



## BYLAW 2021/51

BYLAW 2021/51 is a Bylaw of the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of authorizing the adoption of an Area Structure Plan for the purpose of providing a framework for subsequent subdivision and development of a 24.8 ha (60 acre) parcel, located within NW-11-47-27-W4M, in accordance with Section 633 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, and amendments there to.

WHEREAS as per the requirements of County Council, an Area Structure Plan has been prepared for HAYES, RICK E & COLETTE J M, located within NW-11-47-27-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, and amendments thereto.

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

1. This document attached to this Bylaw as " Appendix A" together with accompanying maps, is here by adopted for HAYES, RICK E & COLETTE J M, located within NW-11-47-27-W4M.
2. This Bylaw shall come into full force and effect upon passing of the third reading.

READ: First time this 6<sup>th</sup> day of July, 2021

READ: A Second time this 20<sup>th</sup> day of July, 2021

READ: A Third time and finally passed this 20<sup>th</sup> day of July, 2021

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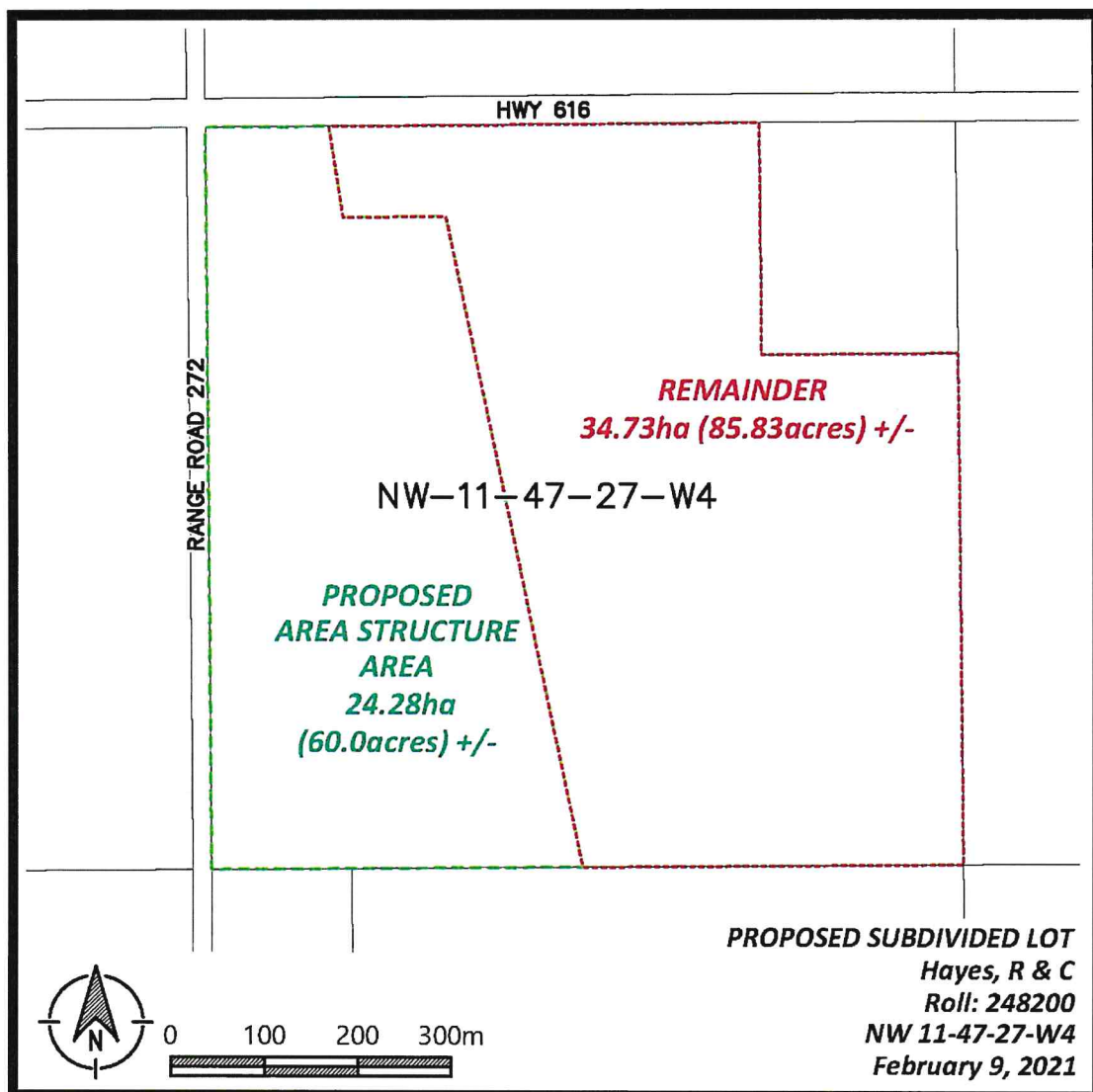
**Appendix "A"**  
**Bylaw 2021/51**

