

BY-LAW NUMBER 2007/15

BY-LAW NO. 2007/15 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 Robinson's 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 SW 28-47-23-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.

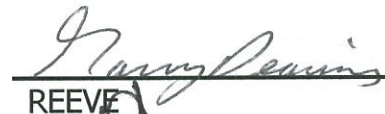
NOW THEREFORE: the County of Wetaskiwin No. 10, duly assembled, hereby enacts as follows:

- (a) The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as the *"Robinson's Area Structure Plan SW 28-47-24-W4M."*
2. This by-law comes into effect on the date of third reading.


READ: A First time this 12th day of April A.D., 2007.

READ: A Second time this 12th day of April A.D., 2007.

READ: A Third time and finally passed this 12th day of April A.D., 2007.



REEVE



SECRETARY-TREASURER

PROPOSED AREA STRUCTURE PLAN
SW1/4 SECTION 28-TWPN47-RGE24-W4M
COUNTY OF WETASKIWIN
LANDOWNER: MARGARET ROBINSON

INTRODUCTION

Mrs. Robinson owns the entire subject quarter section except for the roadway passing through the quarter. The quarter contains 152.4 acres. The owner proposes to subdivide the 134-acre portion of the quarter located on the East Side of the roadway, into 21 acreage lots varying in size from 3 to 7 acres. The County has recommended that these lots be as close to 5 acres as possible we agree to comply with this except where it would jeopardize a building site. As this County requires an Area Structure Plan for any subdivision that will create three or more parcels, we have prepared this Area Structure Plan which is submitted for the County's approval.

MUNICIPAL JURISDICTION

This land is in the County of Wetaskiwin which requires an Area Structure Plan. This Area Structure Plan is to be prepared before the County will consider subdivision approval.

OTHER JURISDICITON'S

This land is more than ¼ mile from Highway 2A so it is not necessary to provide a proposal to Alberta Transportation or to obtain their consent under section 14 of the Provincial Subdivision and Development Regulation AR 43/2002. This land is about ¼ mile from the County's Waste Transfer Station located on the North side of NE 28. There is a gas pipeline located in this quarter that runs from the Northeast corner to the Southeast corner and then parallel to the paved road, and continues under the paved road to our residence. This pipeline is shown in green on the attached map, appendix A.

The subdivision is approximately one half mile Southeast of the Town of Millet. The area surrounding our proposed subdivision is mainly acreages of the same size or small Farms. There are no intensive livestock operations in this area.

PUBLIC CONSULTATION WITH THE NEIGHBORS

I have talked to the following neighbors in the area of my proposed subdivision: The Skyrpnek's, The Jones', The Hydes', The Johnson's, and The Kerr's and they had no concerns about the proposed subdivision. Brian Beck who owns the property directly across the road from my lots 3 and 4 had some concerns regarding my road conflicting with his planned roadway. As the plan for my roadway will quite likely be completed before he obtains permission to put his roadway in he has the option of altering his plan so the roadways will not conflict. However, he has not submitted a proposal at this time and he said he would advise me of his concerns. As of today I have not heard from him.

SITE CONDITIONS

The attached map labeled appendix B is a recent air photograph showing the areas of tree cover and the proposed road. The road will be built to give the first eight lots on the East Side of the development access to the paved road on the south side of the quarter. There is report attached that was prepared by Doug Badke C.E.T. Engineering and Planning services labeled appendix C & D. This gives a specific out look of the Land; the soil in this area is sand mixed with some silty clay and black topsoil I am enclosing appendix B. It is a drawing by Jim Lysons my surveyor and we will use this as a plan for the proposed building sites of the 9 lots.

PRESENT USE

Most of this property is currently used for pasture from June until the end of October. This pastureland contains some areas of willow growth along with a stand of poplars trees in the northwest portion of the property. There is a 20-acre (+/-) hay field located just opposite of the paved road as identified in the attached map. It is the darker area that borders the South West corner of the property as shown on appendix B.

PROPOSED DESIGN

The proposed design is to subdivide the 134 acres lying north east of the road. We are proposing at this time to develop Phase two which includes Lot number 3, 4, 5, 6, 7, 8, 9, 10 & 21 as outlined on the attached map. Phase three will include Lot numbers 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. The County's land use by-law allows a maximum of 24 county residential Lots on a Quarter Section. There are at present two lots in phase one of 2.2 acres and one large lot where we reside of approximately twenty acres on the West Side of a paved road that cuts through the SW corner of the quarter as shown on appendix A.

