



Yellowhead County

BYLAW NO. 20.10

BEING A BY-LAW TO ADOPT AN AREA STRUCTURE PLAN

WHEREAS, the Municipal Government Act, Being Chapter M-26, R.S.A., 2000, and amendments thereto, authorize a Council to adopt an area structure plan for the purpose of providing a framework for subsequent subdivision and development of an area of land;

AND WHEREAS, a public hearing was held in respect to the proposed amendments to the area structure plan on the date written below;

NOW THEREFORE, the Yellowhead County Council, in the Province of Alberta, duly assembled, hereby enacts as follows:

- 1) That the document entitled "Walker Area Structure Plan", located on the North Half of the Northeast Quarter, Section Twenty-Eight (28), Township Fifty-Three (53), Range Eighteen (18), West of the Fifth (5th) Meridian, dated ~~May~~ **OCTOBER** 2010 attached hereto as Schedule "A" is hereby adopted as an Area Structure Plan.
- 2) This bylaw comes into force at the beginning of the day that it is passed in accordance with

READ a first time this 22 Day of JUNE A.D., 2010 

PUBLIC HEARING held this 27 Day of JULY A.D., 2010.

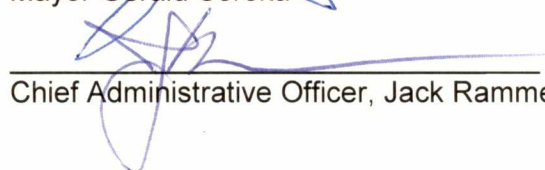
READ a second time this 12 Day of OCTOBER A.D., 2010.

READ a third time this 12 Day of OCTOBER A.D., 2010.

SIGNED this 12 Day of OCTOBER A.D., 2010.



Mayor Gerald Soroka



Chief Administrative Officer, Jack Ramme



Walker

Area Structure Plan

*North Half of the
NE ¼ 28-53-18-W5M (Part)*

Revised October 2010



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APPENDIX A – ADJACENT LANDOWNER LETTERS

1 INTRODUCTION

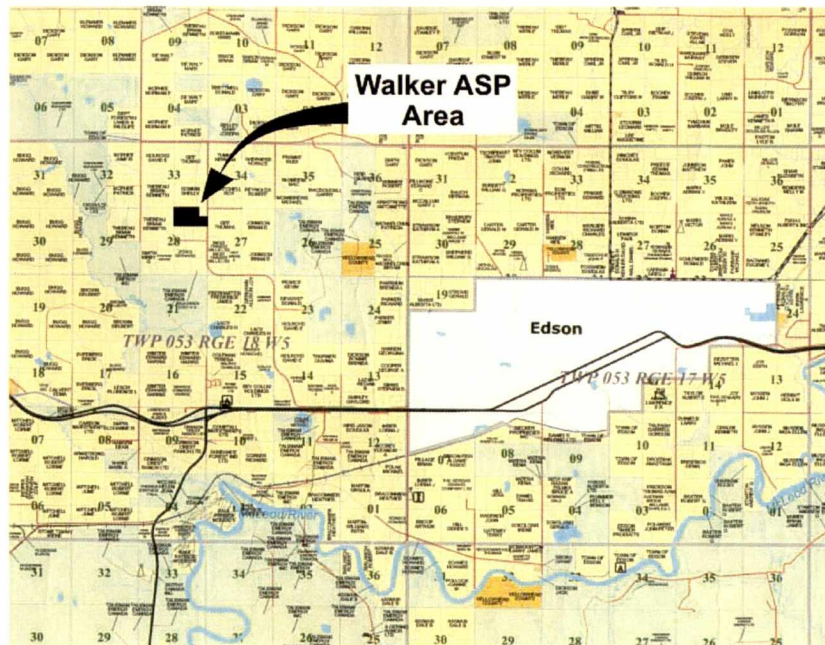
1.1 Purpose

This Area Structure Plan has been prepared on behalf of Ron Walker, and provides a framework for the subdivision and development of a six lot country residential subdivision (five new lots and the remnant) on Part of the N ½ of the NE 28 – 53 – 18 W5M in Yellowhead County (see Figure 1). The Plan area comprises some 28 hectares and includes an existing residential development located on the remnant parcel. The Area Structure Plan has been prepared in accordance with Section 633 of the Municipal Government Act, and Yellowhead County's Terms of Reference for the Preparation of an Area Structure Plan.

