

BY-LAW NUMBER 2005/63

BY-LAW NO. 2005/63 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 NE 23-47-28-W4M (Charles Staroba) in accordance with Section 633 of the Municipal Government Act, Chapter M-26.1, Revised Statutes of Alberta 1994, and amendments thereto.

WHEREAS: at the requirements of County Council, an Area Structure Plan has been prepared for (NE 23-47-28-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, 1994, 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 *NE 23-47-28-W4M "Charles Staroba"*.


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

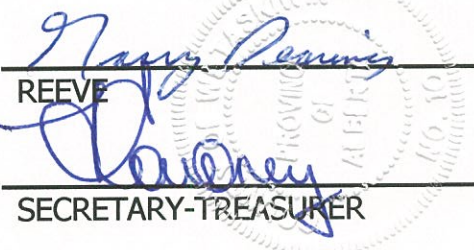
READ: A First time this 9th day of November, A.D., 2005.

READ: A Second time this 9th day of November, A.D., 2005.

READ: A Third time and finally passed this 9th day of November, A.D., 2005.


REEVE


SECRETARY-TREASURER



By-Law 2005/63
Appendix "A"

AREA STRUCTURE PLAN

For

PROPOSED SUBDIVISION

N.E. 23 – 47 – 28 – 4

in the

COUNTY OF WETASKIWIN

Prepared by

Henning F. Rasmussen, P. Eng.

July 2005

1. INTRODUCTION

The owner of NE 23 – 47 – 28 – 4, Mr. Charles Staroba, is proposing to subdivide his quarter section into 24 acreage lots to be designated Country Residential.

Lot sizes will range from approximately 2.5 to 10.25 acres (1.0 – 4.1 hectares) with the exception of the existing yard site that will be 31 acres (12.6 hectares) in size.

An Area Structure Plan (ASP) is required by the County of Wetaskiwin before council will approve a rezoning or subdivision that will lead to there being more than three parcels on a quarter section of land.

This ASP has been prepared based on information obtained from West Central Planning Agency (the Planners for the County of Wetaskiwin), Alberta Transportation, Hydrogeological Consultants Ltd., the owner and from other sources.

The maps, attached as an Appendix to this ASP, have been prepared by West Central Planning Agency based on designs submitted by the owner.

A Traffic Impact Study, prepared by Henning F. Rasmussen, P. Eng. and a Preliminary Groundwater Availability Study, prepared by Hydrogeological Consultants Ltd. will be submitted with this ASP as supporting documentation.

2. EXISTING CONDITIONS

The land is located about 3.5 km northeast of the Hamlet of Mulhurst Bay and adjacent to Secondary Highway 616 as shown on Map 1 attached in the Appendix.

2.1 Site Characteristics

The land is relatively flat with the exception of depressions along the watercourses. The western and northwestern portion of the quarter is at the highest elevation with the central and southeastern portion at a lower elevation. Surface runoff is generally draining towards the northeast, across Secondary Highway 616, NE 23 is not part of the Pigeon Lake drainage basin.

The tree cover is native species, mainly poplar and birch and – in lower areas near watercourses – some willow and alder.

A detailed soils investigation has not been carried out at this point in time but based on conditions in other areas in the vicinity of the site it is anticipated that the organic topsoil cover is about 75 – 150 mm in thickness. The underlying soil is assumed to be mainly clay with a relatively high silt content. The soil along the watercourses may have a higher silt content and there may be pockets of sand. Generally, it is anticipated that the existing soils will be suitable for roadway construction.

The seasonal water table for the main portion of NE 23 is anticipated to be well below the 2 m below ground level. Prior to making a subdivision application the owner intends to investigate the seasonal water table in the central and

southeastern portion of the quarter section in order to establish the level below existing ground.

2.2 Use of Surrounding Lands

Pigeon Lake Haven, an existing Country Residential Subdivision is bordering the west side of NE 23.

To the east, along Secondary Highway 616, there is a small golf driving range.

Other land, surrounding the NE 23, is classified as agricultural, and used mainly as hay land and cattle pasture with some crop growing.