WATER SUPPLY

We have commissioned HCL Groundwater Consulting and Environmental Sciences Hydrogeological Consultants Ltd. to evaluate the ground water supply on the subject land. This evaluation included drilling a new water well, which HCL pumped for 48 hours. The well driller's report is attached and is labeled appendix E. The HCL's Hydrogeological Report is included and is labeled appendix F. The Hydrological report prepared by HCL showed a Fluoride reading of 2.3. The MAC should be 1.5. I called Gordon Watt at the Wetaskiwin Health department and told him, he felt the water would be perfectly safe for household use with the exception of drinking water. He noted a good filter would take out the Fluoride. Mr. Watt has prepared a letter dated March 26 outlining the health department's recommendations. See Attached

Our well water exceeds the recommended fluoride limit as well but we have been using it for 40 years with no ill effects to our children or us.

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 acreages will have individual sewer systems consisting of a septic tank and a field or a treatment mound.

FIRE PROTECTION

The subject lands are located one mile South of Millet therefore fire response times are short. There is also a spring fed dug out in Lot 8 where the trucks can obtain extra water for firefighting purposes. See appendix B

The County has indicated the town of Millet would like a dry hydrant by our dugout. This would be fine with us but there is some concern as to whether there would be enough pressure from this dugout to operate a dry hydrant.

When the road is built it requires clay and a certain amount of dirt to build up the road. I will have them dig the dugout deeper so water would be available in the event of a fire. The Millet fire department would be certainly welcome to use the dugout as it is.

An access easement and an all weather access to this dugout will be provided to the satisfaction of the County Fire Chief.

SPRINGS

The County has asked a question about springs on the property. The spring that exists in the above paragraph exists because we dug a dug out. It was not flowing prior to digging the dug out.

STORM WATER MANAGEMENT

At present storm water flows across the subject land by way of a series of shallow draws. Surface water does not pond on site except in the dugout on Lot 8. Storm water will be drained in the road ditches to the draw passing through lots 3 and 4. As the lots are large, the post development runoff will be virtually the same as the pre-development runoff. The soil on the site is very sandy which will tend to absorb the storm water. Mrs. Robinson has lived on this property for over 40 years. There never has been a time where she noticed any excessive flooding. The sloughs fill with water but have never caused a flooding hazard. In summary no specific storm water management is proposed.

There is a drainage course across lots 4 and the south side of lot 21 it runs under the C & E Trail through a culvert at the end of phase 1 and drains into Pipestone Creek. There will be a culvert under the road between lots 3 and 4 and the easement will be 5 meters wide running along the treed area in lots 4 and 21.

ROAD ACCESS

All the lots will have access to the internal road that will be named J-V Drive, except lot 21 which will have access from the C& E trail. Appendix A shows the location of this road. The road for Phase 2 will end at the base of Lot 9 and 10. The County administration has reviewed and concluded that paving the internal subdivision road, J-V Drive, would be too costly given the low density of the county residential subdivision. This we understand would be in line with the Council's position on lower density County Residential subdivisions not requiring pavement in most circumstances but rather a gravel standard road. This is a 20-meter road with a 5-meter right of way on each side to allow for utilities. The temporary turn around in phase 2 will be taken by easement rather than by road plan this way the road plan does not have to be cancelled when phase 3 is developed and the turn around is no longer needed.

The \$2000.00 per lot contribution towards public roads adjacent to and providing access to the subdivision will be provided to the County for future maintenance of this road, J-V Drive.

The County suggests in planning subdivision layout, links to the adjacent properties need to be taken into account. The County recommends a future 20-meter road with a 5-meter right of way on each side to allow for utilities. This connection is indicated on the South side of lot 7. As shown on Appendix A. This road is only dedicated but not constructed at this time.

ROAD WIDENING

The County has requested a 10-meter road widening dedication on the East Side of the C & E trail and the north side of the township road on the south side of lots 3 and 4. I pointed out to David Blades that the County has already taken 5 meters for road widening from lots 1 and 2 in phase 1. We agreed to take 5 meters on the west side of the C & E trail and 5 meters on the east side of the C & E Trail which will be indicated on Appendix A. We will further take 5 meters along the township road on the south side of lot 3 and 4.

PLAN SECTION AND APPENDIXES

Lots 10, 12 and 14 did not indicate building sites because these lots were initially planned for municipal reserve. I have talked with Floyd Crough and he said he would dig the test holes to determine the subterranean contours of the lots, and report to the County as soon as the information is available. Floyd Crough has written a letter to the County indicating the test results from the 3 ground water pits that were excavated on the property. The test results are in the attached letter.

