

BY-LAW NUMBER 2007/41

BY-LAW NO. 2007/41 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 Silver Springs (Ron and Irene Willows) NW 30-46-05-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 NW 30-46-05-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 *"Silver Spring (Ron and Irene Willows, NW 30-46-05-W5M"*.

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

READ: A First time this 17th day of May, A.D., 2007.

READ: A Second time this 17th day of May, A.D., 2007.

READ: A Third time and finally passed this 17th day of May, A.D., 2007.
2007.



REEVE



SECRETARY-TREASURER

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Silversprings ASP

April 30, 2007

Enclosed is the proposed Area Structure Plan for Silver Springs Subdivision. The land is located on Buck Lake, North of Calhoun Bay on Highway 761 (NW-30-46-5 W5).

As the developer, we envision a subdivision unlike any other constructed on Buck Lake. In following the Buck Lake Management Plan; the forests, slopes, and waterfront will be developed in a manner that will maintain and protect the natural state whenever possible and the property owners will be encouraged to do the same. The experience that our road-builders (Willows Const. (2001) Ltd.) bring with them to the project will be invaluable in ensuring that this goal is achieved.

We are proposing the following ideas for this subdivision:

- as per Action 7.3 in the B.L.M.P. low-impact pedestrian paths will be constructed around the property and bordering the lake. These paths will follow the natural openings of the forest to minimize disturbance, will restrict lot owners from encroaching on the waterfront, and will encourage people to enjoy the waterfront while preserving the natural shoreline vegetation;
- a portion of the west central part of the property has been designated as a green area, making the municipal reserve more generous than required;
- a pond feature will also serve as a fire pond. Walking paths and benches will surround it to make it an attractive park area;
- a list of Restrictive Covenants have been prepared to govern how lot owners maintain their property and also the community;
- a boat dock / launch for small boats will be constructed for use by community members and Restrictive Covenants will prevent lot owners from constructing their own;
- an association will be formed to ensure Restrictive Covenants are followed and to manage issues within the subdivision.

We intend to develop this property into a safe, pleasant, and tranquil community where people can enjoy the beauty of Buck Lake while maintaining and protecting the environment.

Silver Springs

Developed by 999768 Alberta Ltd.

DEVELOPMENT CONCEPT

Silver Springs will develop approximately 42.22 hectares (104.3 acres) into 70 one-acre lots with a land classification of lakeshore residential. The property forms a peninsula that juts into Buck Lake. An undeveloped government road allowance bounds the property to the west, Highway 761 bounds the property to the east (forced road), SW-31-46-5 W5 (farmland) bounds the property to the north, and Calhoun Bay Provincial Park bounds the property to the south. Beyond Highway 761 to the east is a small eight-lot subdivision (Jackson's) and west of the undeveloped road allowance is an 18 acre parcel with a separate land title, owned by 999768 Alberta Ltd. This land is not included in this development and is proposed to have one owner with a single-dwelling.

There is an existing homestead on the property (approximately 4 acres), owned by 999768 Alberta Ltd. Lorenz Stenger, the previous owner of the property, has a life interest in the homestead. This acreage along with an 8.3 acre parcel on the east end of the property have not been included in the development. Future plans for the excluded land may include a driving range or small golf course or residential lots.

The property has been used for pastureland in the past. Approximately 65 percent of the property is in tree cover with the remainder in tame grass.

A centrally located pond feature will also serve as a fire pond for the proposed subdivision.

The land slopes characteristically from the east to the west with a relief of approximately 14.5 metres giving an average slope of 1.8%.

DEVELOPMENT AREAS (APPROXIMATE)

70 Residential Lots	28.33 hectares	70.0 acres
Municipal Reserve	5.47 hectares	13.5 acres
Environmental Reserve	3.37 hectares	8.3 acres
Roads, Walkways, and Easements	2.91 hectares	7.2 acres
Pond Feature	2.06 hectares	5.1 acres
Public Utility Lot	0.08 hectares	0.2 acres
Total	42.22 hectares	104.3 acres
Required Municipal Reserve (10 %)	4.22 hectares	10.4 acres

PRIOR CONSULTATION

Prior to the submission of this Area Structure Plan, the developer has been in contact with County of Wetaskiwin Planning and Development, Alberta Transportation, West Central Planning Agency, Fortis Alberta, Buck Mountain Gas Co-Op and has accessed the EUB database. Mr. Verle Guard, the owner of SW-31-46-5 W5, is the only adjacent land owner and was contacted regarding this development. Mr. Guard's response was positive.

DEVELOPMENT PHASING

It is proposed to develop the property in three phases. The first phase will include the pond feature (fire pond) and the boat dock / launch for small boats.

GENERAL PLANNING

RESIDENTIAL

The terrain, lot size and lot configuration provides for a diversity of house designs from ranch style bungalow and two storey homes to chalet homes to homes with walk out basements.

OPEN SPACE

A park containing a large water feature is proposed. A system of low-impact pedestrian trails totaling approximately two kilometers is also proposed. These trails will be 2 metres wide with a 3 metre right-of-way and will lie in the Environmental Reserve which borders the lake. The trails will also tie the various phases of the subdivision together by circling the pond feature and park and by running in between specified lots.