The Area Structure Plan document is to be considered in the context of engineering reports prepared by GENIVAR and Waterline Resources Inc. These reports have been submitted to the County under separate cover and include:

- GENIVAR, Assessment of Site Suitability for Establishment of Effluent Disposal Fields and for Building for the Proposed Sub-Division within NE 28-53-18-W5M, October 2009.
- GENIVAR, Addendum to Assessment of Soil Suitability for Establishment of Effluent Disposal Fields and for Building for the Proposed Sub-Division within NE 28-53-18-W5M, September 2010.
- GENIVAR, Walker Subdivision Traffic Impact Assessment, July 2010.
- GENIVAR, Addendum to Walker Subdivision Traffic Impact Assessment, August 2010.
- Waterline Resources Inc., Phase I Groundwater Potential Study for a Proposed 10-Lot Residential Subdivision Development Located Within NE 28-53-18-W5M, Near Edson, Alberta, November 2009.
- Waterline Resources Inc., 24-Hour Pumping Test Analysis for a Proposed 5-Lot Residential Subdivision Development Located within NE-28-53-W5M Near Edson AB, September 2010.

Figure 1.1 - Location



1.2 Background

This Area Structure Plan is being resubmitted to respond to concerns expressed by the public and adjacent landowners to an earlier Area Structure Plan submitted in May 2010 to allow for the subdivision of 10 new country residential lots. The major concerns expressed at the public hearing for the Area Structure Plan bylaw held on July 27th, 2010 include:

- Increased traffic on Range Road 183 and the impact safety on road quality;
- Increased noise and nuisance factors such as dogs barking and animals trespassing on adjacent lands;
- Long term sustainability of groundwater to sustain the proposed subdivision without drawing down on existing wells; and,
- Change in the character of the area because of increase in density.

Yellowhead County also expressed concern that the **Assessment of Soil Suitability for Establishment of Effluent Disposal Fields and for Building** was based on the January, 1999 Alberta Private Sewage Systems Standard of Practice instead of the June, 2009 Alberta Private Sewage Systems Standard of Practice. The June 2009 Standard of Practice is currently in effect.

Alberta Health Services expressed concern regarding the types of sewage disposal systems that would be feasible for those lots not recommended for installing standard effluent disposal fields.

County Council requested that a pump test be undertaken to verify water availability.

In direct response to these concerns, the landowner is proposing to reduce the number of new lots being created by half – from ten lots to five lots. All background engineering assessments have been updated to reflect the reduction in number of lots. The reduced number of lots addresses the concerns expressed by the public in the following manner:

- The amount of traffic generated by the subdivision will be reduced. The August 2010 addendum to the July 2010 Traffic Impact Assessment concludes that by 2020, the average daily traffic volume on Range Road 183 will be 1,860 vehicles. The five new lots will add 66 vehicles to the volume. This represents 3.5% of the total volume.
- Noise and nuisance factors, if any, will be reduced by half.
- A 24-hour pump test of the existing well used by the existing residence located on the subject site was done to determine adequacy of groundwater to meet the needs of five new residences without impacting surrounding wells. The 24-hour pump test determined that a five lot subdivision can be supported based on site aquifer testing and that adverse effects to existing users are not expected.
- The Assessment of Soil Suitability for Establishment of Effluent Fields has been updated with test holes being drilled and analyzed based on the June, 2009 Alberta Private Sewage Systems Standard of Practice. Test holes were drilled in August 2009 on the proposed five larger lots and water levels were checked in August and September 2009. All holes were dry at 4.0 metres below the surface. The assessment concludes that each lot is suitable for establishment of standard effluent fields. This may be a result of the larger lot sizes that provide greater opportunity for locating standard fields.

- By reducing the number of lots, the size of each lot has increased to just over 4.0 hectares (10 acres). This lot size is very much in character with the surrounding country residential development. The existing parcel in the northeast corner of the ¼ section is 10 acres in size.

It is important to note that the Plan area is located in the Foothills Policy Area of the Municipal Development Plan. The Municipal Development Plan states that:

*The Foothills Policy Area straddles a portion of Highways 16 and 47 between Edson and Hinton. It has excellent transportation connections, as well as an opportune location in between the two major centres in the region. This area is **considered suitable for residential, resource and commercial recreation uses.***

It is also important to note that the two of the three owners of lots to the south of the Plan area within the same ¼ section did not object to the initial 10 lot development concept.

