

**MUNICIPAL DISTRICT OF BRAZEAU NO. 77**

**Bylaw No. 358-99**

**BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BRAZEAU NO. 77, IN THE PROVINCE OF ALBERTA, TO ADOPT AN AREA STRUCTURE PLAN FOR PART OF NE ¼ 13-49-8-W5M NAMELY THE "PALMER AREA STRUCTURE PLAN" AND TO AMEND LAND USE BYLAW NO. 109-90.**

**WHEREAS**, Council of the Municipal District of Brazeau No. 77 deems it expedient and proper, under the authority of and in accordance with the *Municipal Government Act*, Chapter M-26.1, Revised Statutes of Alberta, 1994 and amendments thereto, to adopt an Area Structure Plan to provide a framework for the subdivision and development of an area of land within the Municipality and, to make certain amendments to land use Bylaw No. 109-90.

**WHEREAS**, the public participation requirements of Section 692 of the *Municipal Government Act*, Statutes of Alberta, 1994, Chapter M-26.1, have been complied with;

**NOW THEREFORE**, the Council of the Municipal District of Brazeau No. 77 duly assembled, enacts as follows:

1. That this bylaw and attached Schedule "A: shall be known as the "Palmer Area Structure Plan".
2. That the Palmer Area Structure Plan shall provide the framework and policies for the future development of Part of the NE ¼ 13-49-8-W5M.
3. That the land use designation of a portion of Pt. of NE ¼ 13-49-8-W5M (40.0 acres more or less) as outlined on Schedule "B" attached hereto, be changed from Agricultural to Country Residential Land Use District and the appropriate Land Use District Map be amended accordingly.
4. That this bylaw shall take effect on the date of its final passing by Council.

**READ** a first time this 8<sup>th</sup> day of April, 1999.

**READ** a second time this 15<sup>th</sup> day of June, 1999.

**READ** a third time and finally passed this 15<sup>th</sup> day of June, 1999.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Municipal Manager

## **PALMER AREA STRUCTURE PLAN**

For Part of the NE ¼ 13-49-8-W5M

This Area Structure Plan is to obtain the ability, under the Land Use By-law, or amendments thereto, to create a country residential subdivision in the Northeast Quarter of Section 13, Township 49, Range 8, West of the Fifth Meridian. It is assumed that should the Land Use By-law be amended as we propose, that the subdivision will also, at that time, comply with the General Municipal Plan.

### **PLAN BOUNDARY**

This Area Structure Plan will be approximately the Northeasterly 40 acres (LSD 16) within the boundaries of the Northeast quarter of Section 13, Township 49, Range 8, West of the Fifth Meridian, bounded on the North by the North boundary of the section, adjacent to an existing Mobil Oil of Canada Ltd. lease road. The east boundary of the plan is road Plan 1967 P.X. which has widened the road allowance to 30.28 meters. The carriageway is paved and the ditches are deep enough to adequately look after the storm water. There is enough area in the present road plan to widen the grade should that become necessary. The South boundary of the plan is the North boundary of subdivision Plan 902 3193, and the West boundary is in line with the West boundary of the same plan.

### **LAND USE AND DENSITY**

The proposed use of the land is to be country residential and in order to comply with the Land Use By-law the minimum parcel size would have to be 4 acres. The land has very little arable soil, and approximately 4 acres is given over to a wellsite lease and access road.

The dedication of the access road along the North boundary of the Area Structure Plan will take approximately 2 acres of developable land from the area. Approximately .52 acres has already been taken from along the East Boundary of the plan area by road Plan 1967 P.X. The Mobil lease and access road into LSD 16 may be fenced. The well has been converted to a water injection well and so the potential danger of the facility has been considerably reduced.

## SITE SUITABILITY

The site is adjacent to a country residential subdivision Plan 902 3193 on the South boundary of the Plan Area. A residence is on the West 80 acres and a farm residence is across the road to the North and to the East. Country Style Trailer Court is East across the road from the North half of this site. Acreages exist on both sides of the North South road allowance approximately 1 mile to the west including a half section of 20 acre parcels known as Meadowland Acres. The Canada Land Inventory map rates the soil as totally 4D which has severe limitations that restrict the range for crops and requires special conservation practice. The soils are low to fair in productivity for most crops but might sustain and give higher yields to specially adapted crops. Sub class D soils have undesirable soil structure and low permeability. The soils are difficult to till, absorb water very slowly and the depth of the rooting zone is restricted.

Due to the type of soil, and on inspection of various acreages in the area, septic fields are not the best solution for on-site sewage disposal since they clog up and become useless after relatively few years of use. It is with this in mind that this Area Structure Plan is adopting the evaporation mound for sewage disposal. A Restrictive Covenant will be placed on each title by the developer to ensure that an evaporation mound is installed. When built properly and located strategically, they are efficient, odorless and several in the surrounding Municipalities have been operating for 20 years and longer and still are effective. If a concrete settling tank is installed between the residence and the mound, and is pumped out regularly (every two or three years), the length of operation of the mound is enhanced significantly. For this reason, no percolation tests for the subdivision area are contemplated. Testing will be performed by a qualified engineer to ascertain the adequacy of the potable water and to determine the depth of the surface water table. It is anticipated that results of these tests will be available at the public hearing and before third reading is given to the By-law.

