

BY-LAW NUMBER 2015/60

BY-LAW NO. 2015/60 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 an Area Structure Plan for Viewland Resorts Riverfront Ltd. within SW 33-47-25-W4M 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 Viewland Industrial Park within SW 33-47-25-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 Viewland Industrial Park Area Structure Plan within SW 33-47-25-W4M.

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

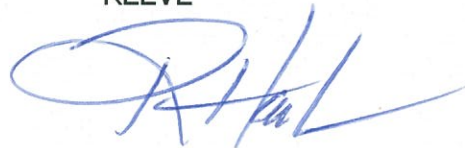
READ: A First time this 10 day of December, A.D., 2015.

READ: A Second time this 10 day of December, A.D., 2015.

READ: A Third time and finally passed this 14 day of January, A.D., 2016.



REEVE



SECRETARY-TREASURER

SCHEDULE "A"

Bylaw 2015/60

Proposed Area Structure Plan

Viewland Industrial Park

SW 33-47-25-4

County of Wetaskiwin

Landowners: Wayne and Linda Meyers

Developer: Rick Wilson

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Adopted by Bylaw 2015/60
14 January 2016

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1 Introduction

SW 33-47-25-4 lies at the intersection of Highways 2 and Highway 616, five miles west of Millet, and 16 miles south of Nisku and the Edmonton International Airport. Map 1 shows the location, and Map 2 is a recent air photograph of the property.

The land is currently subject to an offer to purchase, and this area structure plan (ASP) is being submitted by the buyer with the consent of the present owners.

The original 160 acre quarter has been reduced in area by Highways 2 and 616, and by a five acre subdivision which includes the old yard site. The remaining area is 136.7 acres.

This ASP proposes subdividing the land into industrial and highway-oriented commercial lots. It will complement the recently approved Kicking Horse development by attracting users who do not need the full municipal services of Kicking Horse.

The developer has also made an offer to purchase the former yard site. If his offer is accepted, he will straighten the west boundary and include it in the ASP.

2 Municipal Jurisdiction

The land is in the County of Wetaskiwin, and development is controlled by the County's municipal development plan (MDP) and land use bylaw.

As shown on Map 3, the cleared parts of the quarter have a farmland assessment of up to 77%. The County normally reserves land rated at 30% or higher for agriculture. However, the MDP, section 1.2.2, provides for non-agricultural uses on better soils "as allowed elsewhere in the Municipal Development Plan", and figure 5 of the MDP specifically shows this land as a potential development location. County policy 6612 also identifies it as a future industrial location.

The present zoning is Agricultural. Once this ASP is adopted, the owners will apply to the County for appropriate zoning. Details are given in section 18 below.

3 Provincial Jurisdiction

Although land use is a municipal responsibility, the County must also consider provincial regulations set out in the Subdivision and Development Regulation, AR 43/2002.

Sour oil and gas installations: A proposal to subdivide land within 1,500 metres of any sour gas well or pipeline must be referred to the ERCB for comments.

There are no sour installations within 1,500 metres of the property.

Other Oil and gas installations: Overnight accommodation (residences, hotels, etc) is not allowed within 100 metres of a sweet oil or gas well, or within the right-of-way of a sweet oil or gas pipeline.

There are no active oil or gas installations on or within 100 metres of the property.

No setback is required from the local gas co-op's line to the existing residential lot.

Sewer lagoons: Certain types of development are not allowed within 300 metres of a sewer lagoon.

The closest sewer lagoon is over 7 km to the east, in Millet.

Waste disposal sites: Certain types of development are not allowed within 300 metres of a waste disposal site, and wells for human consumption must be at least 450 metres of such sites.

The closest waste disposal sites are the former Millet site in SW 33-47-24-4 and the current transfer station in NW 28-47-24-4, both more than 9 km from the Viewland property.

Proximity to highways: A municipality must not approve a subdivision within 800 metres of a provincial highway without the prior approval of Alberta Transportation.

The subject property is located at the junction of Highways 2 and 616. This draft and a traffic impact assessment (TIA) have therefore been referred to Alberta Transportation for their comments and recommendations. This is dealt with in more detail in section 11.

Other senior government rules affecting development are:

Abandoned oil wells Abandoned wells do not present any hazard, but the Alberta Energy Regular Directive 079 requires that an area 5 by 5 metres be left undeveloped around them, with access for service rigs in case any more work needs to be done in future.

There is one abandoned well on the land proposed for development. The location is shown on Map 4.

Livestock operations There are no confined feeding operations near the proposed development, and even if there were, the Agricultural Operations Practices Act (AOPA) and its regulations only apply to residential uses. There are no required setbacks from commercial and industrial uses. (AR 267/2001, Schedule 1, s2.)

Historical Resources

The Alberta government's Historical Resources Management Branch (HRMB) has the right to require a historical or archaeological assessment of land which is to be developed. A copy of this outline plan was sent to HRMB with a request for comments.

On 28 July 2015 HRMB gave formal clearance 4835-15-0097-001 stating that no site investigation is required.

Airports

The nearest airports to the property are Wetaskiwin Regional Airport, 16 km south, and Edmonton International Airport, approximately 25 km north. The site is not under any landing or take-off path. Under Transport Canada rules, this is Class 5 (uncontrolled) air space up to 5,000 feet.

In summary, there is nothing in any provincial regulation to prevent the development of the property once approval is received from Alberta Transportation.

4 Present Land Uses

The County assessment sheets classify 29 acres of the quarter as slough or depression, and another 12 acres as tree covered, leaving 96 acres as farm land. The former residence has been subdivided, and that lot does not form part of this ASP.

The soil throughout the quarter contains numerous stones. A few are very large (up to two metres in size) but most are in the 30 cm range. This limits cultivation, and makes pasture the only practical agricultural use.

The quality of the pasture has been reduced by a number of previous activities. Topsoil was removed and stockpiled over several acres when it was intended to create a feed lot. The topsoil was not replaced when the feed lot plans were abandoned. Other areas were disturbed when the land was used as a work site for highway construction. Gravel piles and pieces of asphalt can still be seen here.

Several gravel access roads run across the land to the highway work site and to an abandoned AGT telephone tower.

5 Environmental Assessment

The developer commissioned Alberta Environmental Consulting Inc to conduct a Phase One environmental site assessment (ESA) of the property. After reviewing historic air photography and provincial government data sources, and examining the site, the consultant concluded that the site shows "no adverse environmental impact from the previous tenant, landowners, contractors, or neighbours", and there is no need to proceed to a Phase Two assessment.

The consultant noted that the abandoned oil well has been reclaimed, and the appropriate clearances were issued by Alberta Environment in 2011.

A review of the ERCB coal mines atlas shows that the land has never been mined, so there is no risk of subsidence.

6 Neighbouring land uses

Map 5 shows the neighbouring quarter sections and indicates how an industrial development on SW 33 may affect them.

With the exception of the house on the lot now subdivided out of the quarter, there are no residences close enough to be seriously affected by the proposed industrial subdivision. Traffic will pass south on RR 254 to Highway 616 and thence on to Highway 2, and the visual impact will be reduced by landscaped buffers along all sides of the development.

7 Road Widening

Alberta Transportation has a long term plan to widen Highway 2 to three lanes in each direction. This will require an additional 10 metres of right-of-way on either side of the highway. Section 661 of the Municipal Government Act requires a developer to dedicate land for roads, without compensation. However, this does not apply to primary highways, or for secondary highways numbered 900 to 999 (MGA section 616(aa)). The developer is therefore not required to donate land to widen Highway 2.

In the case of Kicking Horse, Alberta Transportation stated that "the department is prepared to negotiate with the land owners for acquisition of the required 10 metres of land for highway widening". It is fair to assume that they will take the same view of the Viewland property. The developer has contacted the department to start negotiations.