1.3 Policy Context

The County's Municipal Development Plan requires that subdivisions which will result in more than five (5) parcels in a ¼ section be rezoned to CR - Country Residential. The criteria listed under Appendix B in the Municipal Development Plan in support of a rezoning must be considered and approved through an Area Structure Plan bylaw. This Area Structure Plan is being prepared in compliance with these policies that are reiterated in the Country Residential District of Yellowhead County's Land Use Bylaw No. 2.06.

As is stated above, the Plan area is located in the Foothills Policy Area of the Municipal Development Plan and this area is considered particularly suitable for country residential development.

1.4 Land Ownership

The Plan area is under the ownership of Ron Walker.

2 EXISTING CONDITIONS

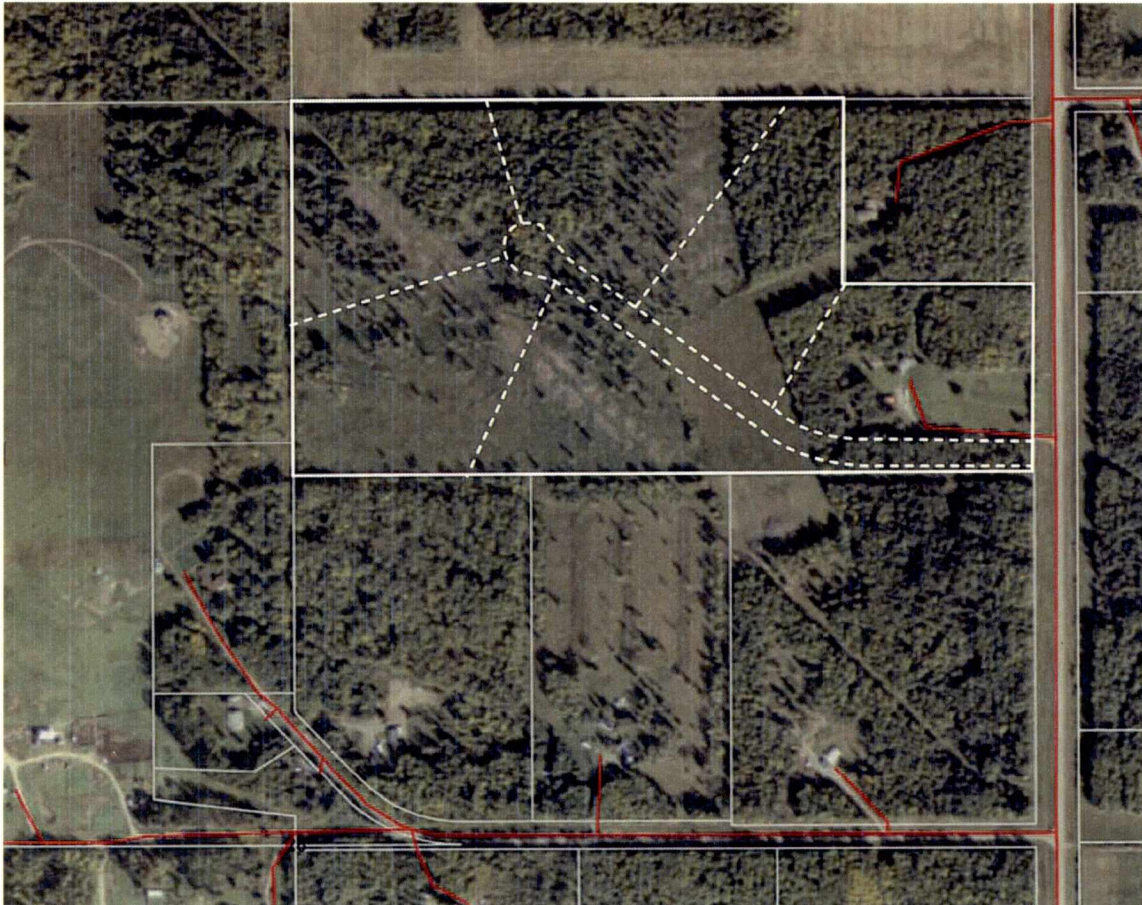
2.1 Location and Surrounding Land Uses

The Plan area is located northwest of the Town of Edson (see Figure 1 - Location) adjacent the west side of Range Road 183, three miles north of Highway 16. The surrounding land uses are predominantly rural residential and agriculture.