There are resource production facilities on the site consisting of a Mobil Oil water injection well – MOBIL NP 16-13-49-8 and its access road from the North. Judging from the appearance of the access road and gate, it would appear that the site is visited only infrequently

by Mobil Oil staff. There is a water supply pipeline (Plan 882 0683) entering the site from the West. A Mobil Oil access road exists along the North boundary of the proposed subdivision. It is the intention of the Area Structure Plan and subsequent subdivision to have this road (for the width of the subdivision) dedicated as a public road and owned by the M.D. Some ditching will be required to be undertaken at the expense of the Developer along this road, and its width increased to 25 meters by way of dedication.

Another Mobil Oil access road exists on the West 80 acres of the parcel for a wellsite in LSD 10. This access road is being used as a basis for a development concept of the West 80 acres, but is outside the boundaries contemplated by this Area Structure Plan.

The boundaries of four of the proposed acreages are to end on the West boundary of the North/South lease access road to well 16-13 and a fence will be erected to prevent the wellsite and road from being encroached upon by the acreage owners. Once Mobil Oil is completely finished with the wellsite, the leased land will become the property of the then owners of the lots bearing the lease interest.

## **TRAFFIC CIRCULATION**

The Municipal District of Brazeau No. 77 has constructed and paved the road on the East boundary of the quarter section, which connects approximately one half mile to the South to a paved main road which in turn, takes traffic into the Town of Drayton Valley, a distance of two miles from the subdivision to 50<sup>th</sup> Street. The excellent Mobil Oil lease road existing on the North boundary of the subdivision connects to the M.D. road, one mile West. This Area Structure Plan requires that Mobil's lease road, along the north limit of the subdivision, be assumed by the M.D. to become a public road.

It is expected that each parcel will have its own approach. There would be three approaches on the North/South road allowance and three from the road on the North limit of the parcel. Upon studying the traffic in the area, one finds it to be very minimal except possibly for an hour or so in the mornings on school and work days. It is felt that the single approaches would be far more acceptable to future owners, rather than using the double approach theory.

## **UTILITY SERVICES**

A three wire TransAlta Utilities power line exists on both the East and North boundary of the parcel. TELUS telephone lines (buried) are across the road from the power lines. Evergreen Gas Co-op just complete gas installation to Country Style Mobile Home Park which should make gas service available to this new subdivision. It appears that no utility lots would be required to handle storm water as the existing ditches adjacent to the road are quite adequate.

## **COMMUNITY SERVICES**

With the subdivision anticipating only six families, it is assumed that the existing services such as schools, recreation facilities, fire protection, etc. are available in the Town of Drayton Valley. The M.D. makes significant annual contributions to the Town to ensure the availability of these services to its citizens, and has in place agreements with the Town to secure the use of these facilities.

## **RESERVE LAND FOR PARKS AND SCHOOLS**

The Area Structure Plan will defer reserves required to the balance of the quarter section (West 80 acres) until such time as that area is developed.

## **ENVIRONMENTAL RESERVE**

There is no part of the approximately 120 acres in this Area Structure Plan proposal that would require the dedication of environmental reserve.

## **STAGING**

Due to the excellent condition of the roads in the area and the existence of all utilities installed to the boundaries of this proposal, the only construction required at this time would be the building of the approaches to the individual parcels and the ditching along the East/West Mobil Oil access road on the North boundary of the subdivision. Staging would not be required. Application for