The surrounding land use is indicated on Map 1.

2.3 Former Land Use

Only minor changes have taken place on NE 23 over the past 40 – 50 years. An additional approximately 5 acres has been cleared in the northeast portion and a barn and RV pad constructed.

There does not appear to have been any farm yard or other use that might have caused contamination in the form of animal waste or fuel/herbicide spills.

2.4 Present Land Use

As seen from the attached Map 2, about 60 – 70 % of NE 23 is currently in bush, with the remainder used as hay land and/or pasture.

The owner has built a barn and an RV pad in the northeastern portion of the quarter for his own use.

2.5 Historical and Archaeological Features

It is considered unlikely that the subjected land contains any features of historical 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.

3. PROVINCIAL REGULATIONS AFFECTING DEVELOPMENT

This ASP will be forwarded to Alberta Transportation for review as the Public Highway Development Act gives the department the right to control access to numbered highways, and the Municipal Government Act gives them the right to control subdivision and development within 800 metres of a highway.

The owner has located and identified the site of an old oil well (shown on Map 4 on the lot line between lot 21 and lot 22). This oil well has never been producing and it is capped, presumably in accordance with provincial regulations. It is noted, that the location of this abandoned well has not been confirmed by Alberta Energy and Utilities Board at this point in time.

There is an LPG pipeline south and west of NE 23, but development restrictions are limited to the surveyed right-of-way, which does not encroach on the subject quarter.

The Summer Village of Silver Beach operates a small land fill on SE 23, about 700 m to the south of the subject quarter. This distance is sufficient not to restrict development on NE 23.

The County of Wetaskiwin operates sewage treatment and storage lagoons on NW 13, approximately 1 km away from NE 23, but will not restrict development on the subject quarter.

A cattle operation on SE 26 does not appear to be large enough to restrict development on NE 23. The yard site is about 350 metres away. Regulations under the Agricultural Operations Practices Act indicate that a 350 m separation is sufficient distance for a feedlot of up to 300 feeder cattle.

These limiting factors are shown on Map 1 together with the setback distances required by provincial and municipal regulations.

There are no airports, sour gas installations or municipal boundaries within 3.2 km of the proposed development.

4. PROPOSED SUBDIVISION DEVELOPMENT

The proposed lay out of the subdivision is shown on Map 4.

4.1 Municipal Reserves

The Municipal Reserves (MR) are located around the watercourses, as shown on Map 4. In addition, there will be a 10 m wide buffer strip along the west side and

along the south side of NE 23. The total area of the MR exceeds 10 % of the entire quarter section.

4.2 Road Access

There will be one entrance to 23 lots in the proposed subdivision from Secondary Highway 616 north side as shown on Map 4. The proposed entrance coincides with an existing field approach.

A separate Highway Access Study has been prepared. The Study indicates that a type 1 intersection is required, i.e. simple 15 m turning radii with no turning or passing lanes on the highway.

The existing driveway from the eastern 616 to lot 24 (yard site) will remain open as per discussion with Lee Bowman, Development and Planning Officer, Central Region, Alberta Infrastructure, on April 8, 2005, in Red Deer, Alberta. There will also be a 20 m wide road dedicated between lots 22 and 23. This would accommodate any future road connection to lot 24 if any future changes are to be made. This road will not be built at this time.

The proposed internal roadway will have a 30 m wide right-of-way, which would allow for a 7.3 m wide top and ditches/side slopes/back slopes to county specifications for rural residential subdivisions. The surface will be finished in gravel only.

There will be two cul-de-sacs, each large enough to accommodate a minimum turning radius of 15 m and with ditches and slopes to County Standards.

There will be a 10 m wide Public Utility Lot to Secondary Highway 616 at the east end from the cul-de-sac. This PUL will accommodate natural gas, electricity, phone installations and other utilities.

