

## **BY-LAW NUMBER 2006/13**

BY-LAW NO. 2006/13 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 Lot B, Block 1, Plan 452NY, SW 27-46-24-W4M (City of Wetaskiwin) 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, an Area Structure Plan has been prepared for Lot B, Block 1, Plan 452NY, SW 27-46-24-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:

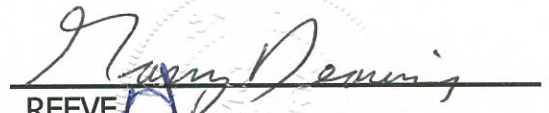
- (a) The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as the Lot B, Block 1, Plan 452NY, SW 27-46-24-W4M "*Peace Hills*".


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

READ: A First time this 6th day of April, A.D., 2006.

READ: A Second time this 6th day of April, A.D., 2006.

READ: A Third time and finally passed this 6th day of April, A.D., 2006.

  
REEVE

  
SECRETARY-TREASURER

**Proposed**  
**Area Structure Plan**  
**Lot B Block 1 Plan 452 NY**  
**SW 27-46-24-4**  
**PEACE HILLS**  
**County of Wetaskiwin**  
**Landowner: City of Wetaskiwin**

Bylaw 2006/13  
Appendix "A"

*Changes since the public hearing on 8 March are shown in italics*

## **Introduction**

In 1962 a twenty lot residential subdivision known as Peace Hills was registered on SW 27-46-24-4. Nineteen of the lots were between 0.54 and 1.24 acres in size, and most have been developed for private residences. The twentieth lot is 13.41 acres in size and has remained undeveloped except for the construction of overspill parking for the Wetaskiwin Golf Club, situated immediately south across Township Road 464. It is owned by the City of Wetaskiwin, although the land is situated within the County of Wetaskiwin.

The City proposes to subdivide the 13.41 acre lot. Pursuant to its Policy 6606, the County of Wetaskiwin requires an area structure plan (ASP) to be prepared and adopted before it will consider giving subdivision approval.

## **Municipal Jurisdiction**

Map A shows the location of the Peace Hills subdivision. Although it is half a mile outside the City limits, it is in the area covered by an inter-municipal development plan (IDP) adopted by City bylaw 1420-98 and County bylaw 98/66. Map 3 of the IDP designates the area for unserved residential use.

The County's land use bylaw allows a maximum of 24 Country Residential lots on a quarter section. There are at present 19 small lots plus Lot B, for a total of 20, so up to four additional lots can be created.

County policy also 6605 applies. This provides that lots in a country residential subdivision can be re-subdivided if "the lot being re-subdivided is significantly larger than its neighbours, so the new lots will be about the same size as most in the area".

## Other Jurisdictions

Historical Resources: Peace Hills Park is thought to be the place where a treaty was signed between the Cree and Blackfoot people in the days before white settlement. A cairn commemorating this event was erected on the site, but was moved to Centennial Park in the 1970s, when the top of the hill was levelled and developed for overspill parking for the golf course. Earthmoving probably destroyed any archaeological remains.

For this reason, and because of the small size of the proposed development, the Assistant Deputy Minister of Alberta Community Development, Historical Resources Division, has waived the normal requirement to refer the proposal to that department for review, despite section 5(5)(j) of the provincial Subdivision and Development Regulation (letter dated 7 September 1995).

Alberta Transportation: The land is more than half a mile away from Highway 2A, so it is not necessary to refer the proposal to Alberta Transportation or to obtain their consent under section 14 of the provincial Subdivision and Development Regulation, AR 43/2002.

Health Regulations: The land is more than 450 metres away from the City's waste disposal grounds on NW 27, so there is no need to get a waiver from Alberta Environment.

Energy and utilities Board: There are no oil wells or pipelines in the vicinity.

Airport: The land is not in the approaches to Wetaskiwin Regional Airport.