Map 5 shows extra road widening along Highway 616 as recommended in the traffic impact analysis conducted by Allnorth (see section 11). If more is needed, the developer is prepared to dedicate whatever is necessary, without compensation, as required by the MGA. This may slightly reduce the areas of the lots along the south boundary of the property.

Five metres of road widening will also be dedicated along the entire half mile of RR 254.

8 Drainage

Map 6 shows the slope of the land using one metre contours derived from air photography.

The highest parts of the land are adjacent to Highway 616, falling from a maximum of 785 metres in the subdivided yard site to a minimum of 778 metres near the north-east corner, giving a drop of seven metres or about 1%. Further west the north-south slope is less, about 0.7%. These south-to-north slopes send runoff into a broad, shallow lowland which drains from west to east with an average gradient of 0.2%.

This overall drainage pattern is disturbed by a number of higher and lower spots. These will be eliminated at the time of development so that there is a clear flow from south to north, and west to east, via roadside ditches.

9 Subdivision Design

Map 7 shows the proposed highway design. Traffic will flow west from Highway 2 on to Highway 616, then north along Range Road 254 for 150 metres, then enter an internal road which will loop through the site and return to RR 254 about 150 metres south of the north quarter line. The length of this internal loop is 1,500 metres.

All lots (including the existing subdivided lot) will have access to the internal road. There will be no direct access from any new lot on to Highway 2, Highway 616, or RR 254. The three present accesses on to Highway 616 will be removed.

Land will be dedicated for a future road connection to NW 33 (Fengstad), but this will not be built at this time.

There will be a variety of lot sizes:

Lot size	Number of lots
2 to 2.9 acres	4
3 to 3.9 acres	1
4 to 4.9 acres	10
5 to 5.9 acres	4
32 acres	1

This list does not include the existing five acre subdivision in the south-east corner.

There will also be one small lot facing Highway 2 just south of the PUL. This will accommodate a sign showing the name of the industrial park. The location and size of the sign will be as set out in Alberta Transportation's *Recommended Practices For On Premises Signs* dated April 2010. The frontage will be 20 metres, with a 6 metre access panhandle.

Lots adjacent to the highways and to RR 254 will be large enough that buildings can be set back by the distances required by provincial and municipal rules.

The entire site will be graded at the time of subdivision to create buildable sites and to facilitate drainage down to a storm water pond in the north-east corner of the quarter.

Municipal reserves will be dedicated along all boundaries.

The boundaries of lots on Map 7 are not precise and, with the consent of the County, may be adjusted at the time of subdivision depending on engineering advice and market conditions.

Road widths, curvatures, widening, etc are shown on Map 8.

10 Road Standards

Internal roads will be constructed on a 30 metre right of way, with landscaped drainage swales on either side of the travel surface.

All roads in the subdivision, plus RR 254 as far north as the north access, will be paved with hot mix to bear industrial loads.

County Policy 6615, section 4, provides that the standard \$2,000 per lot contribution to off-site roads may be waived where the developer paves those roads.

11 Highway 616 intersection

The intersection of RR 254 with Highway 616 will need to be upgraded to take the expected traffic. The developers engaged Allnorth Consultants Ltd, a firm of traffic engineers, to analyze the impact of development on the intersection.

Allnorth originally proposed a Type 5 intersection with traffic signals and what is popularly called a "speed curve" for traffic heading south on the range road and then east on Highway 795. In a letter to the County dated 18 November 2015, Alberta Transportation said that a roundabout should be considered as a first option, and right of way requirements should be identified and protected at the subdivision stage. The developer agrees.

Maps 7 (subdivision design) and 8 (road system) may therefore need to be amended to show the land to be dedicated for a roundabout. As recommended by Alberta Transportation, these adjustments can be done, and the land dedicated, at the subdivision stage.

In the same letter, Alberta Transportation said that it might be necessary to widen Highway 616 between the Highway 2 interchange ramp at RR 254.

The developer will dedicate the necessary land and will bear the entire cost of widening Highway 616 and constructing the intersection to the standards of Alberta Transportation and the County of Wetaskiwin.

12 Storm Water Management

The existing drainage swale that runs close to the north quarter line will be filled and replaced by a roadside ditch flowing from west to east. The entire site will be graded so that storm water and snow melt flow into it. The concept is shown on Map 9.

Snow melt and storm runoff will increase after the land is graded and gravelled, so in order to meet Alberta Environment guidelines it will be necessary to construct a storm water detention pond on site. Hard surfaced industrial land generally requires 1,000 m³ of detention capacity per hectare. The 55 hectare (137 acre) site will therefore require about 55,000 m³ of storm water storage. Assuming a drawdown of 3 metres, the pond will have an area of about two hectares or about 4.5 acres. This size may be adjusted as necessary on the advice of a professional engineer.

The storm water system will be designed so that the rate of runoff after development will be the same as now, so the existing culvert under Highway 2 will not need upgrading. Nevertheless, the drainage plan will be sent to Alberta Transportation for review and any necessary changes.

The pond will be constructed in such a way that water is filtered to remove contaminants before it enters off-site streams. The details will be agreed between with developer's engineer and the County at the time of development.

13 Water supply

The developer's main market is trade shops, warehouses, and outdoor storage yards. They do not need a large volume of water. The washroom and lunchroom on each lot can be supplied from a small bore well. For that reason, the developer does not intend to install a piped water system, and he will make that very clear to his buyers. Those needing piped water will be directed south to Kicking Horse.

To ensure there is enough water to supply 20 small businesses without depleting the local aquifer, the developer engaged Envirowest, a firm of independent consulting engineers, to examine well logs and other data on file at Alberta Environment. The developer supplied Envirowest with the groundwater assessment prepared for the Kicking Horse development, which included pump tests of wells recently completed on the Kicking Horse property.

In a report dated 24 September 2015, their file 1507-42799, Envirowest stated that

The estimated water use for the proposed development is 8.6 cubic metres/day based on 0.045 cubic metres/day/employee. It is understood that the water use in the subdivision will be for employee use and no occupants will require large amounts of water associated with their operation. This withdrawal rate represent 9.8% of the predicted long term safe pump rate for wells located in close proximity. The long term pump rate is the one which would unlikely impact water resources in the area and was based on a conservative estimate of 2/3 of the drawdown of the well being available for exploitation. An additional factor of 0.7 was applied to the safe withdrawal rate.

In summary, the proposed development can be served from the existing aquifer with no risk to neighbouring water users.

The complete results of Envirowest's investigation have been forwarded to the County.

14 Sewage treatment

The small volume of water will result in a small volume of sewage. Each lot will therefore have its own septic tank and disposal field.

Because the land will be re-graded, it is pointless to conduct percolation tests at this time. That will be done by a licensed installer when a building permit is taken out.

Some owners may prefer to run sewage into a holding tank and ship the effluent to Mulhurst for disposal in the County's lagoon. Those owners will pay the standard off-site levy to use the Mulhurst lagoon. Payment will be made at the time a development permit is issued.

15 Fire protection

The storm water pond mentioned in section 12 will be built so that it can also serve as a fire pond with an all-weather access and dry hydrant. Details of pond capacity, construction, access, and fencing will be agreed with the County's Director of Emergency Services. The work will be done at the developer's expense.

Because the pond will be on a PUL, title will automatically pass to the County when the subdivision is registered.

16 Power, gas and telecommunications

The developer will install electric power, natural gas, and telecommunications lines in the roads prior to subdivision.

17 Municipal Reserves

The MGA empowers a municipality to take up to 10% of the developable area of a subdivision for parks, schools, and buffer strips. The present title area is 55.3 hectares (136.7 acres), so 5.5 hectares (13.7 acres) are due as municipal reserve.