There will also be a 30 m wide road dedicated from the southwest cul-de-sac to the south boundary of the proposed development. This will accommodate any future road connection to a potential subdivision on SE 23 together with utility connections to such a development. The road will not be built at this time. It will act as an alternative access in case of emergency. Alberta Transportation has indicated that a further second access road (alternative access) from Secondary Highway 616 east side to NE 23 will not be allowed.

4.3 Water Supply

Water supply to the proposed subdivision will be by individual wells. Hydrogeological Consultants Ltd. has prepared a preliminary Groundwater Availability Report. The report indicates that there is sufficient water available for the proposed 24 lot subdivision and the intake will not adversely affect existing users in the surrounding area. The report sets out recommendations for further investigation/confirmation.

4.4 Sewage Treatment

The proposed lots are large enough to allow for on-site treatment of sewage, i.e. individual fields or mounds. Alternatively, individual holding tanks may be considered.

A percolation test, to confirm the feasibility of on-site treatment, has not been carried out, as this would be the responsibility of the individual future lot owners.

4.5 Storm Drainage

Storm drainage will be by open ditches along the roadways with discharge to the existing watercourses, which will carry the run-off to the north, across Secondary Highway 616.

Subdivision development normally causes an increase in the amount of seasonal and storm run-off, as the impervious surfaces such as roofs, patios or paved driveways contribute to the overall flow. However, it is anticipated that the major portion of the run-off will percolate through the ground, due to the large size of the lots, and the post-development flows will not increase significantly. Therefore, the culvert across Highway 616 will not require replacement.

4.6 Utilities

Natural gas will be supplied by the local gas company (Buck Mountain Co-op), with the main distribution line located within the roadway right-of-way.

Electricity will be by overhead power.

Telephone will be by underground cable located within the roadway right-of-way.

It is noted that the utilities for the proposed subdivision will be connected to the existing lines along Secondary Highway 616 or, alternatively, from the existing subdivision to the west.

4.7 Solid Waste Disposal

The County of Wetaskiwin operates a solid waste transfer site just east of Mulhurst Bay. Individual lot owners are expected to take the waste to this site.

4.8 Fire Protection

Fire protection services will be through the Mulhurst Bay Volunteer Fire Department. The fire station is located 3.5 km away at the 4-way stop east of the Hamlet of Mulhurst Bay.

A water source (pond) for fire protection will be located adjacent to the internal subdivision roadway on the MR between lots 10 and 11. It is anticipated that borrow material for roadway construction will be obtained from this site and the borrow pit will then function as a pond. It is noted, that the watercourse at this location is spring fed, thus ensuring water for fire protection year round.

4.9 Policing

The proposed subdivision will be policed by the County of Wetaskiwin Constabulary and the Thorsby RCMP Detachment.

5. PROPOSED ZONING

The owner requests that the entire NE 23 be rezoned Country Residential.

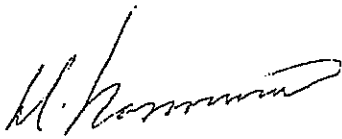
6. PROPOSED PHASING

The owner proposes to develop the subdivision all in one phase.

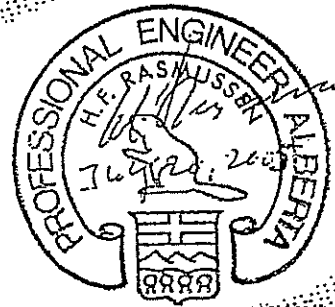
7. PUBLIC PARTICIPATION PROCESS

Copies of the ASP will be forwarded to immediately adjacent landowners. Open house orientation sessions for the general public are not considered necessary. It is noted, that the proposed development will be advertised in the local papers and the public hearing process will also give people the opportunity to raise any concerns they might have regarding this proposed subdivision development.