**HAYES, RICK E & COLETTE J M**

**Roll #:248200**

**NW-11-47-27-W4M**

**Total Pages in Area Structure Plan: 10**





**Area Structure Plan Supporting Documentation**

Name: Rick and Colette Hayes

LLD: NW11-47-27-W4

Rural Address: 271071 616 West

Mailing Address: Box 3, Site 12 RR2, Thorsby Alberta. TOC 2P0

Email: [Rick.hayes@wrps11.ca](mailto:Rick.hayes@wrps11.ca)  
[cjmhayes@shaw.ca](mailto:cjmhayes@shaw.ca)

Phone: 780-387-8712 (Rick)  
780-909-8379 (Colette)

**Agricultural Hobby Farm (AHF)**

As outlined in 10.3 of Wetaskiwin County's Land Use Bylaw 2017/48 document, the purpose of this proposal for a 60 acre subdivision proposal meets the intent of the **Agricultural Hobby Farm** (10.3) bylaw for the following reasons:

- An area of at least 80% of the land showing no greater than 40% soil rating. (amended by Bylaw 2019/44)
- Demonstrated compatibility between the proposed land use and existing land uses.
- Both past crop production and current soil reports indicate that this proposed 60 acres of agricultural land would support any of the permitted or discretionary uses listed in the bylaw. For example, permitted use includes agriculture, extensive. Discretionary use includes agriculture, intensive, or a market garden.
- This proposal falls in the appropriate lot size range between 5 acres and 80 acres.
- There is no residence on this parcel.
- We are not asking for the parcel to be designated as a Recreational Unit as noted in 10.3.9 of the bylaw.
- Sewage and Wastewater requirements are described in the following supporting documentation.

**Area Structure Plan.**

- We have hired Alberta Geomatics Inc from Edmonton who has created a Tentative Plan for our area structure plan. (Attached)





**Access to the Property**

- We have included a map that illustrates the three existing access points to the existing 146 acres. (Attached)
  1. The first access approach is from Highway 616 West and allows access to the existing house, farm yard as well as the proposed 86 acre parcel.
  2. The second access approach from range road 272 allows the oil company direct access to the oil lease
  3. The third access approach is an existing approach which is located further south on range road 272. This access point is currently used by the farmer to access the proposed 60 acre parcel. We are prepared to pay for improvements to this access road should that be requested.

No additional access approaches are required for this proposal.

**Consultation With Immediate Neighbours:**

On January 30, 2021 the immediate neighbours were contacted by telephone by Rick or Colette Hayes. There was a discussion with each one regarding the following points:

- To inform them that we are currently working with the County of Wetaskiwin to determine if it is possible to subdivide 60 acres of farmland from our 146 acre parcel and that we are starting the process of creating an area structure plan.
- That they might be receiving a letter from the County of Wetaskiwin informing them that they could share their views regarding this application.
- Each neighbour was asked to contact us should they have any concerns and our contact information was provided.