Two unsubdivided and undeveloped agricultural quarter sections (S½ 33-53-18 W5) are located north of the subject site with large rural residential parcels adjacent the west, south and east plan boundaries. A previously subdivided 4.0 ha parcel is located adjacent the northeast corner of the Plan area.

Two of the three parcels adjacent to the south side of the subject site are designated Country Residential (CR). These lots are well treed resulting in a natural buffer from future development. The remaining surrounding parcels and the Plan area are designated Rural District (RD). The parcels along the south and west side of the Plan area are all accessed by a common *forced* road from Range Road 183 along the south boundary of the quarter section (see Figure 2.1 - Existing Conditions).

Figure 2.1 - Existing Conditions



2.2 Site Conditions

A residence and ancillary buildings are located near the east side of the subject site with access oriented to Range Road 183. The residence is to remain and its existing access to the Range Road will be closed. Access will be reoriented to the proposed internal subdivision road. The residence is serviced with a septic field and a water well.

The majority of the Plan area is naturally treed with the exception of an area in the south central portion that has been cleared for pasture. Review of aerial photographs and site contours reveal rolling topography with an intermittent drainage course crossing the southeast corner of the Plan area.

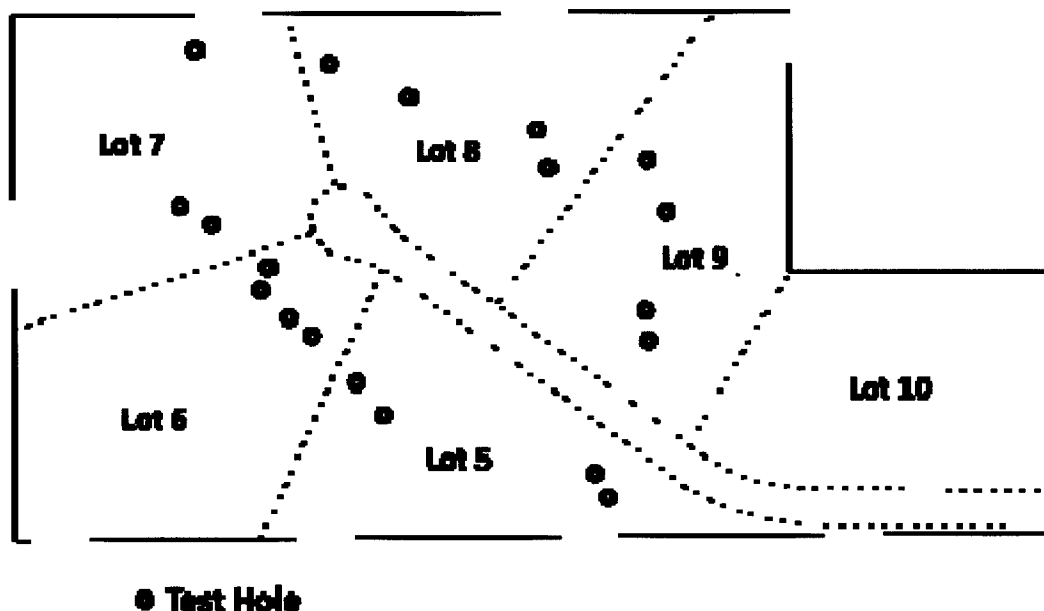
Yellowhead Gas Co-op provides gas service to the existing residence and has registered an interest against the title. The blanket easement will be restructured with expansion of service to the proposed lots. No other types of pipelines exist.

Access to the site is from Range Road 183 adjacent the east parcel boundary.

2.3 Soils and Near Surface Groundwater Table

GENIVAR drilled twenty test holes on to comply with the requirements of the Alberta Private Sewage Systems Standard of Practice, June 2009. Two test holes were drilled on each of the five undeveloped lots being proposed within the Plan area (see Figure 2).

Figure 2.2 – Water Observation Test Hole Locations



The test hole locations are considered to be generally representative of the Plan area. Hydrometer testing was undertaken and water table depths were measured. Soil conditions are silt loam, silty clay, silty clay loam, clay loam and clay material

At an average depth of 4.0 metres, no water was encountered so that the groundwater table is lower than the Alberta Environment standard of 1.8 metres for roadway and basement construction purposes. This depth is also lower than the 1.5 metre minimum separation between the lowest point where sewage effluent is discharged in a disposal field and the water table, as prescribed by 2009 Standard of Practice.

