

BY-LAW NUMBER 2003/52

BY-LAW NO. 2003/52 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 *Wheat Ridge Holdings* in Lots 1, Plan 882 2886 (S 30-46-23-W4M) in accordance with Section 633 of the Municipal Government Act, Chapter M-26.1, Revised Statutes of Alberta 1994, and amendments thereto.

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:

1. The document attached to this By-law as "Appendix A", together with accompanying maps, is hereby adopted as the *"Wheat Ridge Holdings Area Structure Plan in Lot 1, Plan 882 2886 (S 30-46-23-W4M)"* subject to the following amendments:
 - a. Other jurisdictions: (add)
Alberta Transportation has advised that "Prior to approving any developments this Department may require a Traffic Impact Study to ascertain whether the highway can safely accommodate additional traffic generated by the proposed development. Improvements would be the responsibility of the developer.
 - b. Utilities: (re-write the last sentence)
...the owner believes that municipal sewer and water are both uneconomic and unnecessary at the present.
 - c. Fire Suppression: (add this section)
Large industrial buildings will require fire protection. The building code will be consulted before development permits are issued so determine how much water is needed and at what rate. If this cannot be supplied from on-site sources (such as a fire pond) the area will require a connection to the City's water system. Failing this, the size of the buildings may be limited.
 - d. Proposed land uses: (delete section and replace with the following)
Early in 2003, the owner of Lot 1 was approached by United Farmers of Alberta (UFA) to sell 10 acres for a soil remediation site. Because of opposition from neighbours, this offer has been withdrawn. This ASP assumes that any new lots will be used by standard, non-noxious industry.
 - e. Aesthetic considerations: (add)
The site is visible from Highway 13. This is valuable to businesses located there. However, it is important to give a good impression to motorists entering Wetaskiwin from the east. The existing waste material should be removed and the area landscaped to hide any unsightly items from passers-by. The existing reserve area can be used as a similar buffer when the remainder of SE 30 is developed for industrial use.

Appropriate landscaping will be addressed when a development permit is issued.

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

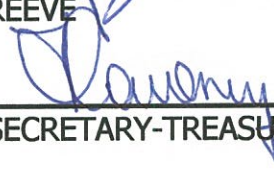
READ: A First time this 14th day of October, A.D., 2003.

READ: A Second time this 14th day of October, A.D., 2003.

READ: A Third time and finally passed this 14th day of October, A.D., 2003.



REEVE



SECRETARY-TREASURER

AREA STRUCTURE PLAN

WHEAT RIDGE HOLDINGS LTD.
(ALBERTA BOX CENTRE)
Lot 1, Plan 882 2886 in Pt. S 30-46-23-W4M

County of Wetaskiwin

Adopted by Bylaw 2003/52 on October 14, 2003

Historical Background

The south half of 30-46-23-4 is bisected by Highway 13 and by the CPR line which runs east from Wetaskiwin to Saskatoon. The general area is shown on Map 1, a 1998 air photograph with current legal boundaries superimposed. The approximately 60 acres lying south of the railway line was subdivided from the remainder many years ago. In 1988 the 60 acre parcel was re-subdivided to create a 20 acre lot for a grain elevator and agricultural service building. As part of that subdivision, the valley of a small creek was dedicated as reserve.

The elevator and associated developments never materialized and the land remained in agriculture until recently, when the 20 acres, legally described as Lot 1 Plan 882 2886, was purchased by the current owner, who built a truck box manufacturing plant. The plant does not need the full 20 acres and the owner wishes to subdivide into two or three lots, keep the western lot, and sell the other two.

Municipal Jurisdiction

The land is in the County of Wetaskiwin but is adjacent to the City boundary and is part of the area covered by the 1998 City/County Intermunicipal Development Plan (IDP). The plan designates the area as future industrial but states that "before any land in the plan area is subdivided or developed, an Area Structure Plan (ASP) must be prepared, showing how the proposed development will fit in with surrounding land uses, and how it will be served by roads and utilities. The draft ASP will be circulated to adjacent landowners, utility companies, the school boards, and regulatory agencies in the same way as a subdivision application, and their comments and recommendations will be taken into account before the ASP is adopted by bylaw."