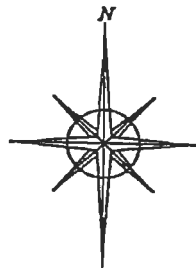
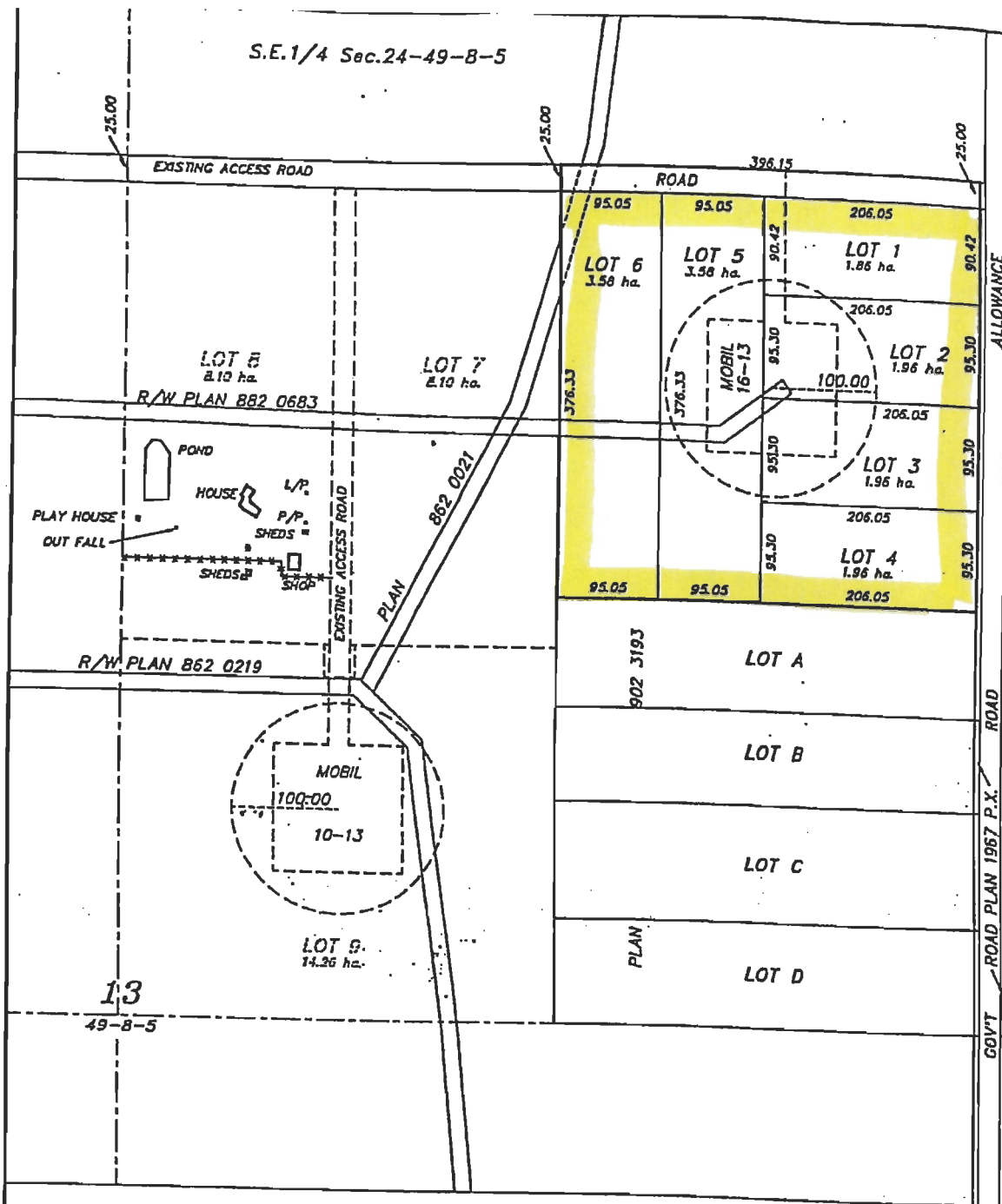
redistricting from Agriculture to Country Residential land use and the application for approval of the Area Structure Plan, will be made at the same time in order that the public hearings for each could be held at the same time.

## **IMPLEMENTATION**

It is felt that the best approach to the implementation of this Area Structure Plan is to have the application for redistricting to be made at the same time because the area is such a "natural" for country residence living. It would be difficult for a public hearing to find any reason other than personal feelings, to justify not approving the Area Structure Plan and its subsequent subdivision application.

The referrals required by the subdivision process could be carried out simultaneously with those required in the Area Structure Plan process saving both time and money. Although the Area Structure Plan is subject to change, with some possible redesign, these requirements could be part of a "conditional approval" at the subdivision stage. If the redistricting application and the Area Structure Plan are approved, application for subdivision would proceed as soon as possible. The two By-laws would have to be given 3<sup>rd</sup> reading before the subdivision application would be approved in its final form (i.e. Plan of Survey).

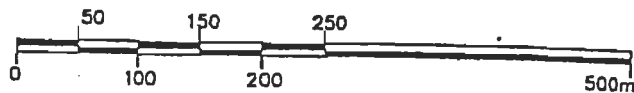
S.E.1/4 Sec.24-49-8-5



**TENTATIVE PLAN**  
 SHOWING AREA TO BE REDISTRICTED  
 FROM AG-1 (ARGRICULTURAL) TO CR(COUNTRY RESIDENTIAL)  
 FOR PART OF THE

N.E.1/4 Sec.13-49-8-5  
 M.D. BRAZEAU No.77

SCALE 1:5000m



1. ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
2. AREA AFFECTED BY THIS PLAN BOUNDED THUS... AND CONTAINS 15.90 ha.

**J.K.SMITH ALBERTA LAND SURVEYOR**  
 DRAYTON VALLEY, ALBERTA  
 PH: 542-5252 FAX: 542-5044

DATE MAR.09/99

FILE No. 98-09