The County has requested that the County Residential parcels be no larger than 5 acres unless the site circumstances dictate a larger size. We have agreed that we will try to conform to this as well as we are able to. Any minor adjustments will be made at the time of final survey, however; there will be no changes in the lot numbers.

UTILITIES

In regard to the future utilities and connections to abutting lands, we will indicate them in a revised appendix. We also agree that the recommended 5 meter utility easement on each side of lots 15 and 17 will be shown for the connection to the quarter north of the subdivision.

There will be a 5-meter utility easement on each side of J-V Drive this will be indicated on appendix A.

I have called Alta Gas Company who owns the existing gas line running through the property. They have indicated that they will draw up a proposal for me and send it to me as soon as possible. My recommendation to them would be to keep the existing gas line where it is for the time being as these lots will not be available for sale until July or August 2007. I will attach their proposal as soon as it is available. Attached is a letter from Alta Gas stating what is required. I agree to these statements.

RESERVES

The County Officials have stated they would rather take the 13.04 acres on the West Side of the paved road as MR. That is the portion of SE Quarter Sec 29 Twp 47 Rge 24-W4M lying between the road and the railway tracks. This agreement is acceptable provided that Margaret Robinson retains pasture rights until such a time when the County develops that portion of land. The pasturing of this field is most important because of the fire hazard that is created from use by the Canadian Pacific Railroad, which run along the West Side of the proposed MR. See appendix A.

FUTURE ENCUMBRANCES ON TITLE

The County recommends that a restrictive covenant be placed on title requiring any holding tank installations to be accompanied with a valve and be located between the dwelling and the 5 meter utility right of way abutting the internal subdivision road so that a connection to a future sewer line is possible should one be brought in. We agree to this recommendation.

We will also put a notice on the title that the land immediately north of the property is zoned Industrial under County of Wetaskiwin Land Use Bylaw No. 95/54 and as such future land uses on that land will be of that nature. The County has further indicated they would like us to provide a buffer zone between J-V estates and the industrial quarter to the North. A Public Utility Lot 5-meters in width will run along the North boundary of the quarter section to provide both a buffer and a utility corridor. As a Public Utility Lot, the maintenance of the lot will be the responsibility of the County.

LONG RANGE USAGE FOR REMAINING LAND

The homesite west of the C & E Trail including lands abutting the creek and the pasture area will remain in the homesite also the property east of the C & E Trail will remain in the homesite. This includes the hayfield and the lowland. This property will remain a working ranch.

If the county should wish to increase the density of lots per quarter section then we would consider future development of the hayfield.

ZONING

This property is zoned Country Residential as stated in the County's Letter dated March 21, 2002 and signed by Russell J. Crook, the County Development Officer. A copy of this letter is attached and labeled Appendix G.

MUNICIPAL CONTRIBUTION

No contribution is requested from the County of Wetaskiwin. The landowner will bear all costs and allow the County the municipal reserve as they requested.

March 26, 2007

Bob Robinson
Box 358
Millet, Alberta
T0C 1Z0

Dear Mr. Robinson:

Re: Fluoride in well water

This letter is in follow-up to our telephone conversation on March 23, 2007 where you had asked my assistance in interpreting a water sample result regarding Fluoride from your well located at SW28-47-24-W4M collected in August 2006.

You reported that the Fluoride result was 2.3 mg/L.

The Canadian Drinking Water Guidelines (CDWG) has a Maximum Acceptable Concentration (MAC) for Fluoride of 1.5 mg/L.

The human body can actually use the benefit of a small amount of Fluoride to help the body with healthy teeth and strong bones, when drinking water with Fluoride up to 1.5 mg/L.

Scientific studies have found that when people have a water source with more than 1.5 mg/L that this can lead to mottling of the teeth and bones can become too hard and brittle.

The CDWG for Fluoride used to be 2.0 mg/L, but was lowered approximately 10 years ago. As Fluoride from other sources was taken into account, from daily use items, like fluoridated tooth paste, mouth rinses, gum, etc.

So what can water with higher Fluoride concentrations be used for?

If this is the only parameter of concern, then this water would be quite acceptable to use for washing dishes or clothes, bathing or showering, washing hands, flushing toilets and other non-consumption type uses.

If you were wanting to have this water so it could be consumed, there are several methods for point-of-use treatment. The Fluoride can be removed from the water supply to a safe level for consumption.

Another option would be to have a water cooler with water supplied from another approved source (example – bottled water).

If you have any further questions, please call me at 780-361-4364.

Yours truly,



Gordon A. Watt, CPHI©
Executive Officer/Public Health Inspector

Phil Crough & Son
Trucking & Backhoe Ltd.