As required by the IDP, this ASP deals not only with Lot 1, which is proposed for immediate subdivision, but also with the remainder on the quarter south of the railway (owned by Lawrence Johnson), and also looks at the possibility of expanding into the quarter to the south (NE 19, owned by Lois Mumey).

Other Jurisdictions

Because the land in question is within half a mile of Highway 13, subdivision and development require approval from Alberta Transportation as well as from the municipalities. The department's main interest is in safe access to the highway.

Alberta Transportation has advised that "Prior to approving any developments this Department may require a Traffic Impact Study to ascertain whether the highway can safely accommodate additional traffic generated by the proposed development. Improvements would be the responsibility of the developer."

Other Constraints on Development

Map 2 shows constraints on development. The site is close to the City's sewage treatment lagoons, and the provincial Subdivision and Development Regulations do not allow the municipality to create a parcel, or issue a development permit, for a residence or a food processing facility within 300 metres. There are no restrictions on industrial development.

The sewer lagoons drain northeast into the small creek noted above. Between the lagoons and the creek the outfall line runs under Lot 1 and is protected by a registered easement. This prevents part of the site from being covered by buildings.

A cell phone tower has recently been built immediately south of the present industrial building but this does not pose any legal limitation of the use of nearby land.

There is an oil well on the quarter to the south but it is not sour and the pipeline runs east, away from the area of this ASP.

There are no confined feeding operations close enough to restrict the type of development on the site. The closest confined animal operation is a dairy on SW 20, almost a mile away.

A major power line runs along the north side of Township Road 464 on a registered easement. There are also two local lines: one runs along the south side of the same road to serve the cell phone tower, while power to the box plant comes in from the north over the railway tracks. The two local lines are not protected by easement.

Telus has a registered easement parallel to the railway track. Because it is so close to the property line it does not place any restriction on building, over and above the county's normal side yard requirements.

Utilities

Electric power is available from the north (to the truck box plant) and also along Township Road 464 (to the nearby cell phone tower).

Gas service to new lots can be brought in along Township Road 464.

The existing truck box plant has its own well and pump-out sewage system. Because water and sewer lines are about a mile away on the far side of the lagoon quarter, the owner believes that municipal sewer and water are both uneconomic and unnecessary at the present.

Storm Water Drainage

Spot elevations for Lot 1, prepared by Geodetic Surveys & Engineering Ltd, are attached as Map 3. These show that the overall drainage is from south to north with a shallow ditch towards the east end of the lot. This ditch will be improved, and a second ditch constructed between the two new lots, if required by the municipality.

Fire Suppression

Large industrial buildings will require fire protection. The building code will be consulted before development permits are issued to determine how much water is needed and at what rate. If this cannot be supplied from on-site sources (such as a fire pond) the area will require a connection to the City's water system. Failing this, the size of the buildings may be limited.

Zoning

Present zoning is shown on Map 4.

The 60 acres of S 1/2 30 south of the railway are now zoned Industrial. The only permitted uses are extensive agriculture and buildings and uses accessory to agriculture. Industrial, storage, processing, and similar uses are discretionary.

The quarter to the south is zoned Agricultural Urban Fringe. Again, the only permitted uses are extensive agriculture and buildings and uses accessory to agriculture. Industry is not a discretionary use in that district.

Proposed Land Uses

Early in 2003, the owner of Lot 1 was approached by United Farmers of Alberta (UFA) to sell 10 acres for a soil remediation site. Because of opposition from neighbours, this offer has been withdrawn. The ASP assumes that any new lots will be used by standard, non-noxious industry.

Road Access / Rail Crossing

The site is close to Highway 13 but has no direct access. Traffic leaves the highway at Range Road 235, crosses the CPR line, and reaches the site along Township Road 464. Local roads are built to rural standard with gravel driving surfaces and ditches to handle storm water.

