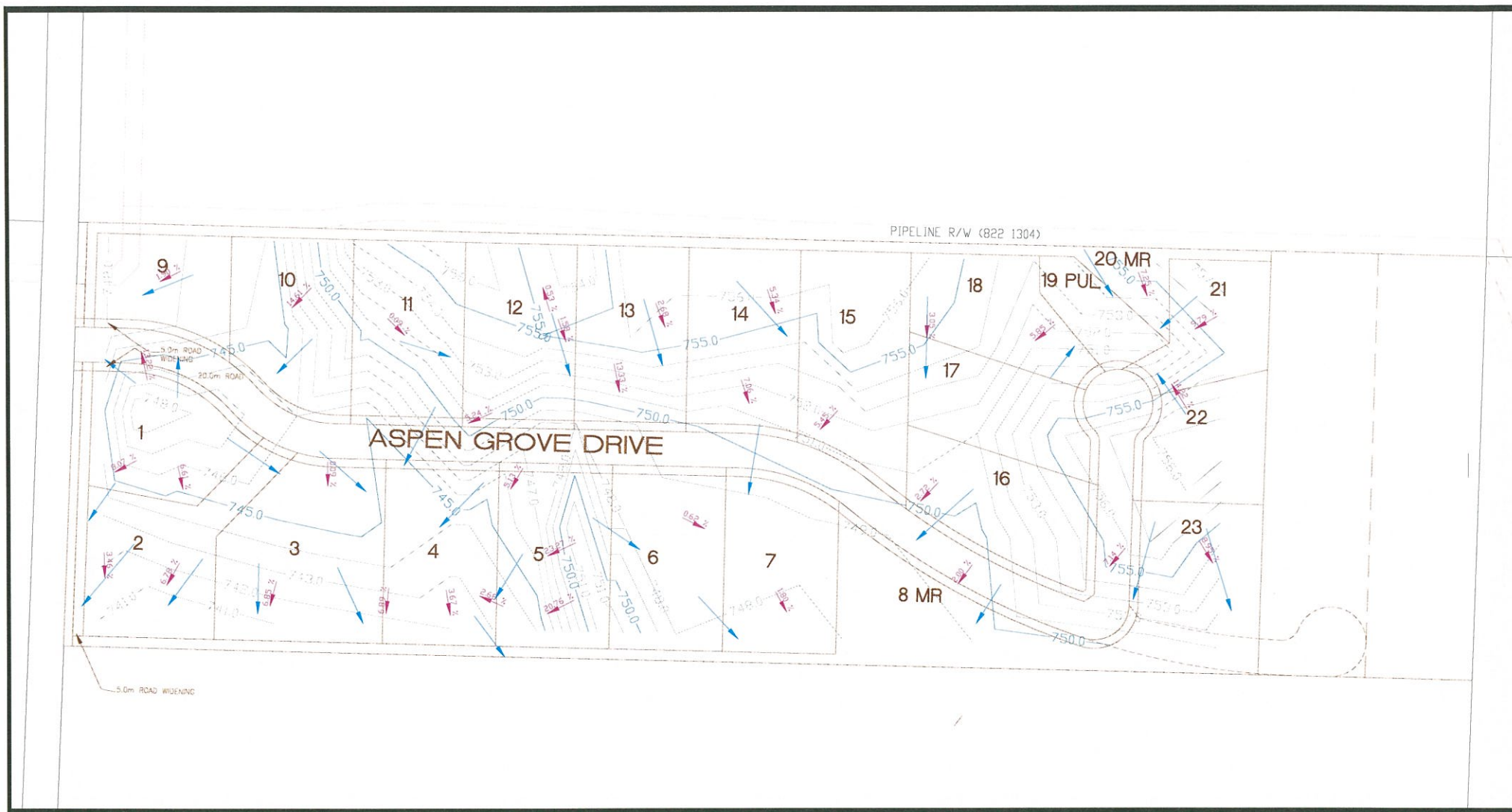
The distribution of arable land and tree coverage on the parcel is not functional for sustained agricultural use. It is mostly marginal pasture without access to water for livestock and being located in an area with several residential developments is not desirable for grazing or cultivation. The soils 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. It is the intent of the Developer to address this issue through a re-contouring effort that will level a portion of the hill centred on the proposed internal road north of the existing residential site.