The feedback from all the neighbours was encouraging and no concerns were raised at this time. Listed below are neighbours that were contacted and their telephone numbers:

- Dave and Shauna Clarke (780) 361-3327
- Don Krause (780) 389-2390
- Eunice Kruger (780) 986-3720
- Alan and Noreen Moore (780) 389-2131

**Deferred Reserve Caveat**

- After reviewing the land title certificate, Kyle Miller, Municipal Planning Services, determined that *"there is no deferred reserve caveat indicated for our property."* See the attached land title document. If it is determined that we are required to attach the deferred reserve caveat, it is our preference that this would be assigned to the 86 acre portion of the area structure plan.



### **One Time Road Contribution Fee**

- We acknowledge that we will be required to pay a one time road contribution fee.

### **Alberta Historical Resources**

- On January 30, 2021, an email was sent to Martina Purdon with the Alberta Historical Resources Branch, Alberta Government. We have attached her email where she comments that *"there are no historic resources in NW 11-47-27-W4 nor has it been flagged as an area of high potential; we have no concerns with this proposed subdivision."* (Attached)

### **Well Drillers Report**

- A *Well Drillers Report* provided by Ken Papley is attached. Ken is the owner of Papley Drilling and is located at 502228 Range Road 241, Leduc County, Alberta. T4X 0M9. Please note that this report indicates that in Mr. Papley's opinion *"an additional well would not adversely impact adjacent well users."*
- A second report from Ken Papley is added to the original submission to address the *"actual drawdown and recovery rate"* of the house well. Papley Drilling Ltd. was hired on April 12, 2021 to complete a drawdown rate and his report is attached. The report indicates that:
  - the water well "produces 4 gallons per minute, which is 5760 gallons per day. The average person uses 50 gallons per day. There would be no problem with adding another dwelling or two."

### **Building Improvements**

#### **House**

The house noted below would be attached to the 86 acre remnant that will remain an agricultural district. To the best of our knowledge, the house on this property is approximately 50 years old and has been modernized over the last 5 years. We have completed the following improvement on the house at the cost of \$125,000. Listed below is a summary of these improvements:

- All of the outstanding items identified in a home inspection report at the time of purchase have been addressed. These include installation of teleposts on cement footings to replace the wooden posts, covering the entire basement with poly and wood flooring.
- New furnace, ducting and hot water heater have been installed.
- New propane tank was installed along with new propane lines from the tank to the house.





- All the plumbing lines have been replaced to current plumbing standards.
- The roof was shingled and new eavestroughs were installed.
- The electrical system has been modernized with grounded plugs, new panel and GIF plugs in the kitchen, bathroom and sump pump and the lighting fixtures have been replaced.
- New kitchen cupboards, quartz countertops and new sink in the kitchen
- Complete bathroom renovation including new shower, toilet, sink, vanity and tile throughout.
- Poplar wood panelling was installed to the walls and roof of the kitchen and living room to modernize the look and enhance the insulation of the home.
- The flooring throughout the upper level has been replaced.
- New stairs leading to the basement have been installed inside the house.
- New deck installed on screw pilings and LED lighting for the steps and perimeter.
- New wood stove installed by a certified professional.

#### Outbuildings

- A sea can and 40' x 23' pole shed were added to the property in 2015. The sea can has electrical service and an insulated room was constructed to house a skid steer. The pole shed is in excellent condition and provides storage for cars, quads, snowblower, and firewood.
- A 12' x 32' cold storage shed was on the property when we purchased the land. It is in good condition and is used to store tools, supplies and equipment.

#### Existing Neighbouring Acreage (14 acres from the existing quarter section)

We contacted Dave and Shauna Clarke who have provided the following information regarding existing buildings on their property:

- Double wide trailer is 21 years old and in very good condition.
- Garage is 13 years old and in good condition. Used to store vehicles and tools.
- Shop is 5 years old and is rated by the owner as in "new condition". The shop is used for cold storage and repairs.

#### Sewer Treatment

- The sewer empties into a two stage concrete tank for solid waste and grey water. The grey water empties into a buried septic field. The septic field is located 150 feet west of the house and 150 feet from the fence line that is parallel to Highway 616 West.
- The current sewage tank and septic field were constructed in the early 1970s and are performing very well. This tank and septic field meets the code requirements that were in place prior to 1990.