The design shown on Map 7 shows a ten metre strip of municipal reserve along RR 254 and the north boundary, a 20 metre strip along Highway 2, and a strip of varying width along Highway 616. They can be landscaped to create a visual buffer.

The developer is currently negotiating to purchase the existing lot in the south-east corner of the quarter (Lot 1 Plan 002 2943) with the intention of adding it to the industrial park. If the lot is purchased and becomes commercial, the developer will extend reserve Lots 24 and 24 east and south so that they separate the existing lot from the two highways.

If the negotiations are unsuccessful, and the lot remains residential, the developer is willing to dedicate a strip of municipal reserve as a buffer strip around the lot, and (if desired by the County) to build a berm and plant trees to hide the residence from the industrial and commercial area. The exact size and configuration will be set by the County at the time of subdivision.

Either way, the amount of land to be dedicated as MR will be less than the 10% stipulated in the MGA. This shortfall will be paid out in cash, using the values set out in County policy 6602. Section 671(2) of the MGA requires that this money is used only for parks, schools, and buffer strips elsewhere in the municipality.

Because the land surface will be re-graded, there will be no undevelopable land as defined in section 664.1 of the MGA, so no environmental reserves will be due.

18 Proposed Zoning

Map 10 shows the zoning for which the developer will apply. Lots 1 to 9 facing Highways 2 and 616 will be zoned Rural Commercial. If the developer succeeds in purchasing the existing Lot 1 Plan 002 2943, it too should be rezoned Rural Commercial. All other lots will be zoned Industrial.

Subsequent owners of individual lots may apply for changes in zoning.

In the longer term, the County might establish a new land use district for commercial and industrial sites at prime highway intersections, possibly based on Ponoka County's Prime Location Commercial district, but that is outside the scope of this ASP.

19 Public consultation

The owners of land within one mile of the proposed development were invited to an open house where they could ask questions and make their views known. Notice of the meeting was mailed out to Wetaskiwin owners by County staff. Notices were hand-delivered to owners in Leduc County. The ASP was also made available on line.

The open house was held at the Millet Agriplex on Tuesday 25 August 2015. Eight landowners attended, plus a representative of JEDI. The proposal was discussed for about an hour.

None of those present expressed any opposition to the proposal.

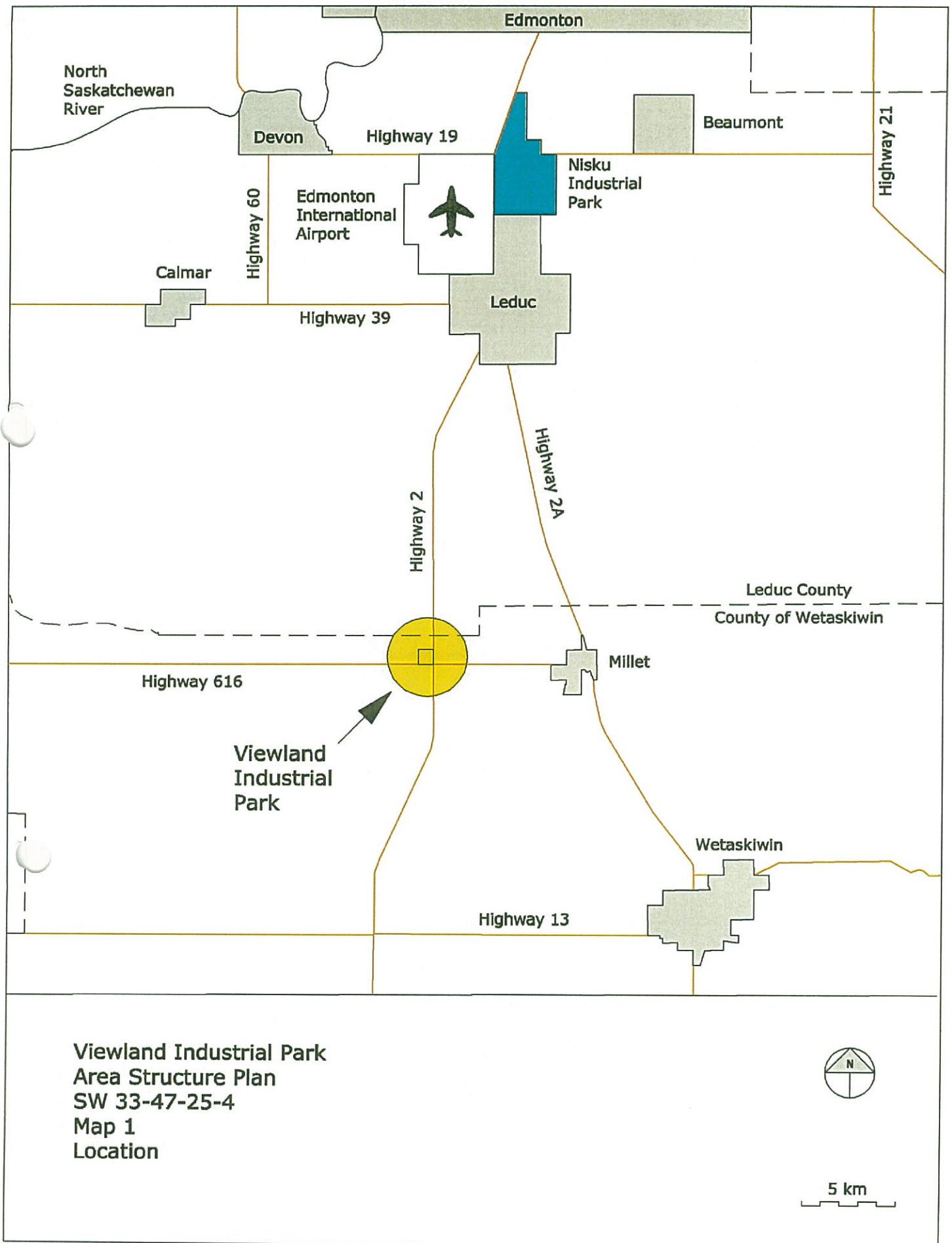
20 Approvals requested

The developer requests that the County adopt this ASP by bylaw, and immediately proceed to rezone the land as shown on Map 10. A subdivision application will follow.