RR 2, Millet, Alberta T0C 1Z0
Phone: (780) 387-5478
Fax: (780) 387-5478

March 26, 2007

To Whom It May Concern:

Re: Bob Robinsons subdivision project south of Millet.

This letter is to confirm that 3 ground water test pits were excavated and they remained open for a period of more then 24 hours. Every pit had water in it and they all measured at the 8 ft to the 8'6" mark below ground level (grade). There was no evidence that water was entering into the pits from a higher level. The material on the bottom of the pits is a blue grey clay/shale. Spring run off nor rain had any bearing on the level of water in the pits. These pits were excavated in the locations determined by Bob Robinson. David Blade (from the County of Wetaskiwin) was contacted to view the pits before backfilling but he declined.

Any further questions please feel free to call me any time. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Floyd Crough". The signature is written in a cursive, flowing style.

Floyd Crough

Water Well Drilling Report

The data contained in this report is supplied by the Driller. The province disclaims responsibility for its accuracy. All information on this report will be retained in a public database.

Appendix E

1 Contractor & Well Owner Information Company Name: _____ Approval No.: _____ Mailing Address: _____ City or Town: _____ Postal Code: _____ Well Owner's Name: _____ Well Owner has a copy of this report: <input type="checkbox"/> Yes <input type="checkbox"/> No Mailing Address: _____ City or Town: _____ Postal Code: _____		2 Well Location 1/4 or LSD Sec Twp R12 West or East of Quad Location in QUANTITY: _____ Boundary: <input type="checkbox"/> N <input type="checkbox"/> S _____ m/ft from <input type="checkbox"/> E <input type="checkbox"/> W Loc. Bore. P.W.	
3 Drilling Information Type of Work: <input type="checkbox"/> Testhole <input checked="" type="checkbox"/> New Well <input type="checkbox"/> Reconditioned <input type="checkbox"/> Deepened <input type="checkbox"/> Reclaimed well Yr Mo Day Materials Used: <input type="checkbox"/> Bentonite Product <input type="checkbox"/> Cement Date reclaimed: _____ Method of Drilling: <input type="checkbox"/> Auger <input type="checkbox"/> Boring <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Combination <input type="checkbox"/> Backhoe <input type="checkbox"/> Other: _____ Proposed well use: <input checked="" type="checkbox"/> Household (up to 1250 m ³ per year with a residence on the property) <input type="checkbox"/> Other Specify: _____		6 Well Yield Test Yr Mo Day Start Date: _____ Time: _____ Test method: <input checked="" type="checkbox"/> Pump <input type="checkbox"/> Bailor <input type="checkbox"/> Air Are measurements in metric or imperial? _____ Non pumping static water level: 29m Rate of water removal: 10 m ³ /hr Depth of pump intake if pump tested: 80m Depth bailed or air tested from: _____ Distance from top of casing to ground level: 25m	
4 Formation Log Depth from ground level _____ metres <input type="checkbox"/> feet Lithology Description _____		5 Well Completion Date Started: _____ Yr Mo Day Date Completed: _____ Yr Mo Day Are measurements in metric or imperial? _____ Well Depth: _____ Borehole diameter: _____ Casing type: _____ Liner type: _____ Size OD: _____ Size ID: _____ Wall thickness: _____ Wall thickness: _____ Bottom at: _____ Top: _____ Bottom: _____ Perforations: from: _____ to: _____ from: _____ to: _____ Perforation size: _____ Perforated by: <input type="checkbox"/> Saw <input type="checkbox"/> Torch <input type="checkbox"/> Machine <input type="checkbox"/> Other: _____ Seal: <input checked="" type="checkbox"/> Bentonite product <input type="checkbox"/> Driven <input type="checkbox"/> Cement / Grout <input type="checkbox"/> Other: _____ Sealed interval: from: _____ to: _____ Screen type: _____ Size OD: _____ Intervals: from: _____ to: _____ slot size: _____ from: _____ to: _____ slot size: _____ Installation: <input type="checkbox"/> Attached to casing <input type="checkbox"/> Telescoped Fittings: Top <input type="checkbox"/> Packer Bottom <input type="checkbox"/> Wash-down <input type="checkbox"/> Coupler <input type="checkbox"/> Bail <input type="checkbox"/> Plug Pack: <input type="checkbox"/> Artificial/Mechanical <input type="checkbox"/> Natural Grain size: _____ Amount: _____	
Geophysical Log taken: <input type="checkbox"/> Electric <input type="checkbox"/> Gamma Did you encounter: <input type="checkbox"/> Mineralized water more than 4000 ppm TDS <input type="checkbox"/> Gas At what depth: _____ Remedial action taken: _____		7 Contractor Certification Driller's Name: _____ Certification No.: _____ This well was constructed in accordance with the Water (Ministerial) Regulation of the Water Act. All information in this report is true. Signature: _____ Yr Mo Day	