Submitted July 20., 2005



Henning F. Rasmussen, P. Eng.
Consulting Civil Engineer



APPENDIX

Map 1, Location plan

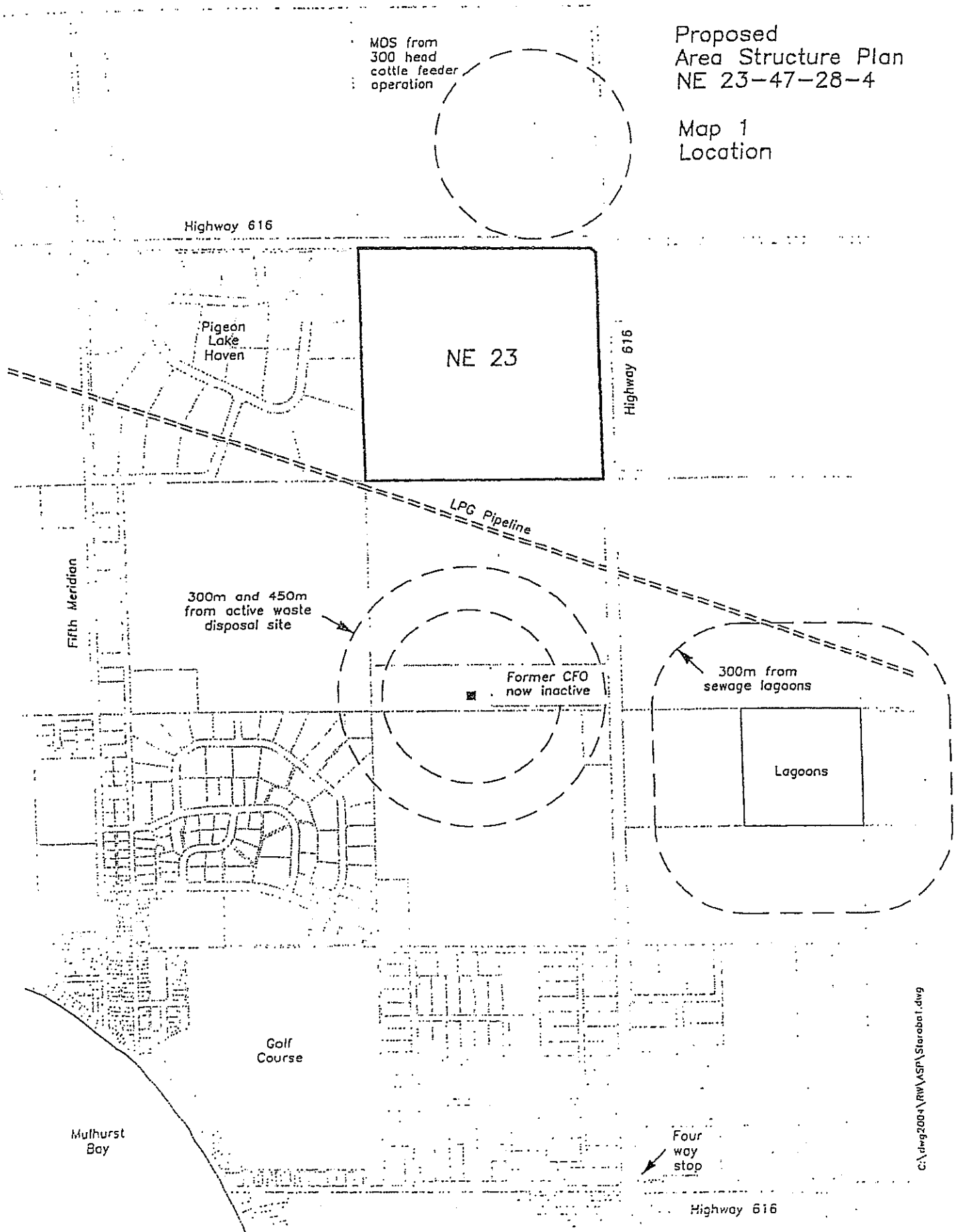
Map 2, 1998 Air photograph

Map 3, Site features

Map 4, Subdivision layout

Proposed
Area Structure Plan