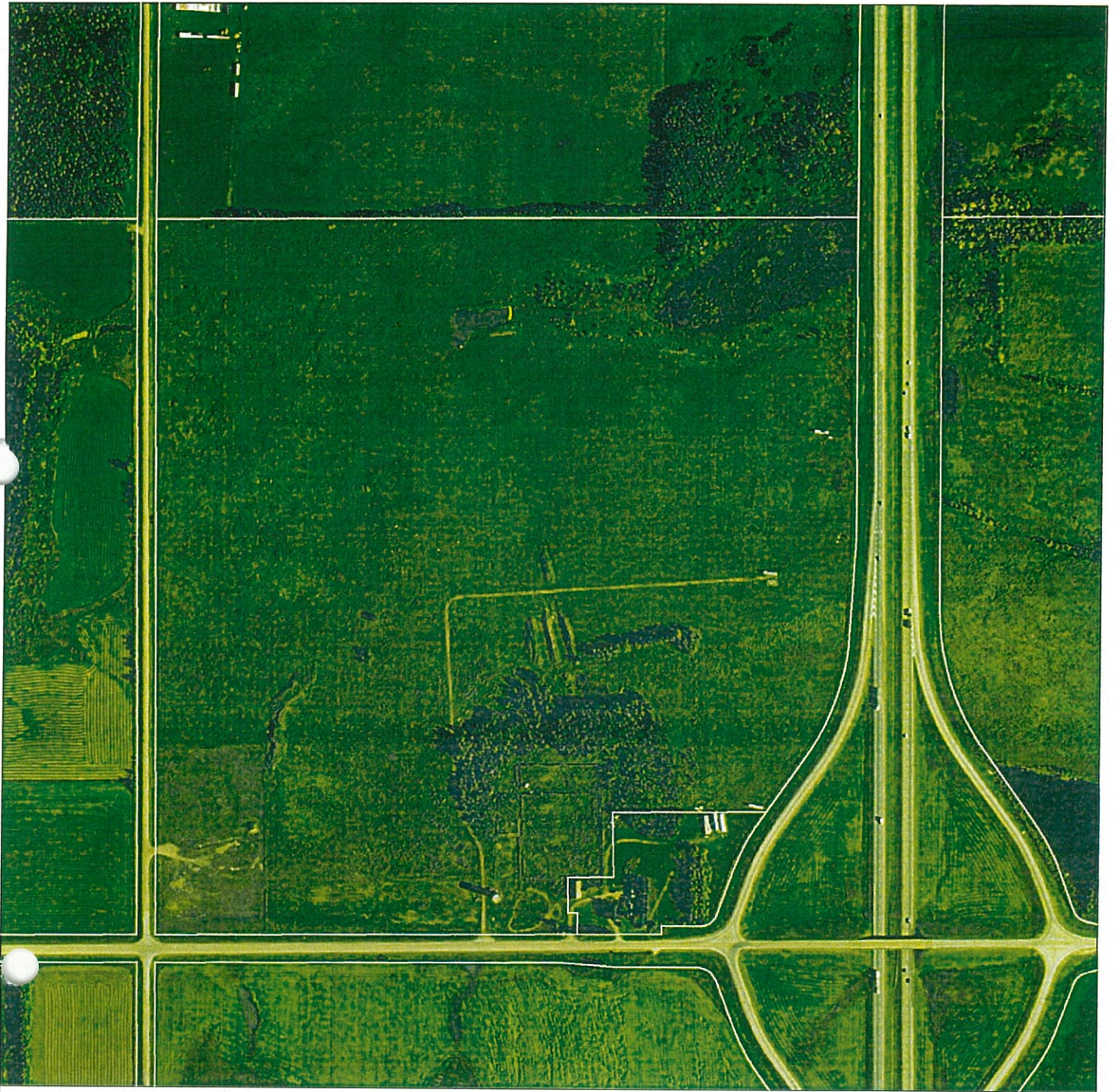
21 Subsequent changes to County policies

The developer understands that should development be registered in phases, he will be subject to all policies and bylaws in effect at the time of subdivision.

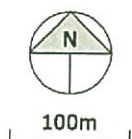
SCHEDULE "A"



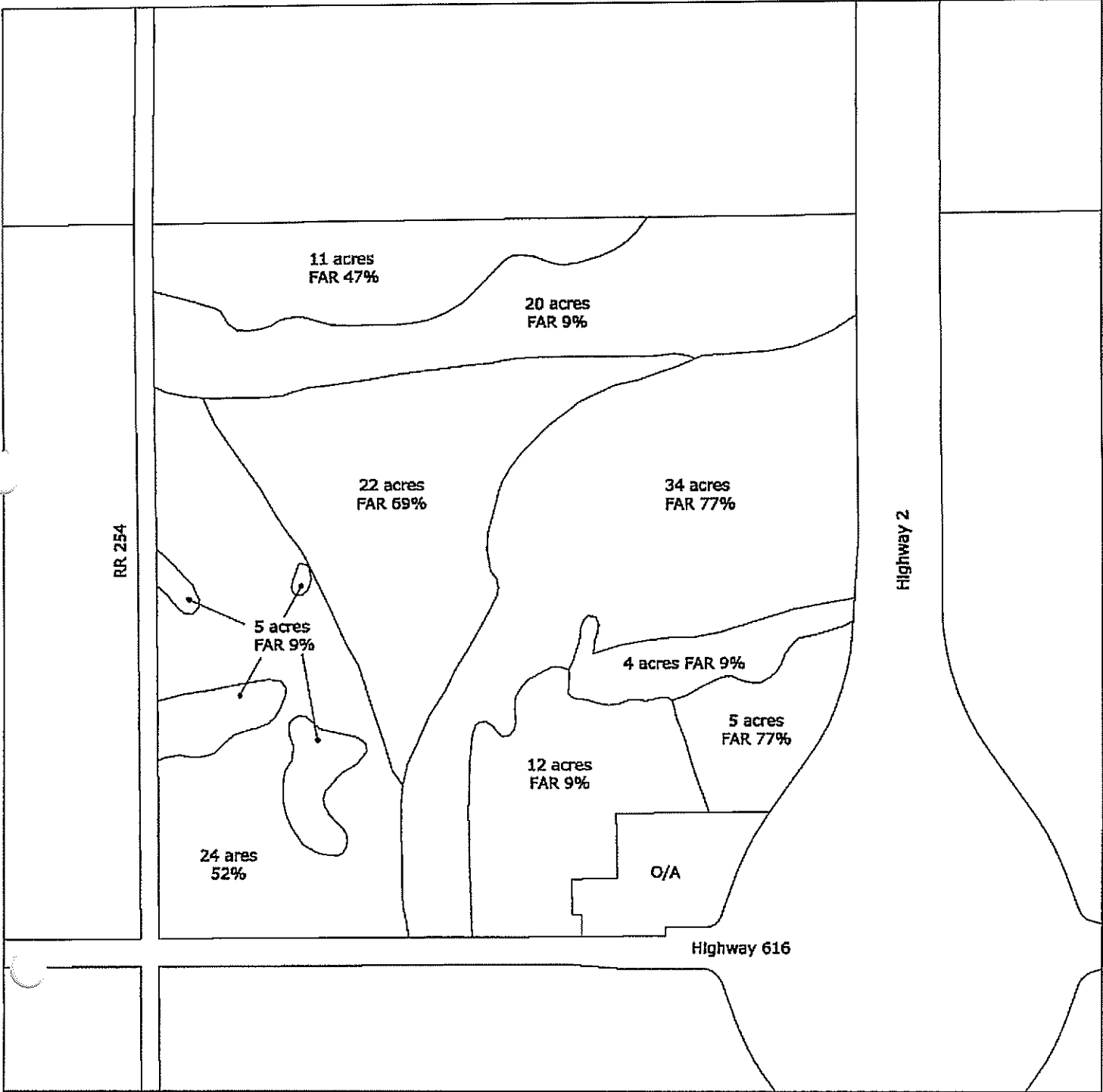
SCHEDULE "A"



Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 2
Recent Air Photograph

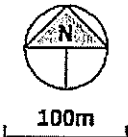


SCHEDULE "A"



Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 3
Farmland Assessment Ratings

Soil zone boundaries by McAlpine 1984
Assessment dated 2013



SCHEDULE "A"



Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 4
Constraints on Development