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. The report concludes that conventional footings may be used on all lots. On-site waste-water treatment and disposal will be problematic as materials for systems are not found on each lot and would have to be hauled to the site. Finally, groundwater levels are noted to be at seasonal average levels and of varying depths due to the topography of the site.



ASPEN GROVE
AREA STRUCTURE PLAN

RELIEF MAP No. 2
Pt. NW14-47-24-W4M

Sept: 2009

SCALE:
0 25 50 Metres



DEVELOPMENT CONCEPT

3.1) OVERVIEW

Under this Area Structure Plan, the parcel would be subdivided in a single phase to create 21 residential lots. An internal road which consists of a cul-de-sac would provide internal access to each lot 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.

3.2) RESIDENTIAL DEVELOPMENT

In accordance with the provisions of the County of Wetaskiwin Land Use Bylaw Country Residential District, all residential lots created under this Plan will be between 0.4 ha. (1.0 ac.) and 2.02 (5.0 ac.) in area and will accommodate a range of residential dwellings including single detached dwellings and modular homes.

Each residential lot will have a minimum frontage of 60 metres (196.8 ft.) and approx. 40 metres (131 ft.) on a cul-de-sac.

Based upon the most recent Canada Census data 2006 Community Profile, an anticipated 61 residents would be located within the subdivision once it is fully developed¹.

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.

¹ Statistics Canada, 2006 Census Community Profile: 2.9 persons per average household.

3.3) ENVIRONMENTAL CONSIDERATIONS

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 base within 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 of 0.57 ha (1.4 ac.). The second lot features a park in the south portion of the parcel with an area of 1.15 ha. (2.84 ha.). Each park lot includes a linear park area suitable for a future trail system or as simple green-space as well as a smaller 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

An engineering evaluation has determined that at this location the most appropriate way to handle sanitary sewage for a multi-lot subdivision is with individual tanks and fields. An on-site evaluation at the development stage will be required as per the requirements of the Safety Codes Act. The choosing of 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 shall place an appropriate amount of material on each lot during the road construction phase to satisfy future on-site disposal system requirements.