- Future property lines will enable the owner to construct a new septic field that is within the property lines. The proposed Area Structure Plan will ensure that a new septic field could be installed and it would be 300 feet from the property lines to ensure that current standards can be achieved.
- Any new property lines for the existing open discharge will also need to be the same 300 ft. setback as those described further in the section for a potential future system on the proposed 60 acre lot.
- In this regard, the planned new property lines west and south of the existing residential site will also need to have a 300 ft setback.

#### **Soil**

A soil test was conducted by Parkland Fertilizer (Co-operative Association Ltd) on April 16, 2021. (Attached). On April 30, 2021 we received an email message from Danielle Chamberland, Sales Agronomist at Cooperative Association Ltd. Danielle indicated the following:

"As per your request. I took 16 aggregated samples on the 60 acres from representative sections of the field. If you need anything else, let me know."

The results of the 16 samples from the representative sections of the field indicated that the soil textural class is: **Loam**. The actual percentages from the analysis is:

- Sand: 51%
- Silt: 29%
- Clay: 20%

The percentage ratings for the 60 acres is between **37 to 39%**, while the 86 acre remainder is **12 to 39%**.

We have attached the Land Suitability Rating System map from the Alberta Government Agricultural Website which indicates that the soil for the quarter section NW11-47-27-W4 is **2H(8)-4(2)**. The Land Suitability Rating System provides the following information:

"80% of NW11-47-27-W4 is **Class 2 land**, indicating slight limitations to growth. The limitations are caused by inadequate heat units for optimal growth, The Land Suitability Rating System is a national rating system and due to climate and Alberta has no Class 1 land."

#### **Expiry Date**

- We are aware that Wetaskiwin County Council may approve Policies from time to time that may benefit new development and/or abutting lands to development, it is the wish of Council to ensure that Area Structure Plans (ASP) that have not proceeded with a development or the registration of at least one lot within three years of the adoption of the ASP. Subsequent phases for at least one lot will, at the discretion of the County, be