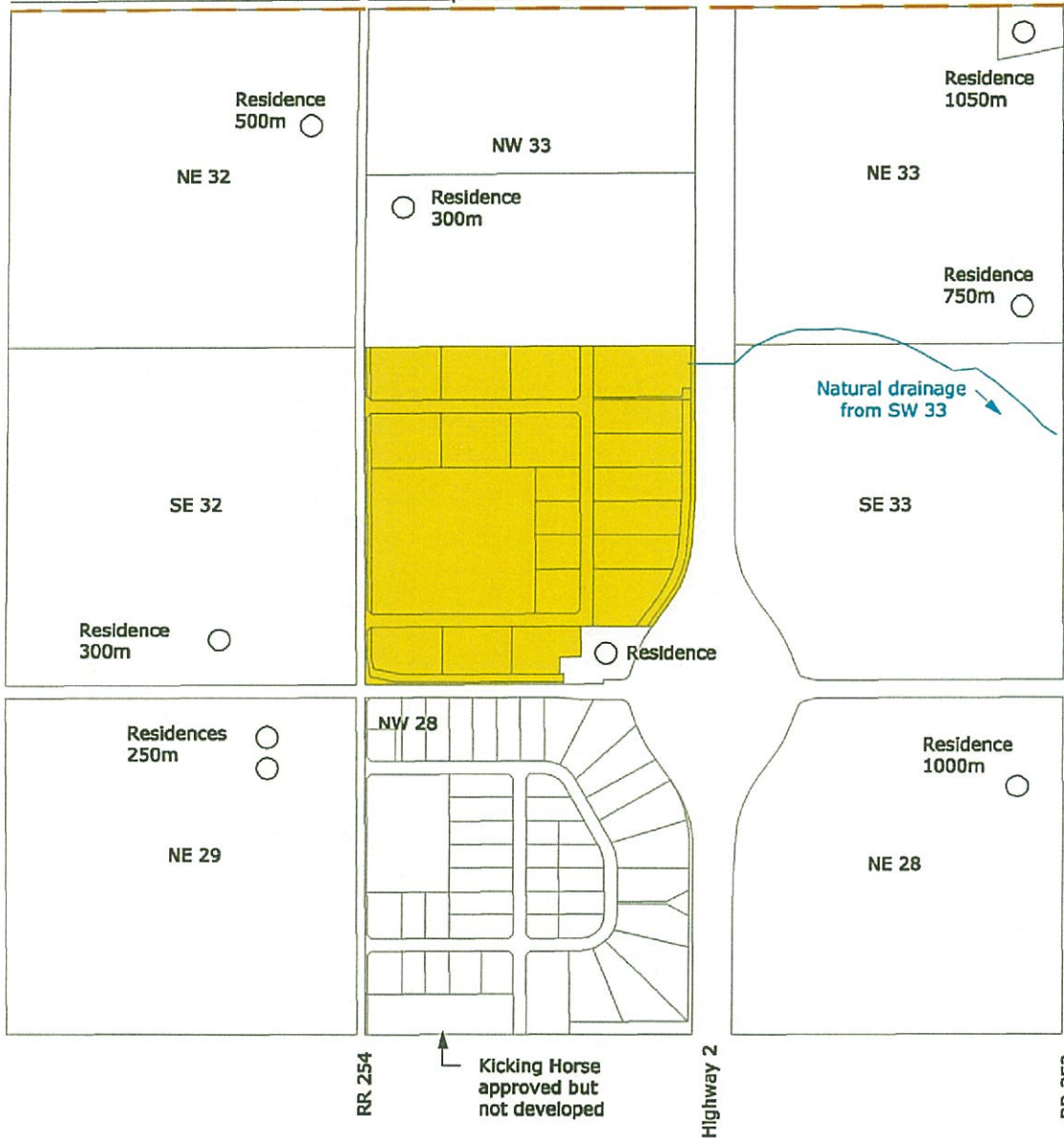
Amended 16 September



SCHEDULE "A"

Leduc County boundary on south side of road

TR 480



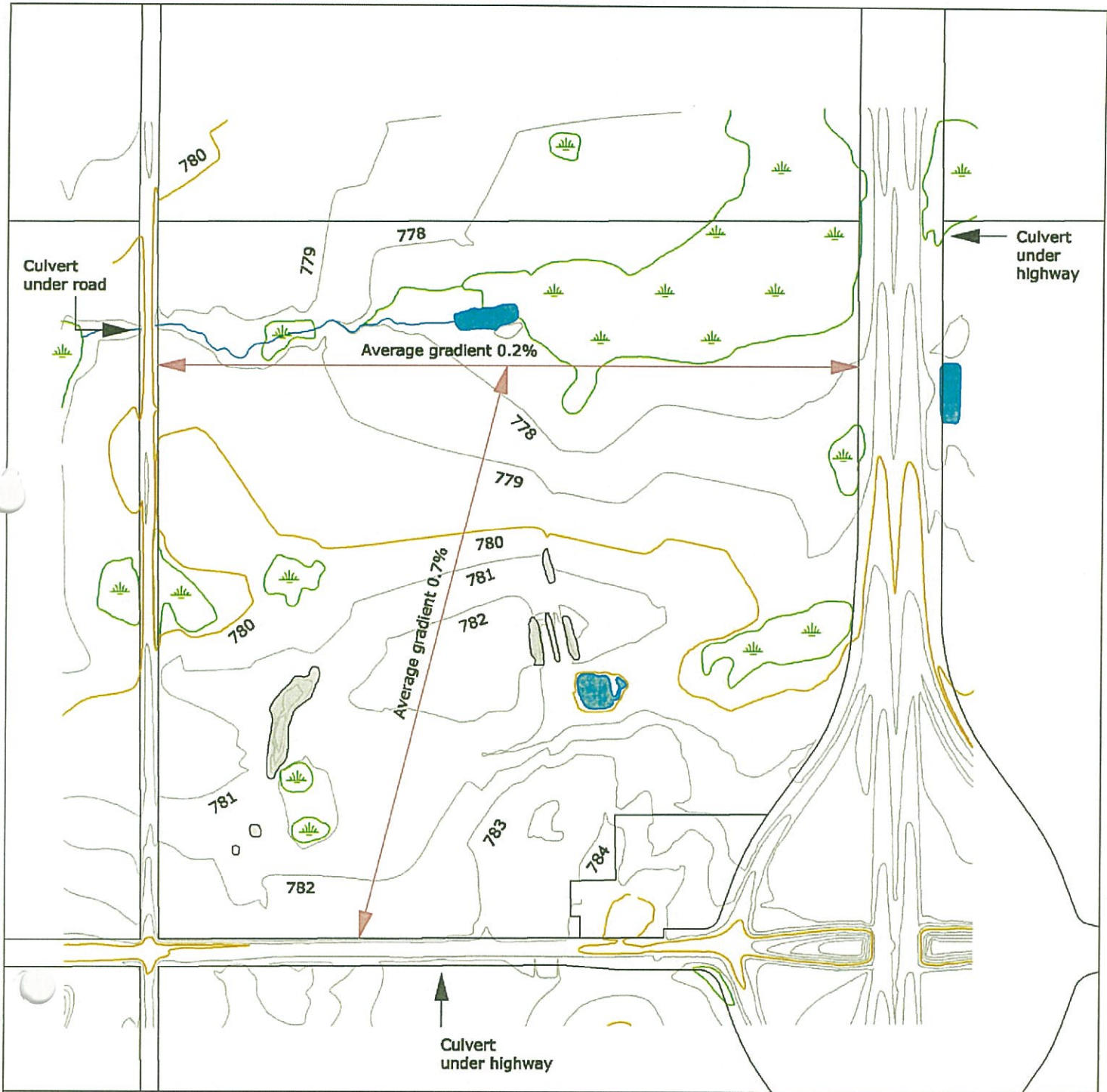
Viiewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 5
Neighbouring Lands

Amended 16 September



200m

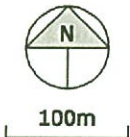
SCHEDULE "A"