The GENIVAR report concludes that all lots are suitable for standard effluent disposal fields.

A Phase 1 Groundwater Potential Study was carried out by Waterline Resources Inc in November 2009. The study concluded that based on Alberta Environment aquifer mapping, average single well yields (~88.5 l/min) fall within the range of safe yields for the area.

An addendum to the 2009 report was completed in September 2010. This report analyzed the results of a 24-hour pump test undertaken in August and September 2010 on the well that serves the existing residence. As is noted in Section 1.2, the 24-hour pump test determined that a five lot subdivision can be supported based on site aquifer testing and that adverse effects to existing users are not expected.

2.4 Public Input

The owner of the Plan area had approached the adjacent landowners and had requested that they sign a letter indicating support for or concerns with the proposed subdivision. The development concept show to the landowners involved 10 new lots instead of the current five new lots being proposed. Only landowners immediately adjacent the site were approached since they would be most directly affected. The three letters received are contained in Appendix A.

Two of the three adjacent landowners do not object to the proposed subdivision. The third landowner expressed concern regarding increased traffic and noise.

Section 1.2 describes the public input provided at the public hearing for this Area Structure Plan. The concerns and mitigating measures are also discussed. The reduced density to five new lots will significantly reduce any negative impacts perceived by the public.

Also, it is important to reiterate that natural tree cover visually buffers all adjacent residences from the proposed development and that the large lot sizes being considered reflect the size of the surrounding country residential parcels. To ensure that the privacy of existing landowners is not negatively impacted, a restrictive covenant preventing tree removal where required can be registered on the certificates of title of the proposed lots.

2.5 Development Implications

The following development implications result from the existing conditions:

1. The Plan area's proximity to the Town of Edson and site features make it a desirable place to live as is noted in Municipal Development Plan policies.
2. In terms of natural amenities and aesthetic features, the Plan area provides an excellent mix of varied topography and naturally treed areas and creates an attractive setting for accommodating low density residential uses.
3. The proposed country residential use of the site will be compatible with adjacent land uses.
4. The existing residential development will be integrated into the subdivision of the Plan area. The existing access to the residence will be re-oriented to the internal subdivision road.
5. The 2010 assessment of effluent disposal fields done by GENIVAR states that all five lots can be served by standard effluent systems and that the water table is below the minimum requirement for the construction of roads and basements.
6. The Phase 1 Groundwater study and the 2010 addendum that analyzes the results of a 24-hour pump test conclude that the withdrawal of sufficient water to support residential development is present and does not pose a risk to the long term viability of the aquifer.

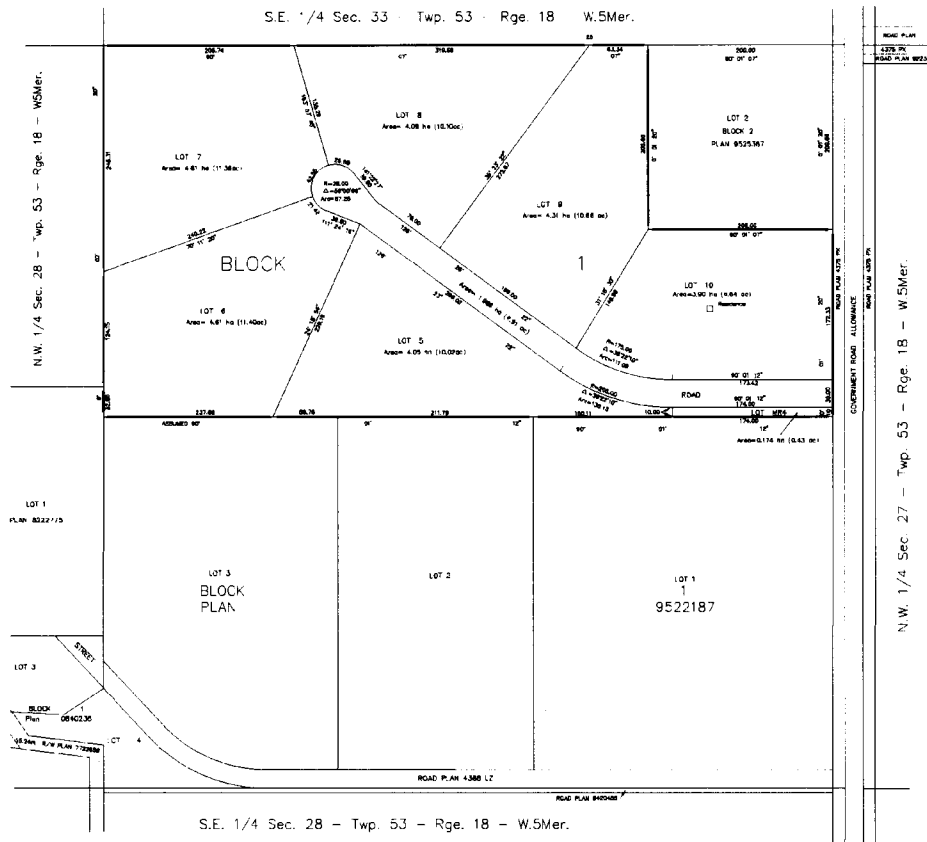
The foregoing implications are recognized by the Development Concept described in Section 4.