There is limited stacking distance between the railway line and the highway. The distance from the north rail to the stop line is a little less than 30 metres, so any vehicle longer than about 20 metres might be at risk. This could be a problem if long loads need to be brought in to the site.

The developer is prepared to undertake a traffic impact assessment if that is required by the municipality or Alberta Transportation, and to negotiate with the municipality about sharing the cost of any necessary construction.

The developer does not intend to build Township Road 464 west across the railway.

Subdivision Design

The proposed subdivision design is shown on Map 5. Lot 1 Plan 882 2886 will initially be subdivided into two equal parts. Road widening will be dedicated to widen Township Road 464 to 30 metres and a 20m radius turning head will be built to facilitate road maintenance.

Two designs are shown for subdivision of the remainder of SE 30 (Johnson): one with large lots using the existing roads for access, and one with smaller lots around a new cul-de-sac. The choice between these lies with the owner.

A future road connection is shown south into NE 19 (Mumey). This aligns with the turning head noted above, and is far enough east that it avoids the cell phone lease site and specifically the guy wires supporting the tower.

Aesthetic Considerations

The site is visible from Highway 13. This is valuable to businesses located there. However, it is important to give a good impression to motorists entering Wetaskiwin from the east. The existing waste material should be removed and the area landscaped to hide any unsightly items from passers-by. The existing reserve area can be used as a similar buffer when the remainder of SE 30 is developed for industrial use.

Appropriate screening and landscaping will be addressed when a development permit is issued.

Zoning Changes not Necessary

The current Industrial zoning on SE 30 south of the CPR allows the proposed uses and no change is contemplated.

NE 19 will remain zoned Agricultural Urban Fringe until the owner decides to apply for a change.

Annexation

The intermunicipal development plan says that "Land should remain in whichever municipality is best able to provide services to it and its owners. As a general rule, farm land should be in the County, and land which is subdivided to urban densities, or which requires municipal water and/or sewer, should be in the City. The City will not attempt to annex any land until there is a legitimate proposal for development to urban uses or requiring urban services. A proposal will be considered legitimate when the owner has been granted subdivision or development approval. When this pre-condition is met, the County will not object to annexation."

Because the land in question will not have urban services, and will be accessible only over county roads, it will probably remain under county jurisdiction.

Staging of Development

The owner of Lot 1 Plan 882 2886 has applied for subdivision approval to create one ten acre parcel and one five acre parcel, with a five acre remainder containing the existing Alberta Box Centre building. Other parcels will be applied for when market conditions are right.

Area Structure Plan
Part of SE 30-46-23-4
County of Wetaskiwin
Adjacent to City boundary
Map 1: 1998 Air Photo