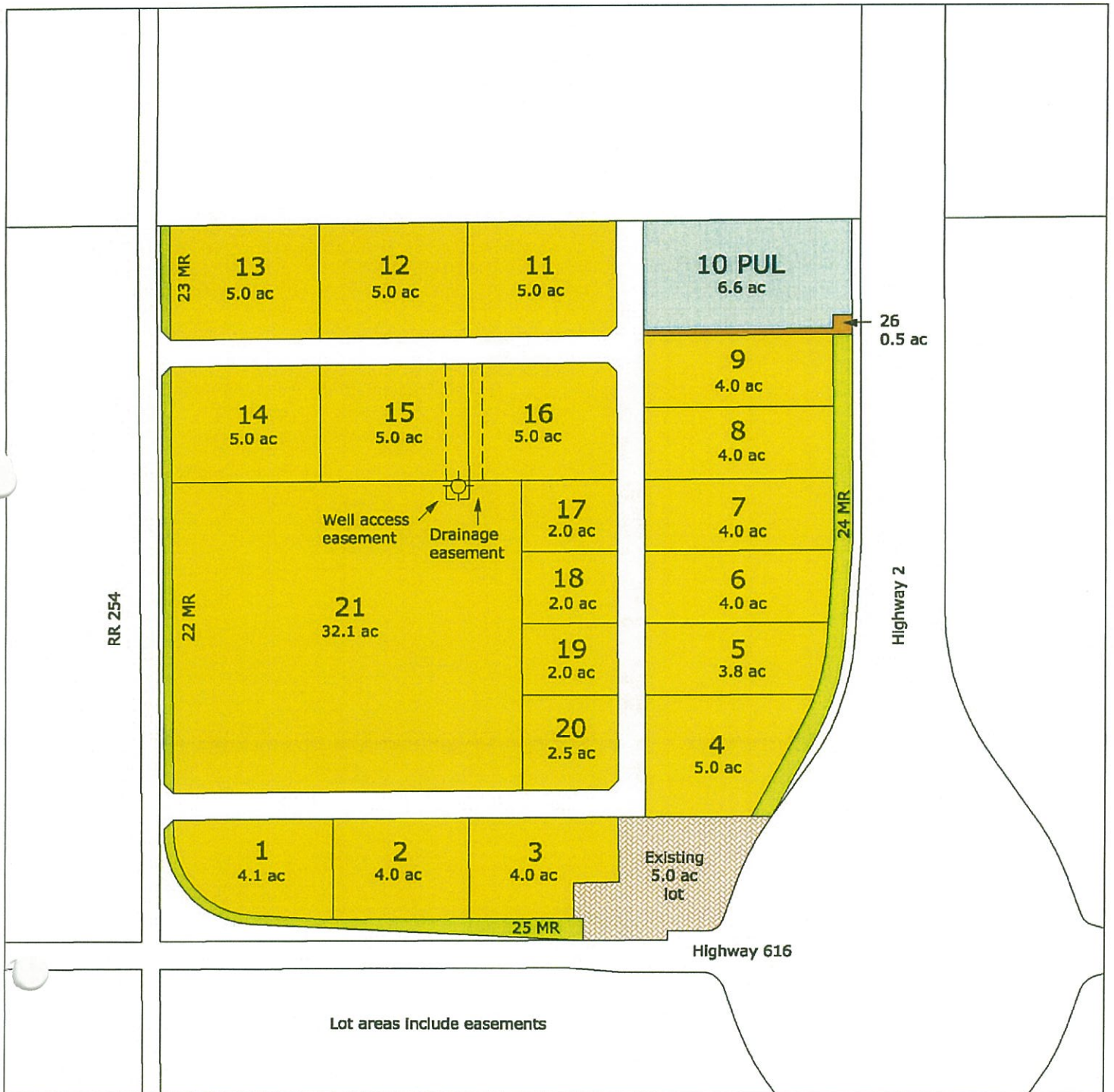
Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 6
Contours and Drainage

Contours from air photography
1 metre vertical interval

- Swamp
- Water body
- Pile of soil or gravel








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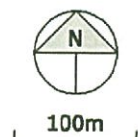


Lot areas Include easements

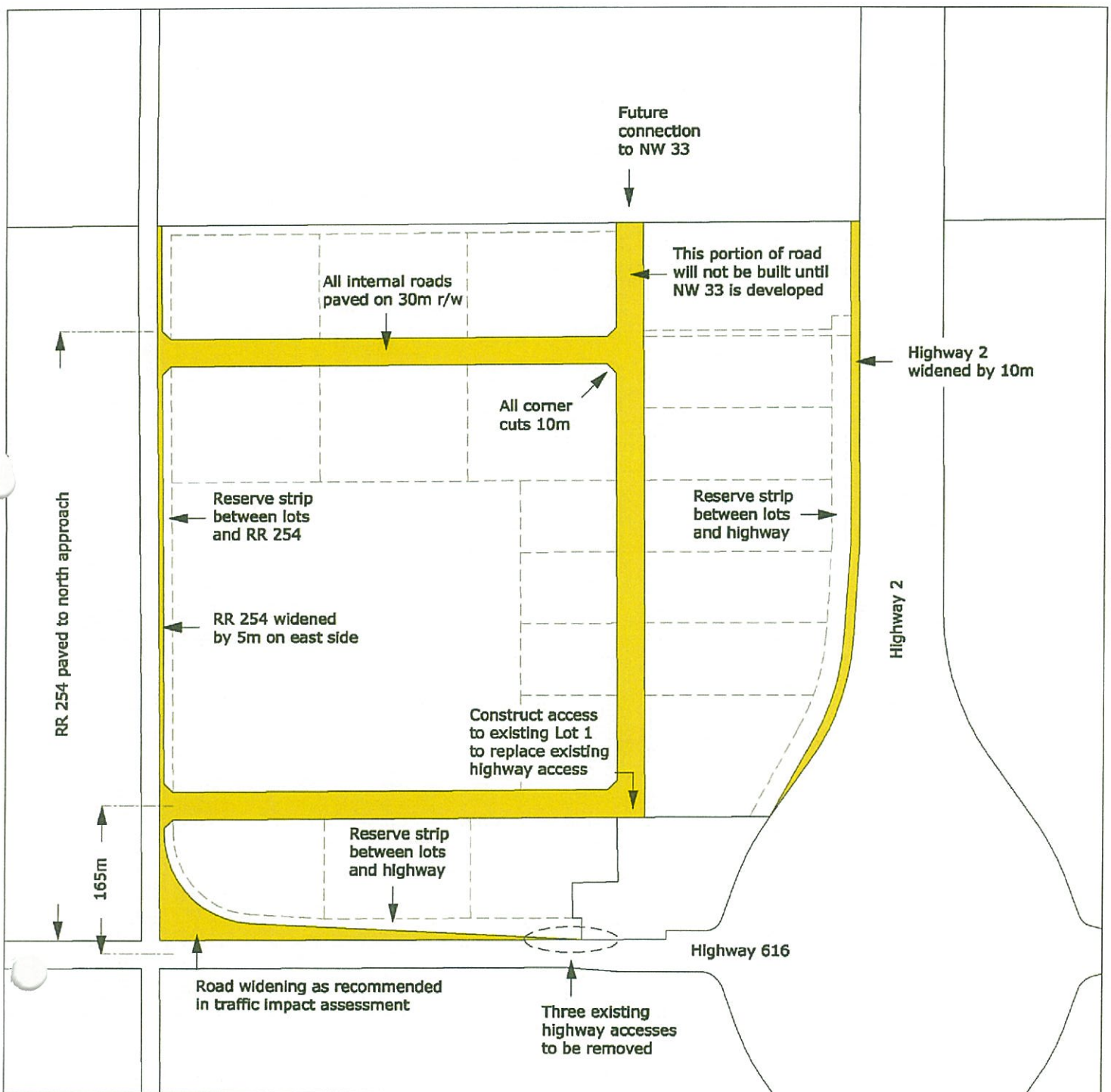
Viewland Industrial Park Area Structure Plan SW 33-47-25-4 Map 7 Subdivision Design