3 DEVELOPMENT CONCEPT

3.1 Development Objective

The primary development objective of the Area Structure Plan is to create an attractive country residential development in a natural setting. The development concept shown on Figure 4.1 reflects this objective, and recognizes the development implications and relevant Municipal Development Plan policies and Land Use Bylaw regulations.

Figure 3.1 - Development Concept



The major design elements of the concept which respond to the above noted objective are listed below.

1. The short access road that extends into the Plan area recognizes the intermittent drainage course and protects the integrity of the watercourse with the placement of a large culvert near Range Road 183.
2. The road follows the natural topography of the area. Disturbance of the natural environment is minimized.
3. Proposed lots are a minimum of 4.0 hectares (10 acres) in size in compliance with the Country Residential (CR) district of the Land Use Bylaw. The bylaw requires a minimum lot size of 1.0 hectare (2.47 acres).

4. All lots encompass natural vegetation with treed buffers from adjacent residential uses.
5. Each lot contains a 0.4 hectare (1.0 acre) developable area as per the County's Municipal Development Plan policies and Alberta Environment's 2009 Standards for Unserved Subdivisions.

The concept results in the following land area distribution:

Table 1 - Land Use Areas (*The land area figures will be confirmed at the time of subdivision.*)

Gross Developable Area	27.7 ha	100%
Municipal Reserve	Cash-in-lieu	0.0%
Roads	2.01 ha	7.3%
Residential	25.69 ha	92.7%

Approximately 2.77 ha of Municipal Reserve is owing and will be provided as cash in lieu of land. The exact amount of reserve owing will be reconciled at the time of subdivision.

3.2 Development Concept Description

The Development Concept results in five (5) new country residential lots plus the remnant for total of six (6) lots and the internal subdivision road. As is noted above, the size and dimensions of all proposed residential lots comply with the Land Use Bylaw, and a 0.4 hectare developable building area is included in each lot. As is also noted above, the size of the proposed lots is a minimum of 4.0 hectares which is four times the minimum 1.0 hectare (2.47 acres) size prescribed by the Bylaw.

The large lots proposed by this Area Structure Plan will allow for greater building setbacks and generous building envelopes. The efficient circulation pattern involves a short cul de sac with access to Range Road 183.

3.3 Population and School Generation

Population and students generated by the Plan area are summarized below. Population projections assume a density of 3.1 persons per dwelling unit, while school generation assumes 1.2 students per dwelling unit.

Table 2 – Population and School Generation

Population	19 persons
Projected Student Generation	7 students

Students will be integrated into the Grande Yellowhead Public School Division #35 and will be bussed to schools located in Edson.

All other community services such as police and fire protection are available through the County and/or the Town of Edson that is located southeast of the Plan area.

4 CIRCULATION AND MUNICIPAL SERVICES

4.1 Circulation

As is noted in the preceding section, access to the Plan area is available from Range Road 183. The rural road cross section proposed for the internal subdivision will comply with the typical 30m rural section as per Yellowhead County's Servicing Standards. All approaches will also be constructed to County standards. A large culvert is installed near Range Road 183 to accommodate the intermittent drainage course and stormwater flows.