ASPEN GROVE
AREA STRUCTURE PLAN

AREA STRUCTURE PLAN MAP #3
Pt. NW14-47-24-W4M

STATISTICAL PROFILE

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

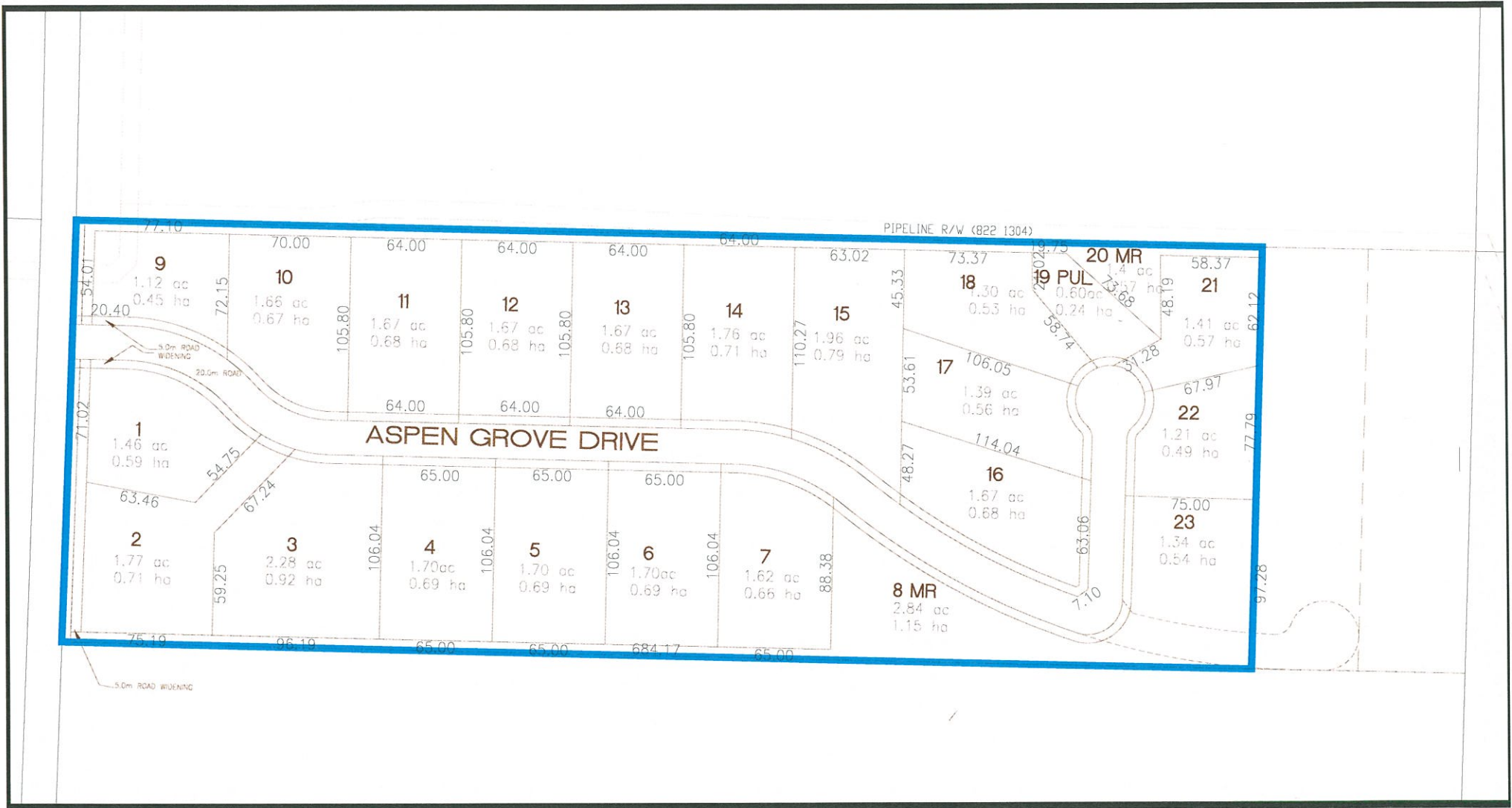
SCALE:

0 25 50 Metres

Sept: 2009



NORTH STAR PLANNING



ASPEN GROVE
AREA STRUCTURE PLAN

AREA STRUCTURE PLAN MAP #3A
Pt. 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 Metres
Sept: 2009



Potable Water

Moncur Groundwater, Geological Engineering & Hydrogeology have completed a groundwater evaluation and pump test. The final report is attached as an appendix to this Plan. In summary, the quality and quantity of water is acceptable and exceeds the requirements set out in the Alberta Water Act (1999). Sufficient potable groundwater exists to service all residential lots proposed in this Plan.

Storm Water Management

It is noted from the geotechnical report provided as part of this Plan that much of the land features a very high percolation rate. For this reason, it is not anticipated that any significant run-off from lots created will occur. As well, no off-site run off is anticipated as part of this project. Further to this, it is known that the road way constructed as part of Aspen Grove will require a major road cut into the hill located in the centre of the property.

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 plan be 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 may 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, power or natural gas companies for this parcel. Power lines will be installed above ground for all lots. A five (5) metre right of way will be established along the frontage of the internal subdivision road for utility purposes.

Fire Protection

The County of Wetaskiwin will be responsible for providing fire fighting services to the proposed country residential neighbourhood and the remainder of the designated land. Land for a fire pond constructed to a suitable volume to meet the requirements of the County has been provided through a proposed PUL lot. The fire pond will be constructed as part of the initial development phase and will feature a frost free minimum volume 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 Wetaskiwin'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 metres including right of way.

A five metre 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.*

3.7) LAND USE DISTRICT REQUIREMENTS

It is noted that a re-districting proposal to amend the Land Use Bylaw to accommodate this proposal was submitted for consideration prior to final submission of this Plan.

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 may be amended in accordance with the provisions of the Municipal Government Act and the requirements of the County of Wetaskiwin. It is anticipated that amendments will not be required in the short term, however, should the Plan Area not be subdivided and developed in the next few years, this 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 \$2,000 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.*"