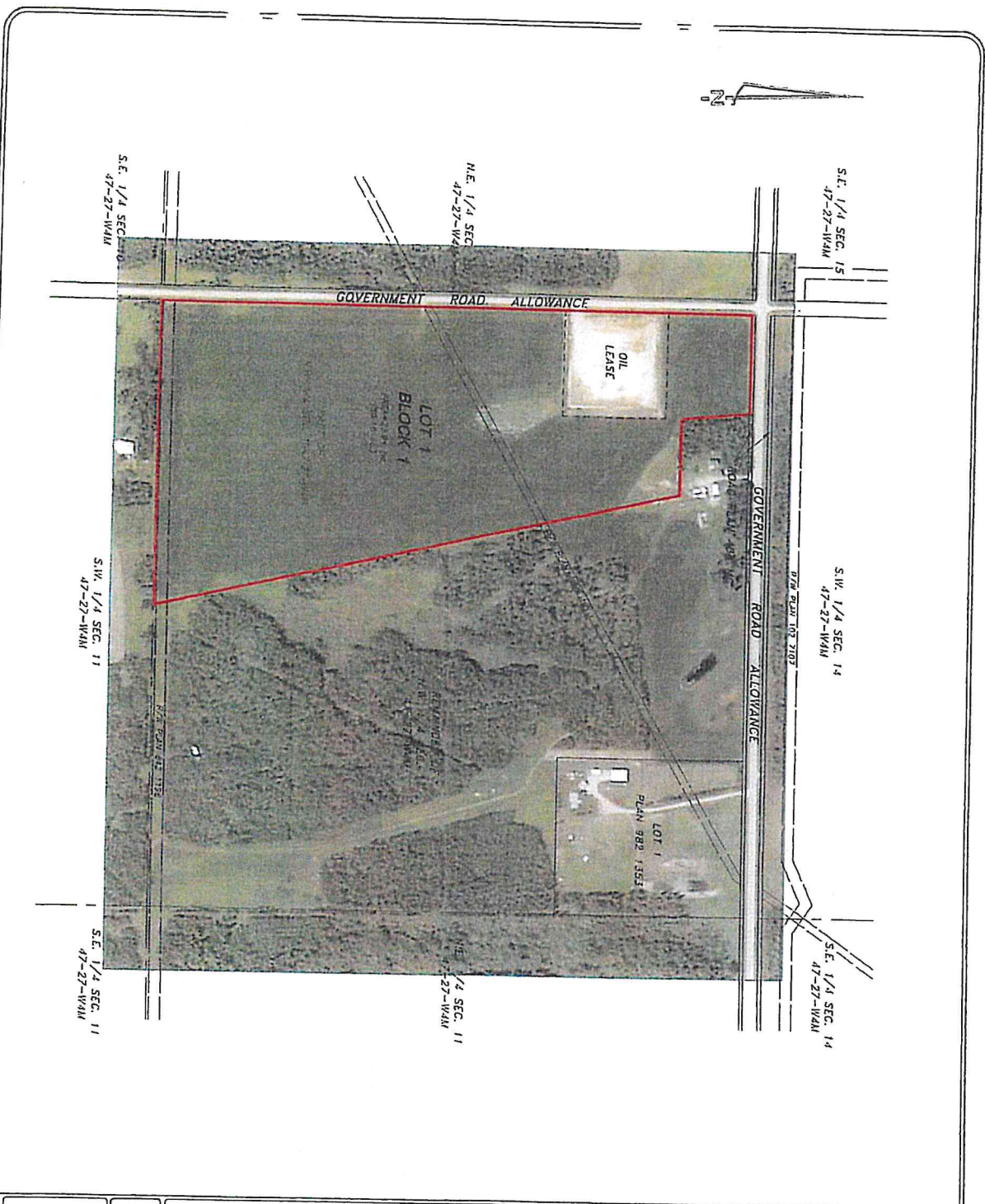
subject to the application of any new policy that would normally be applied to the Area Structure Plan and related development thereof if it were to be approved at the time of the expiry of the aforementioned three year term. We agree to the three year expiry date as noted above.







APPENDIX A / BYLAW 2021/51/ HAYES ASP



PART OF NW 1/4 SEC. 11 TWP. 47 RGE. 27 W 4th MER		
BUILDER/OWNER: R. & C. HAYES		
ADDRESS:	SUB:	
CONTRACT:	COUNTY OF WETASKIWIN	
FILE: E20600	ZONING: SCALE: 1:5000	
<b>NOTES:</b> ALL DISTANCES ARE IN METERS AND DECIMAL METERS ALL DISTANCES ON CURVED BOUNDARIES ARE ARC DISTANCES ALL DISTANCES AND ANGLES ARE APPROXIMATE AND HAVE TO BE VERIFIED BY LOCAL SURVEY THIS INFORMATION IS PRELIMINARY ONLY AND IS SUBJECT TO APPROVAL BY LOCAL AUTHORITY ALBERTA GEOSURVEYS INC. IS NOT LIABLE FOR ANY COSTS INCURRED DUE TO ERRORS OR OMISSIONS REPRESENTED BY THIS PLAN. <b>LEGEND:</b> LOCAL SURVEY NEW POSTS FOUND BY CHAN THIS		
CERTIFICATE OF TITLE AREA: 59.02 ha (145.84 ac) AREA IN PARCEL(S) BEING CREATED: 23.94 ha (59.16 ac) NUMBER OF PARCELS CREATED: 1		
No.	DATE	DESCRIPTION
1	2021-02-02	Original zoning data not to scale
<b>LOCATION MAP</b> not to scale		
<b>TENTATIVE PLAN</b>		
6505 ROPER ROAD NW EDMONTON ALBERTA T6B 2J9 email: edmonton@alberta.ca or: info@alberta.ca website: www.alberta.ca PH: (780) 437-8023 FAX: (780) 437-8024		
Alberta Geosurveys Inc.		
PREP. BY: N/A	CHECKED BY: P.S.	2021-02-02