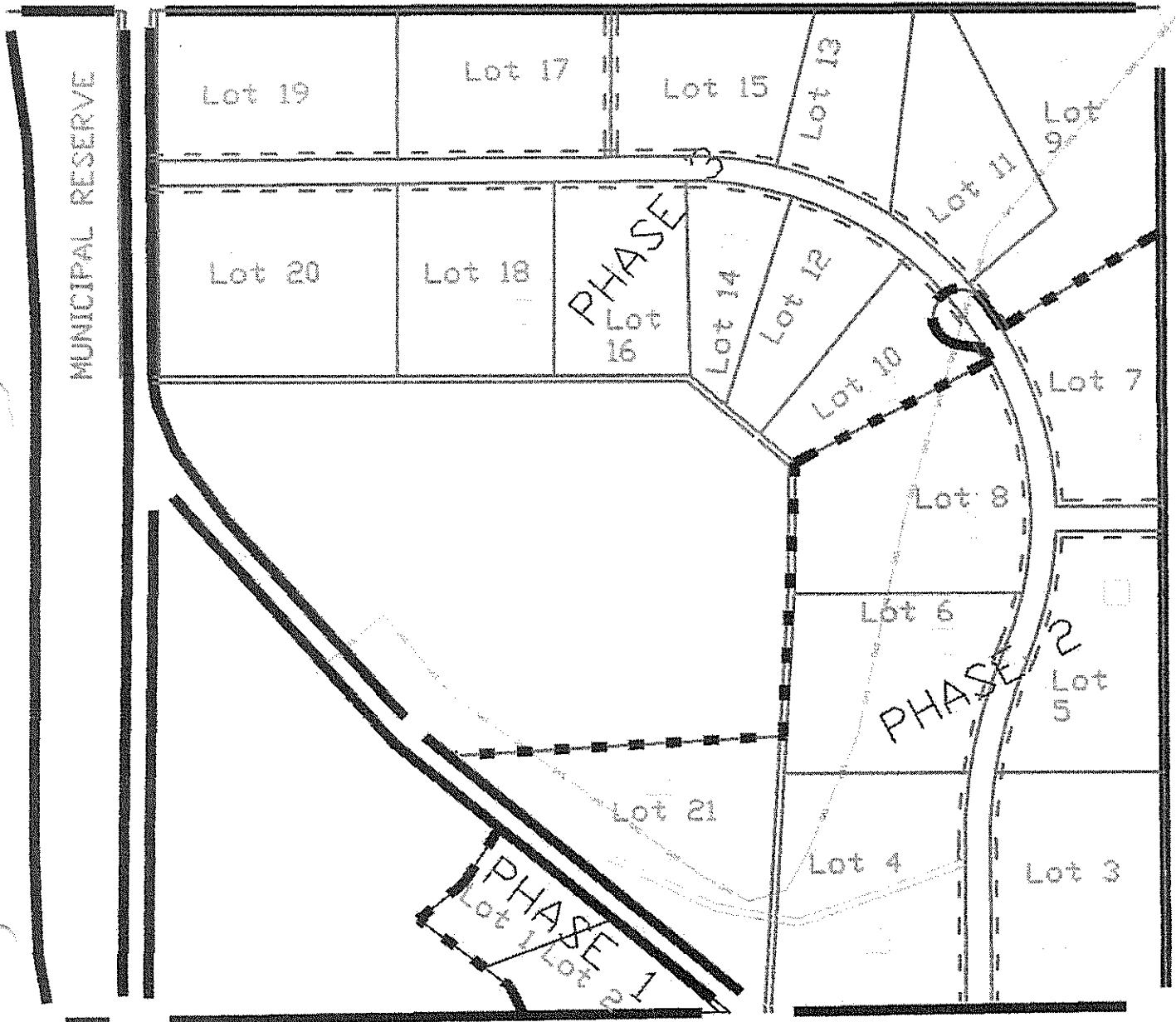
AREA STRUCTURE PLAN - PHASING

J = V ESTATES

SW28 -TWP47-RGE24-W4M

SCALE 1: 5000

BUILDING SITE



AREA STRUCTURE PLAN - PHASING

J = V ESTATES

SW28 -TWP47-RGE24-W4M

SCALE 1: 5000

BUILDING SITE