Amended 16 September

-  Existing subdivided lot
-  Industrial lots
-  Public utility lot (storm pond)
-  Municipal reserves
-  Billboard lot



SCHEDULE "A"



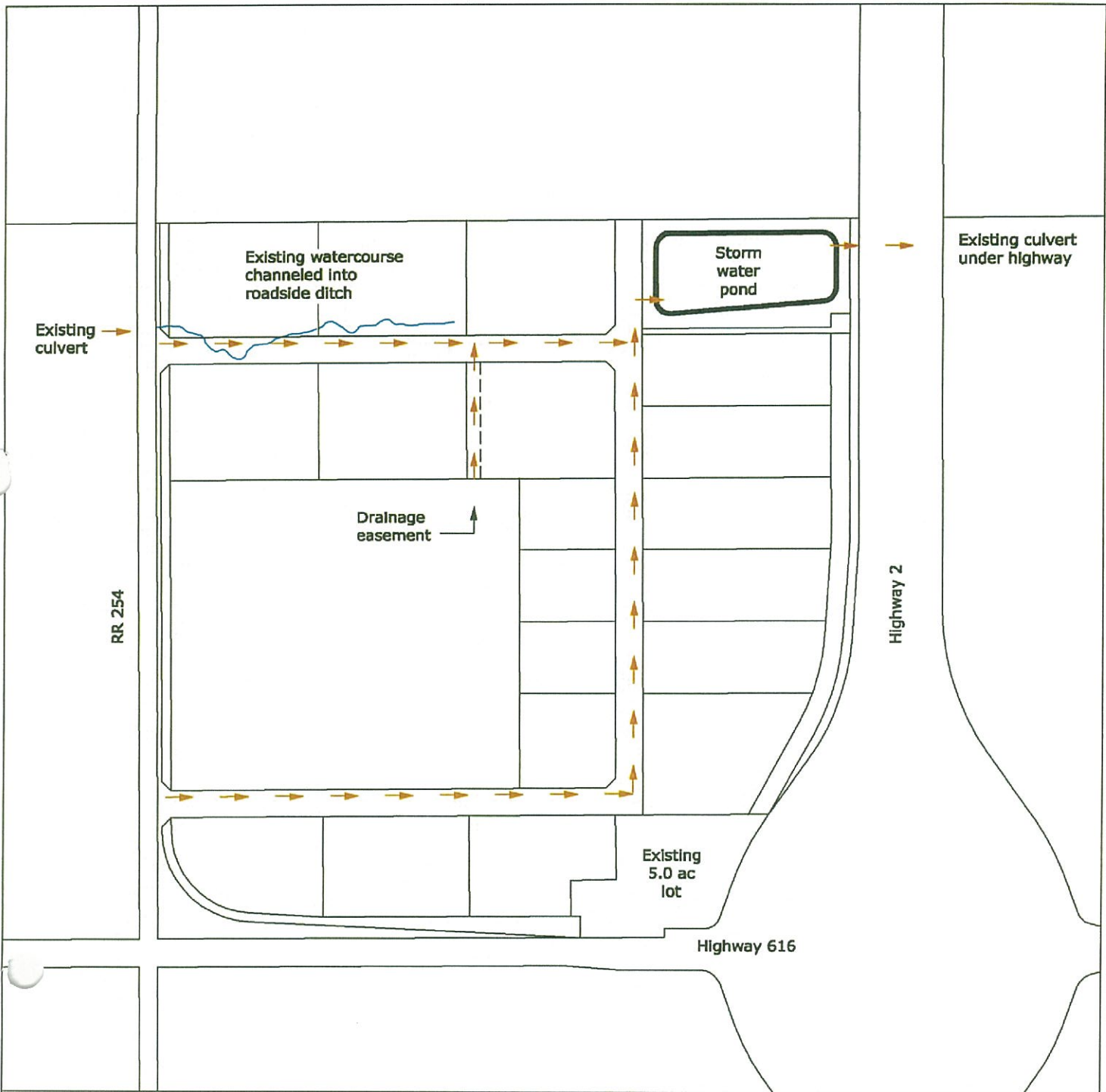
**Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 8
Road System**

The intersection of Highway 616 and RR 254 and the cross section of Highway 616 will be upgraded by the developer as recommended by the TIA and to the satisfaction of Alberta Transportation

Amended 25 November 2015

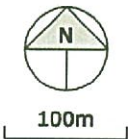


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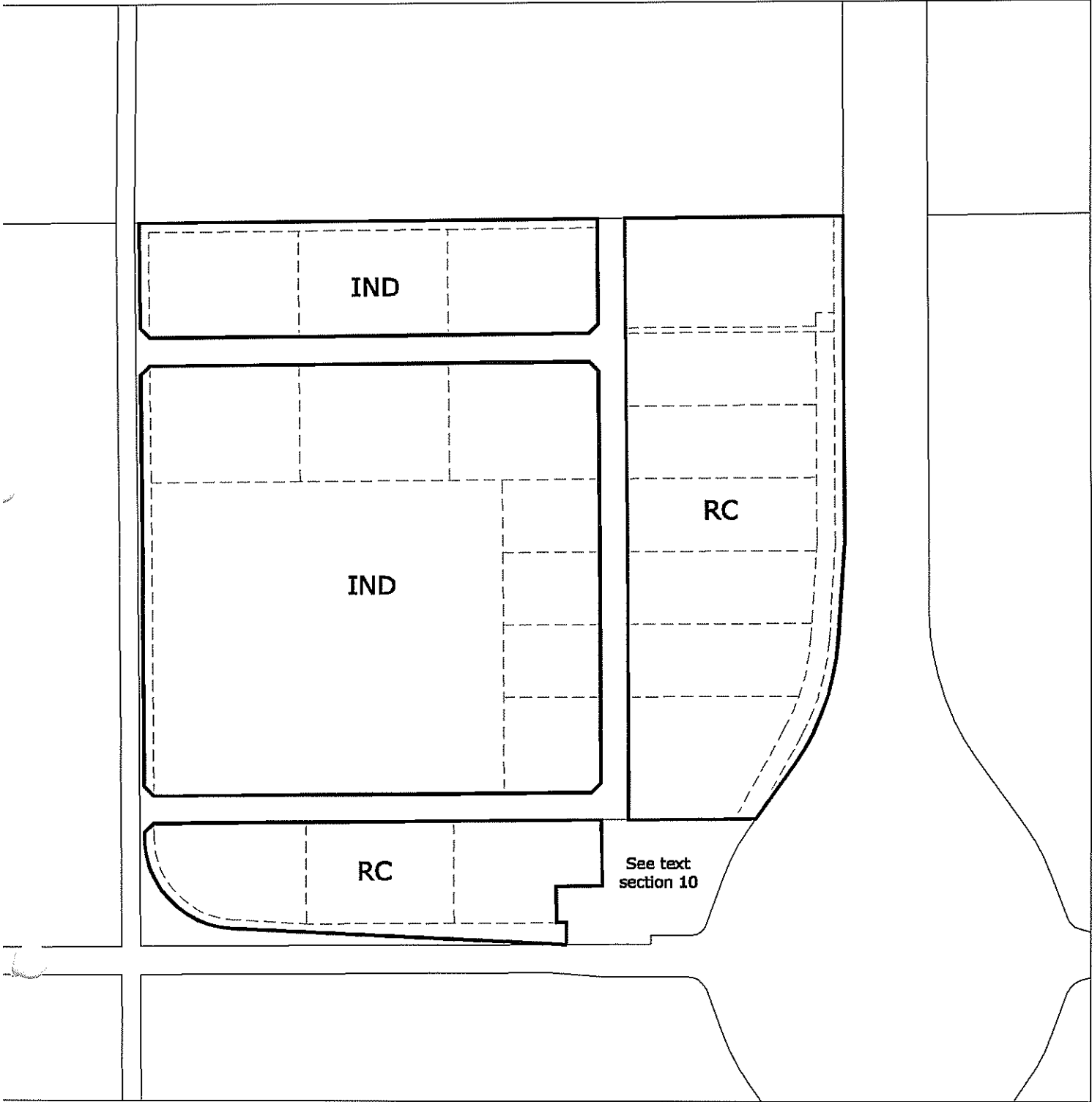


Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 9
Drainage Plan

Amended 16 September



SCHEDULE "A"



Amended 18 December 2015

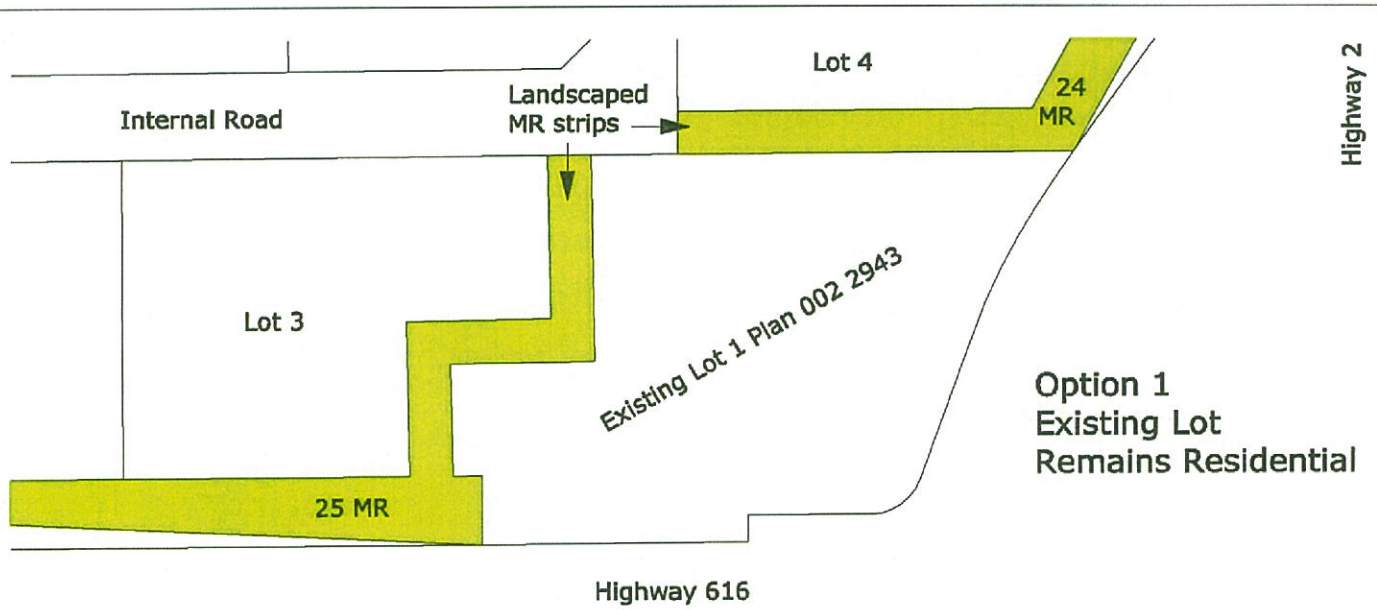
Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 10
Proposed Zoning

RC Rural Commercial
IND Industrial



100m

SCHEDULE "A"

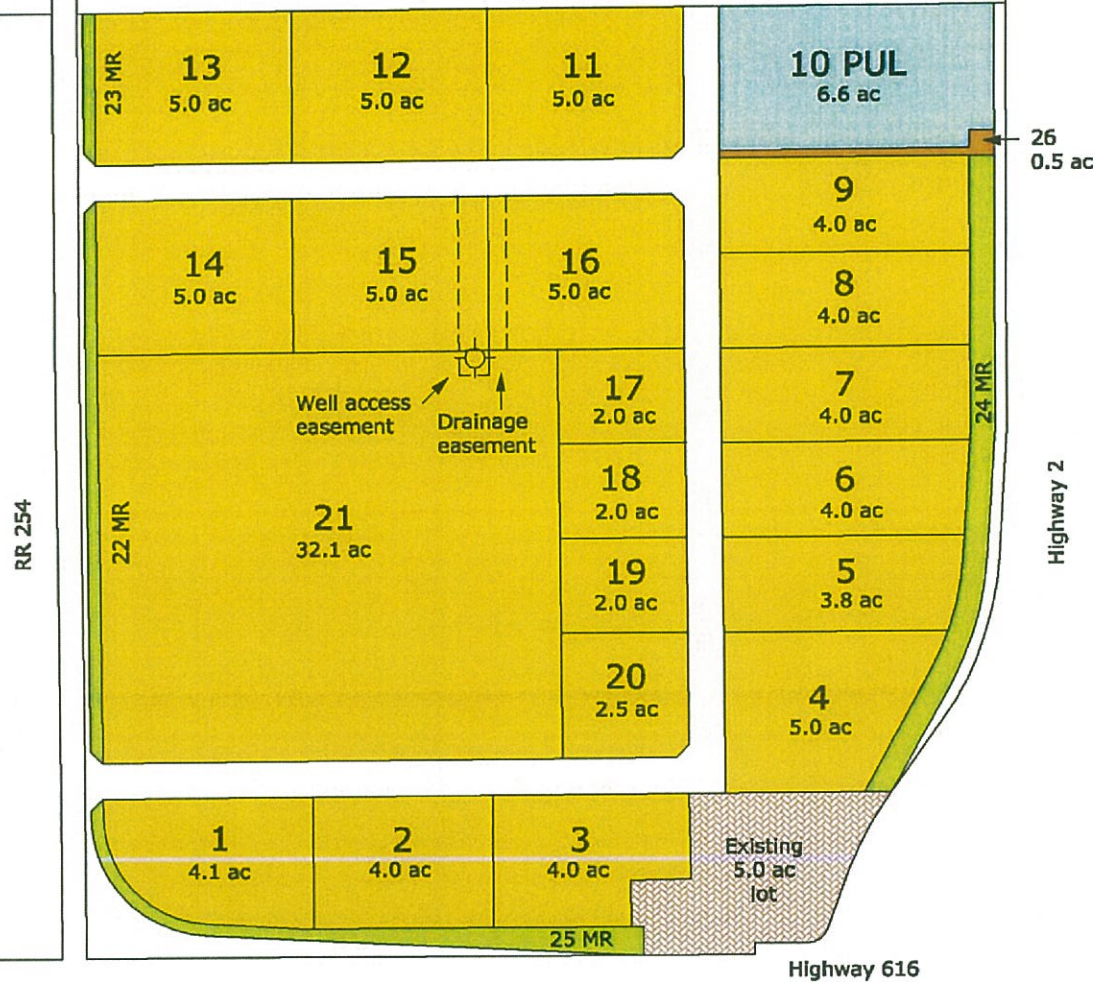


Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 11
Alternative designs for South-East Corner

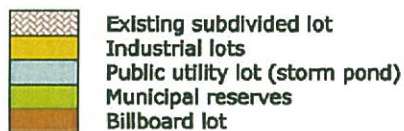
Option 1 adds 0.45 ha (1.0 acre) of MR
Option 2 adds 0.55 ha (1.4 acres) of MR



50m



**Viewland Industrial Park
Area Structure Plan
SW 33-47-25-4
Map 7
Subdivision Design**



Amended 16 September



100m