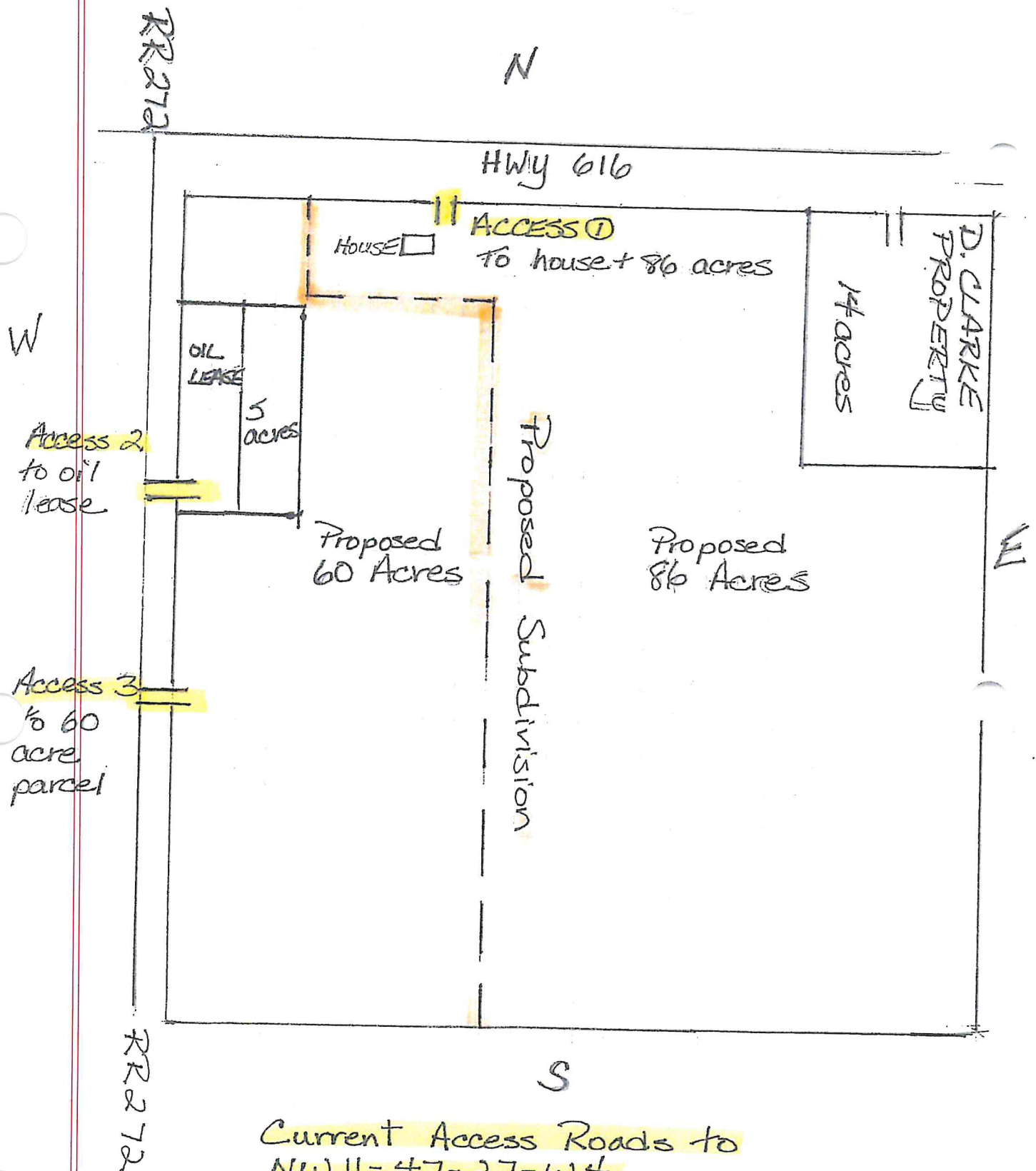




APPENDIX A / BYLAW 2021/51/ HAYES ASP







Current Access Roads to  
NW11-47-27-W4  
\* No changes required for  
proposed subdivision