4.2 Municipal Services

Waterline Resources Inc. prepared a Phase 1 Groundwater Potential Study for the development in November 2009. This report has been submitted to the County along with this Area Structure Plan, and was prepared pursuant to the Municipal Government Act. The Water Act requires that any person residing within a subdivision on a parcel of land has the right to divert water only if a report certified by an accredited professional is submitted that confirms *that the diversion of 1,250 cubic metres of water per year for household purposes for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved.*

The report concludes that the quality of the groundwater for potable purposes is typical of the area, and generally meets the Canadian Drinking Water Quality Guidelines.

An addendum to the 2009 Waterline Report has also been submitted to the County. The addendum letter analyzes the results of a 24-hour pump test on the existing well located on the site and concludes that a five lot subdivision can be supported based on site aquifer testing and that adverse effects to existing users are not expected. This means that the Plan area can be serviced with on-site water wells.

The GENIVAR Assessment of Soil Suitability for Establishment of Effluent Fields based on the June, 2009 Alberta Private Sewage Systems Standard of Practice concludes that all lots are suitable for the establishment of standard effluent fields.

Stormwater will be directed from the development via roadside ditches and the existing intermittent drainage course. As is noted above, a large culvert will accommodate the intermittent drainage course and stormwater flows.

4.3 Shallow Utilities

Privately operated shallow utility services will be extended into the site from the existing regional systems. These services include power, gas from Yellowhead Gas Co-op and Telus facilities.

5 IMPLEMENTATION AND STAGING

The Area Structure Plan area is proposed to be developed in one stage.

The Land Use Bylaw is proposed to be amended from the existing Rural District (RD) to Country Residential (CR) concurrent with the approval of this Area Structure Plan to allow for subdivision and development.

APPENDIX A - ADJACENT LANDOWNER LETTERS

May 8, 2010

Dear Neighbour:

Re: **Proposed Country Residential Subdivision**

I am in the process of preparing an Area Structure Plan to provide a framework for the subdivision and development of an eleven (11) lot country residential subdivision adjacent your lot on Part of the N ½ of the NE 28 – 53 – 18 W5M. The Plan Area comprises some 28 hectares. A copy of the proposed subdivision is on the reverse side of this letter. The Area Structure Plan will be prepared in accordance with Municipal Government Act and Yellowhead County requirements.

To indicate your views regarding the proposal, please check one of the boxes below and provide your comments. Your response will help us to prepare the Area Structure Plan document for review and approval by Yellowhead County Council. The letter can be mailed to Ron Walker, at 204-5037 7 Avenue, Edson, Alberta, T7E 0A8.

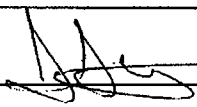
As a property owner adjacent to the proposed Country Residential subdivision:

I do not object to the proposed subdivision.

I am not in favour of the proposed subdivision.

Comments: - not interested in increased ~~property~~ population
density, increased traffic - " increased noise
esp. at night i.e. barking dogs -

Name and Address (please print): Shelly Steiracher & Rick Randleman
Lot 7 - 9522 187
Box 7692
Edson AB T7E 1V8

Signature(s):  for both above names.

Questions or comments can be directed to me at 780.723.3181.

Yours truly,
Ron Walker

May 8, 2010

Dear Neighbour:

Re: **Proposed Country Residential Subdivision**

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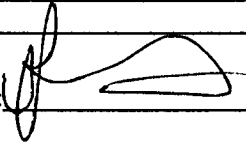
As a property owner adjacent to the proposed Country Residential subdivision:

I do not object to the proposed subdivision.

I am not in favour of the proposed subdivision.

Comments: _____

Name and Address (please print): RICK CARBY
Box 7236 EDSON
T7E 1V5

Signature(s):  _____

Questions or comments can be directed to me at 780.723.3181.
Yours truly,
Ron Walker

May 8, 2010

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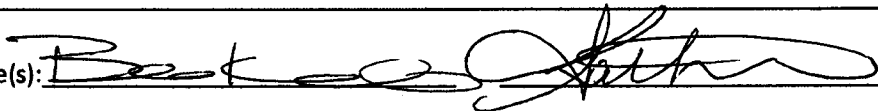
As a property owner adjacent to the proposed Country Residential subdivision:

I do not object to the proposed subdivision.

I am not in favour of the proposed subdivision.

Comments: _____

Name and Address (please print): Blaine & Andrea Kathrein
BOX 6071, Edson AB T7E 1T6
18310 Trwp Rd 534A

Signature(s): 

Questions or comments can be directed to me at 780.723.3181.

Yours truly,
Ron Walker