GARBAGE DISPOSAL

There will be an area designated for garbage collection with large bins for lot owners to use for household garbage and recycling. The cost of hauling the garbage to the solid waste transfer station will be the responsibility of the lot owners through the subdivision's society. Larger refuse and construction debris will be taken directly to the solid waste transfer station by the lot owner.

BOAT LAUNCH

There is one proposed community-owned boat dock / launch for small boats. The community owned lot will extend to the high water mark of the lake so that the community boat dock activities do not occur on Environmental Reserve. As per Restrictive Covenants lot owners are not permitted to install private boat docks or launches.

TRAFFIC AND ROAD SYSTEM

The developer will remove Mr. Stenger's current approach off Highway 761 and construct a new approach within the subdivision.

All roadways within the subdivision will be built to County of Wetaskiwin specifications with a 22 metre right-of-way. The 22 metre right-of-way will allow for a more gradual ditch slope making lawn care easier.

The following recommendations made by Alberta Infrastructure and Transportation have also been met:

- two road allowances with 5 metre utility easements will be left to allow access to SW-31-46-5-W5 and NE-25-46-6 W5;
- a 10 meter municipal reserve has been left on the east boundary to accommodate improvements to Highway 761;
- lots bordering Highway 761 will be of sufficient depth to accommodate a 20 metre building setback from the future highway right-of-way;
- 70 lots are being proposed;
- a geometric assessment was provided to Alberta Infrastructure and Transportation to verify that the main access to Highway 761 meets sight requirements;
- access will be provided in two locations off Highway 761. The center of the main approach will be 300 metres south of the north property boundary; the center of the emergency access is located 100 metres north of the south boundary of the property. The emergency access will be gated and is located 400 metres from the main approach.

MUNICIPAL AND ENVIRONMENTAL RESERVES

This subdivision is enhanced by large areas of municipal and environmental reserves throughout. A 3 metre buffer is placed between adjacent properties and proposed lots on the south boundary of phase 1 and north boundary of Phase 3. A 30 metre environmental reserve separates the lakeshore from the lot boundaries and two large municipal reserves within the subdivision ensure the reserve requirements are met. The proposed reserve areas are shown on an attached sketch.

OIL FACILITIES

There are no oil facilities on the property. Please refer to the attached search of the EUB database for the subject property.

IMPLEMENTATION

LAND USE BYLAW AMENDMENTS

The existing Land Use Classification is agriculture, and will need to be amended to lakeshore residential as phases are completed.

ENGINEERING

STORM WATER MANAGEMENT

Storm water will be controlled by a network of roads, ditches, and culverts. A portion of the storm water runoff will be directed to the pond feature with the remainder directed to the lake by this network. Erosion control measures will be put in place as part of this network. Please refer to attached sketches showing post-development drainage patterns.

FLOOD RISK

The historic flood elevation for Buck Lake is 883 metres geodetic. Residential lots containing land lower than 884 metres geodetic (one metre above the historic flood elevation of 883 metres geodetic) will be filled to ensure an adequate building site of at least 884 metres geodetic exists on the lot.

GROUNDWATER

Sabatini Earth Technologies Inc. has provided a report on the near surface groundwater table.

UTILITIES

The power, gas, and phone are controlled by Fortis Alberta, Buck Mountain Gas Co-Op, and Telus respectively and will be brought to the property line of each lot. A 5 metre utility easement will be on the edge of each lot bordering the road right-of-way. This easement will continue along the accesses to SW-31-46-5 W5, NE-25-46-6 W5, and Highway 761.

SANITARY

Each individual lot owner will be responsible for installing and maintaining an approved sewage system. The 5 meter utility easement will be available for future use. In this regard, an agreement and a caveat will be placed on the title of the properties requiring a utility right-of-way for a future sewer line. Any future development will include a provincially approved system. When a regional system is approved and installed around the lake then hook-up is mandatory.

WATER

Sabatini Earth Technologies Inc. has provided a Domestic Drinking Water Evaluation for the proposed subdivision. Each lot will be serviced by private/individual water well at the responsibility of the lot owner.

FIRE PROTECTION

A central pond feature will be created. This pond, with a 7.3 metre graveled access, will also serve as a fire pond for the entire subdivision. The Public Utility Lot adjacent to the community owned pond and fire pond will have an all weather marshaling area for emergency vehicles.

INTENSIVE LIVESTOCK OPERATIONS

There are no intensive livestock operations within two kilometres of the proposed subdivision.

SOUR GAS INSTALLATIONS

There are no sour gas installations within the 1.6 kilometres (1 mile) radius from the development.

The Penn West Petroleum compressor station at 10-2-47-6-W5M is 4.4 kilometres from the proposed subdivision.

The Penn West Petroleum Gas Plant at 10-5-46-6-W5M is 10.0 kilometres from the proposed subdivision.

ARCHAEOLOGICAL AND HISTORIC ASSESSMENT

An Archaeological and Historic Assessment was done on the subject property.