Highway 15

Subject properties

Trunk Road 454

Roof not open

Sewer
Lagoons

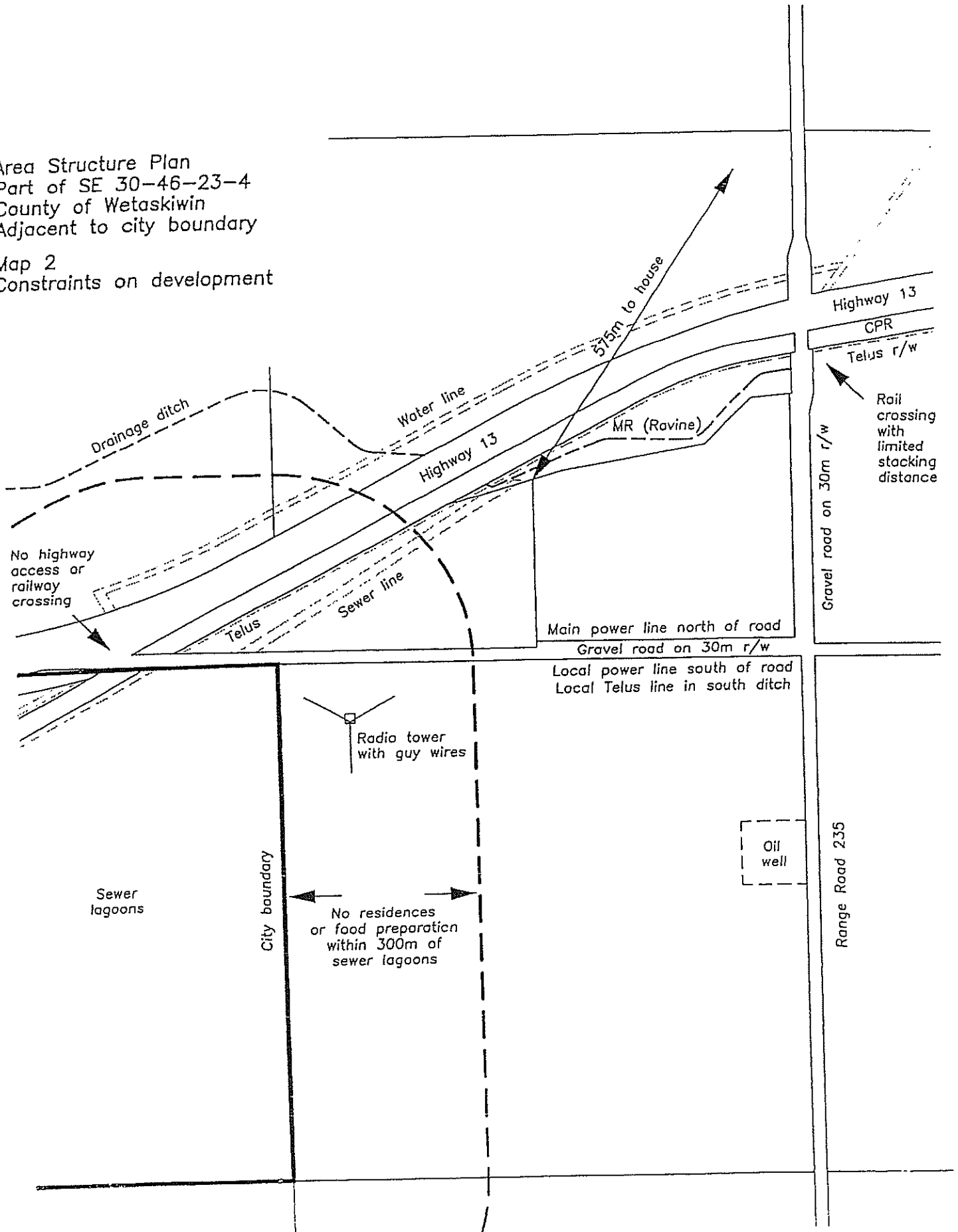
36 Street

56 Avenue

36 Street

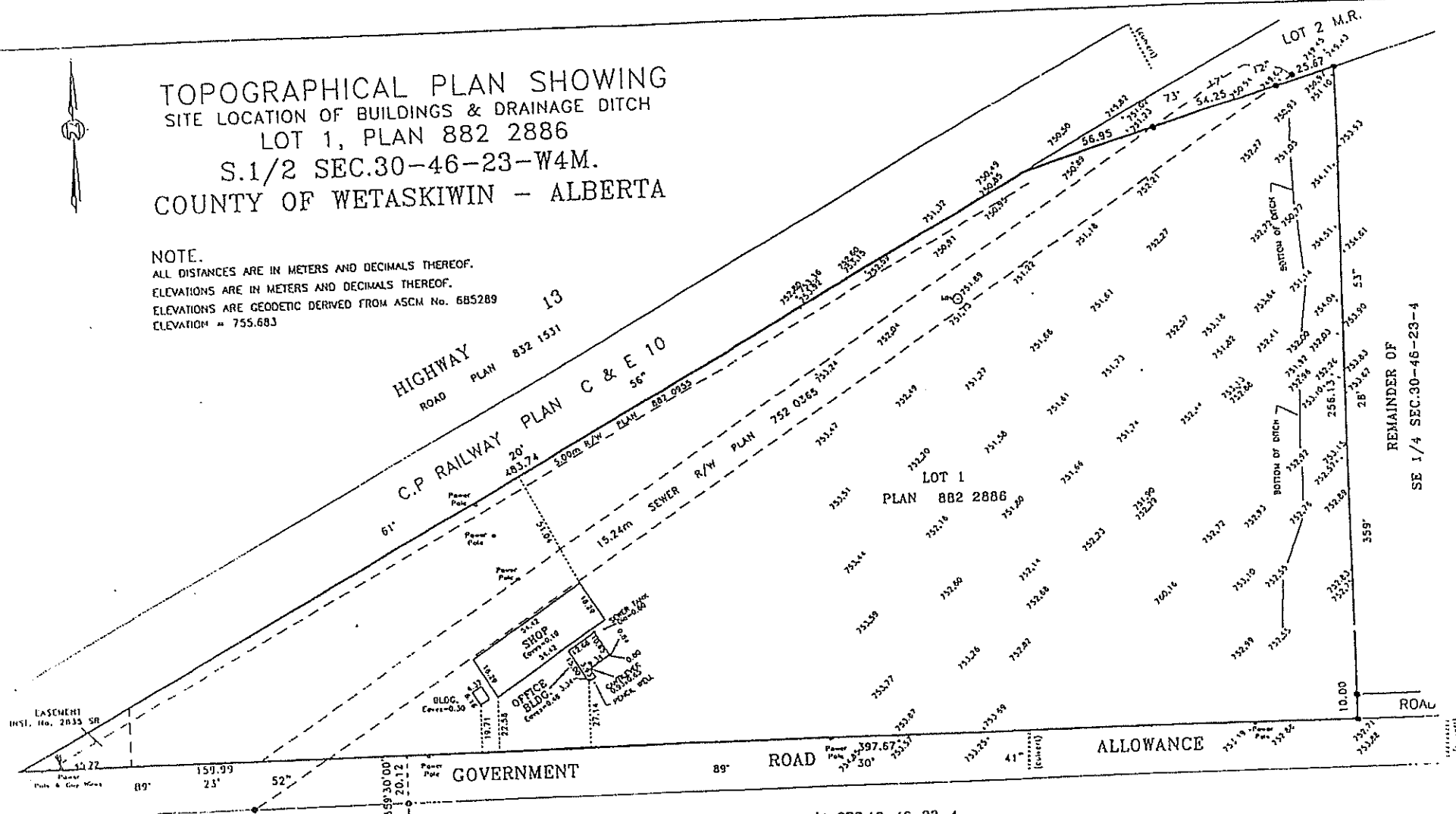
Area Structure Plan
Part of SE 30-46-23-4
County of Wetaskiwin
Adjacent to city boundary

Map 2
Constraints on development



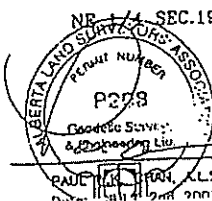
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Diagram illustrating the intersection of Highway 13 and C.P. Railway. The diagram shows the alignment of the road and railway, with stationing and specific measurements (e.g., 20°, 483.74, 500m E/W, 5.24m, 56°) indicating the geometry of the intersection. A 'Power Pole' and 'Power' point are also marked.



NW 1/4 SEC. 19-46-23-4

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED
AND PERFORMED UNDER MY PERSONAL SUPERVISION



NE ~~114~~ SEC.19-46-23-4

GEODETIC SURVEYS & ENGINEERING LTD.