AOPA: *Following the closure of the Montgomery Fur Farm on NW 23, there are no confined feeding operations in the area.*

## Site Conditions

Map B is a recent air photograph of the area, showing tree cover, built roads, and the locations of existing houses.

The basic topography is a north-south and ridge which rises approximately 60 feet above the surrounding area. Plan 452 NY contains contours with a five foot vertical interval. These are shown on Map C. They have been deleted on the road because the land has subsequently been disturbed, but they may be assumed accurate elsewhere.

Site inspection shows no evidence of slope failure despite gradients of up to 25% in some areas. On most lots, the houses have been built at the toe of the slope on gradients of about 10%.

Because this is a sand ridge, there is no risk of high water table interfering with basements or sewage disposal systems. Sheet flow may occur during heavy rain where the ground has been hard-surfaced.

## Present Use

At present Lot B remains in native vegetation except for a small area at the top of the hill which has been made available to the golf club for overspill parking.

There is an informal toboggan hill on the property, partly on Lot B and partly on an undeveloped service road legally known as Blackfeet Avenue. This is not maintained by the City

## **Proposed design**

It is proposed to create four residential lots. The westernmost lot will have access only on to Cree Crescent. The other three lots will have a choice of access, either on to Cree Crescent or on to a new road at the top of the hill.

*Most of the cleared land at the top of the ridge will be dedicated as road. A small part will be created as a parking lot to accommodate about 30 vehicles. The City will retain ownership of this lot and will make it available to the golf club for overflow parking.*

## **Water supply**

The new lots, like the existing ones, will have individual water wells. As there are more than six lots on the quarter, the section 23(3) of the Water Act requires that the developer submit a letter from a professional engineer, certifying that there is sufficient groundwater to supply the extra demand without depleting existing wells in the area.

*The City requests that the County approve the area structure plan on the condition that it not come into effect until water has been proved and an engineer's letter to that effect has been submitted to the County.*

## **Sewer**

The proposed lots are large enough to allow on-site treatment disposal of sewage in accordance with the Alberta Private Sewer Systems Standard of Practice. It is expected that the lots will have individual sewer systems consisting of a septic tank and field. If the sandy subsoil results in percolation rates higher than those allowed by the plumbing code, evaporation mounds or other technology will be used, as advised by the installers.

## **Fire protection**

The land is close enough to Wetaskiwin that fire response times are short, and water can be obtained from a hydrant at end of Centennial Drive near south-east corner of the golf course on Highway 2A, about a mile away on paved roads.

## **Storm water management**

Because the proposed lots are so large, the total hard surface coverage (buildings and driveways) is likely to be a very small proportion of the total area, and, as noted above, the soil is very sandy. As a result, the runoff coefficient will probably be only slightly greater than pre-development. For that reason, no special storm water management is proposed. The small amount of runoff leaving the site will be channelled into the existing roadside ditches, which empty into the remainder of the quarter section, not on to the golf course road.

## **Road access**

Cree Crescent's 7 to 8 metre driving surface is wide enough to take the additional traffic without any upgrading.

The road on the south side of the property is on a 40 metre right of way, which need not be widened. It is understood that the County is hoping to pave this road from Highway 2A to the landfill access road.