NE 23-47-28-4

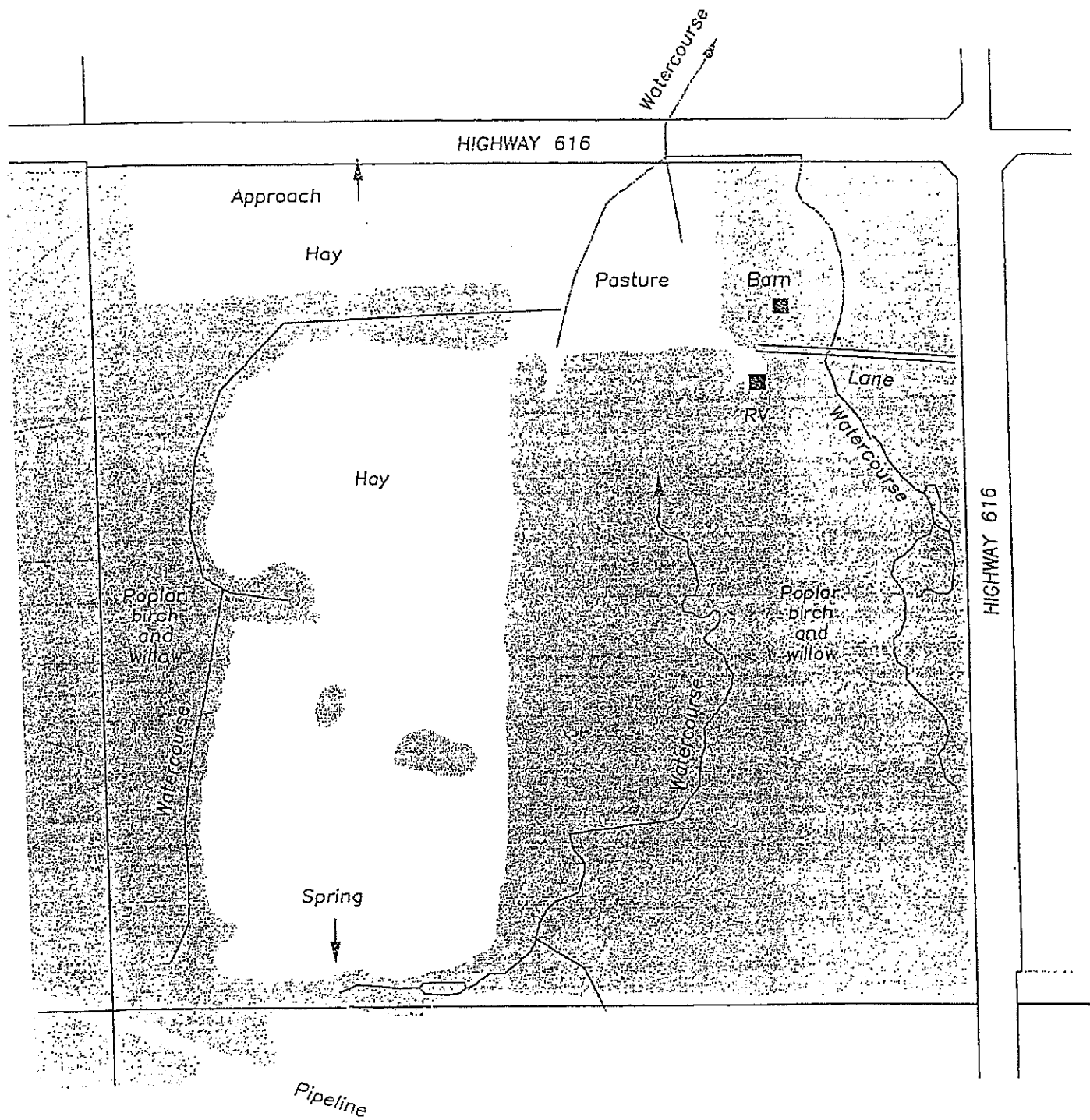
Map 1
Location





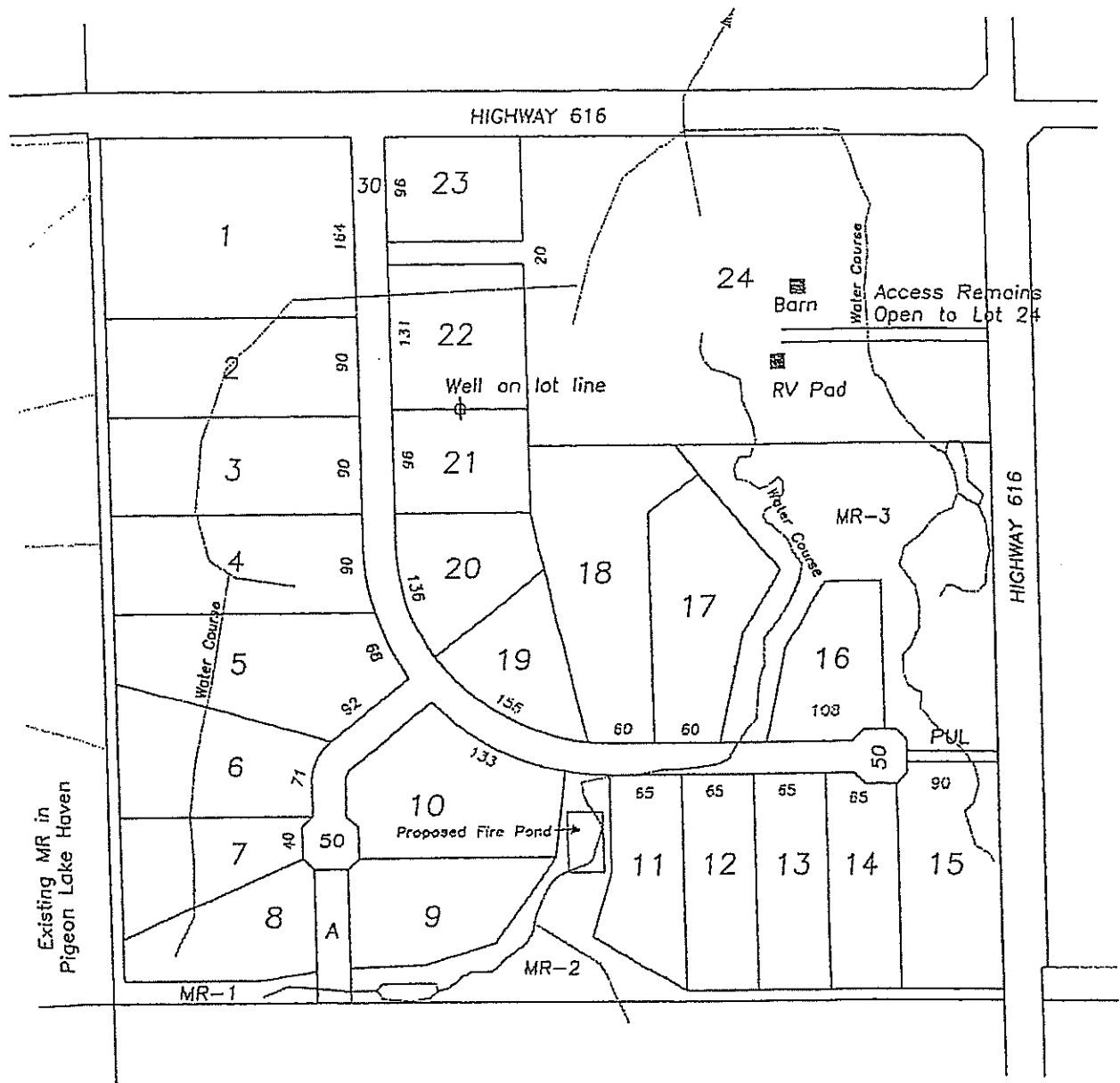
Proposed
Area Structure Plan
NE 23-47-28-4

Map 2
1998 Air Photograph



Proposed
Area Structure Plan
NE 23-47-28-4

Map 3
Site Features



Proposed
Area Structure Plan
NE 23-47-28-4

Map 4
Proposed Development

Road A not to be built at this time

PUL provides utility connection only:
no road contemplated here

Location of abandoned well
supplied by client but not
confirmed by EUB