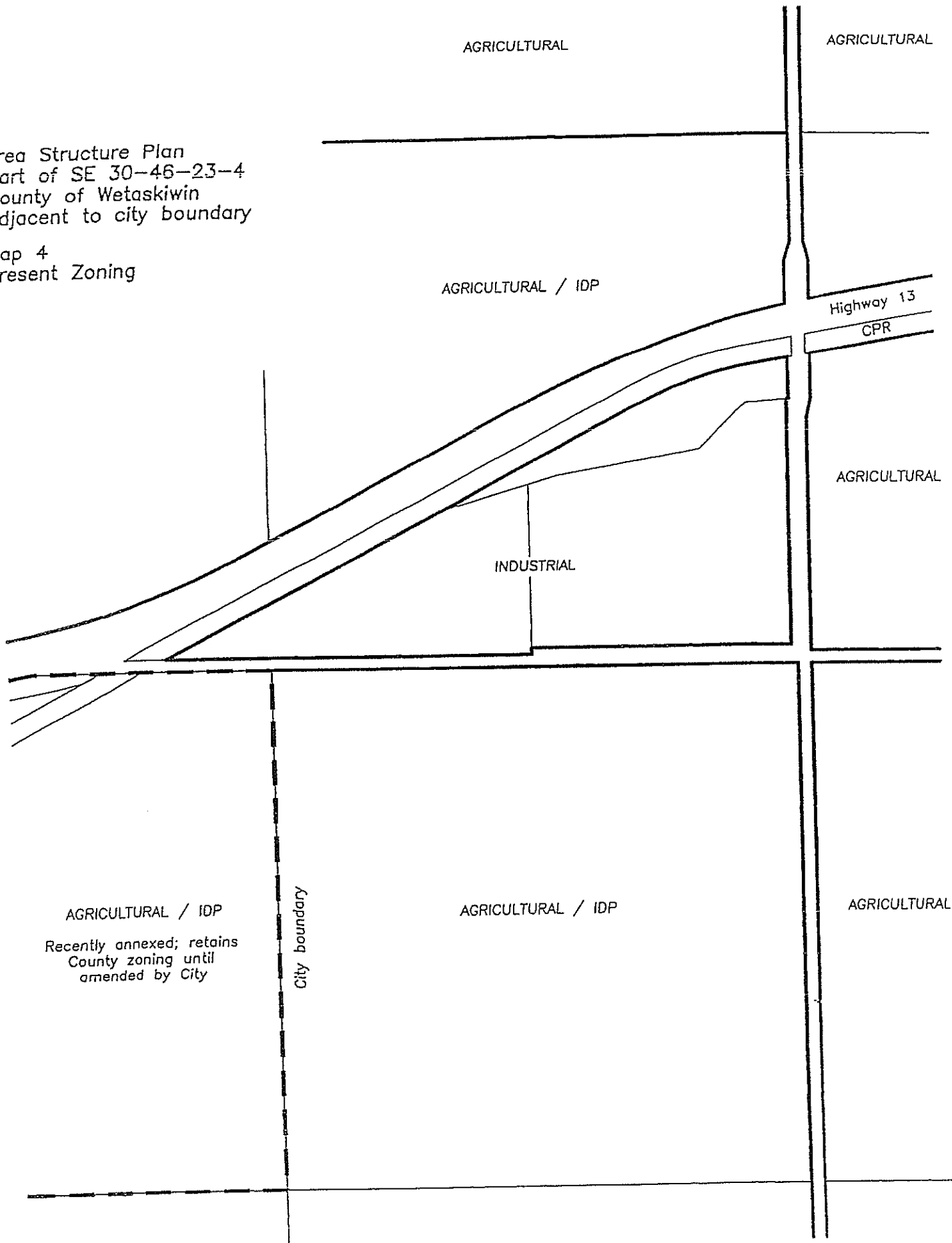
9538- 87th STREET, EDMONTON, ALBERTA. T6C 3J1

Ph. (780) 465-3389 Fax. (780) 465-5400 email: geodetic@telusplanet.net

DATE: JUN 2-1997	SCALE: 1:1500	JOB NO. D-1034650
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Area Structure Plan
Part of SE 30-46-23-4
County of Wetaskiwin
Adjacent to city boundary

Map 4
Present Zoning



Map 5
Development Concept