## **Reserves**

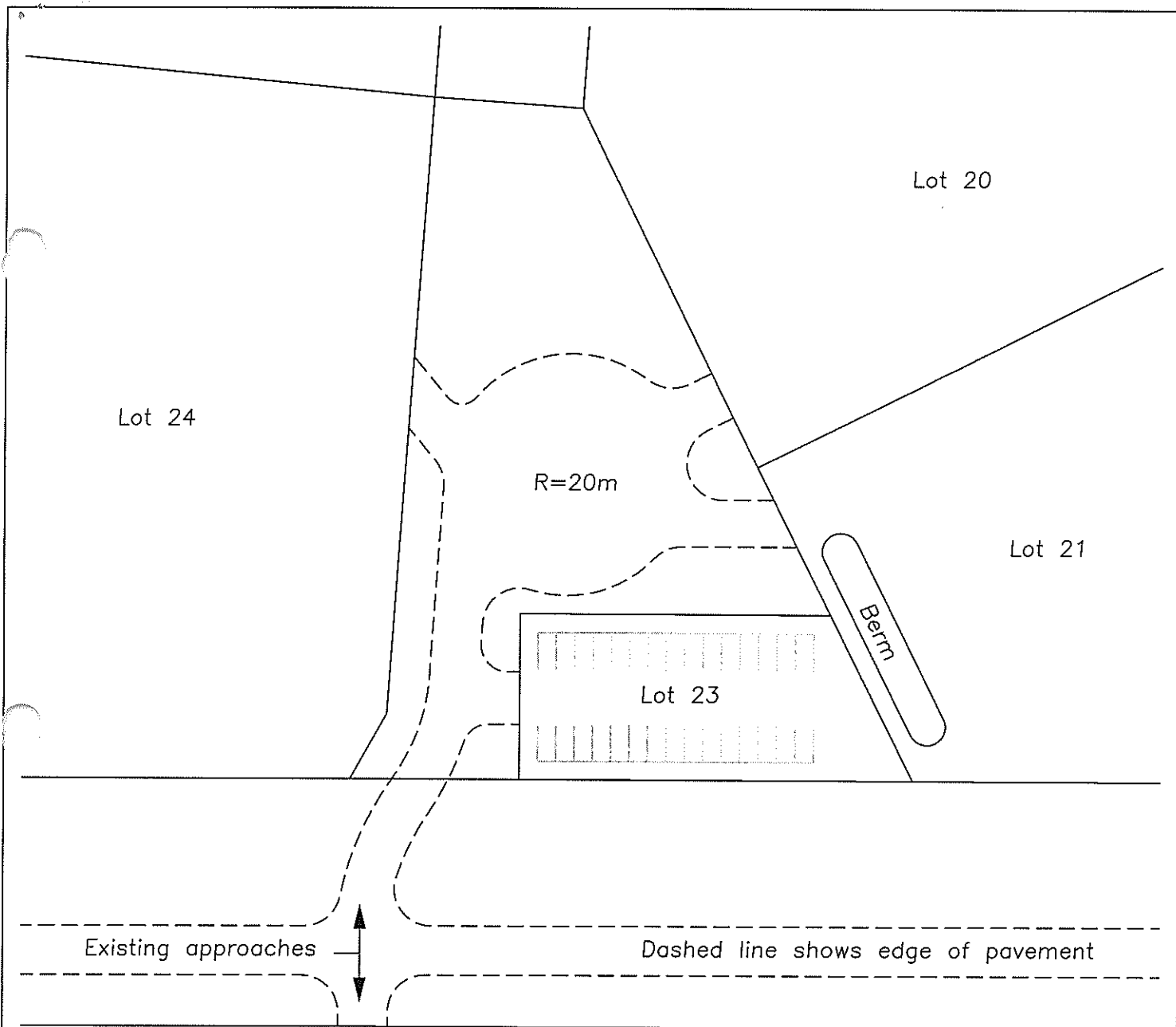
Reserves have already been dedicated in Plan 452 NY, and no additional dedication is planned. However, the utility lot connecting the reserve to the golf course road may have some value as a walking trail link.

## **Zoning**

Lot B is already zoned Country Residential and no change is required. *However, the County may wish to rezone the future parking lot Direct Control at the time of subdivision.*

## **Municipal Contribution**

The developer will bear all costs, and no contribution is requested from the County.



Proposed  
 Area Structure Plan  
 Lot B Block 1 Plan 452 NY  
 SW 27-24-46-4  
 Peace Hills  
 County of Wetaskiwin

Map F: Detail of road area showing lot access and 40 parking stalls