

THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA

BYLAW 11-33

A bylaw of the County of Vermilion River in the Province of Alberta to adopt the Area Structure Plan for Lot 2 Robinwood Acres (Lot 2, Block 1, Plan 1218TR in SE 33-49-1 W4M)

WHEREAS the Council of the County of Vermilion River deems it to be in the public interest to adopt the Lot 2 Robinwood Acres Area Structure Plan for Lot 2, Block 1, Plan 1218TR in SE 33-49-1 W4M;

NOW THEREFORE the Council of the County of Vermilion River, duly assembled, hereby enacts as follows:

THAT the Lot 2 Robinwood Acres Area Structure Plan for Lot 2, Block 1, Plan 1218TR in SE 33-49-1 W4M, being Schedule "A" attached to and forming part of this By-Law, be adopted.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

THIS Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Reeve and Chief Administrative Officer.

Read a first time this 25TH day of November, 2011

Advertised the 23 day of December, 2011 AND the 28 day of December, 2011 in the Mirvian Reporter.

PUBLIC HEARING held the 4 day of January, 2011 at 6:00 p.m.

READ A SECOND TIME THIS 24 DAY OF January, 2011²

READ A THIRD TIME AND FINALLY PASSED THIS 24 DAY OF January, 2011²

SIGNED by the Reeve and Chief Administrative Officer this 25 day of January, 2011²

Richard Van Ce
REEVE

A King
CHIEF ADMINISTRATIVE OFFICER

Lot 2 Robinwood Acres Area Structure Plan



Prepared by:  **Durrance
Projects**

In partnership with: **Ross W. Sharp
& Associates, Ltd.**

nhc
northwest hydraulic consultants


THURBER ENGINEERING LTD.

BEC
BLANCHARD
ENVIRONMENTAL CONSULTING


**bunt
& associates**
TRANSPORTATION PLANNERS
& ENGINEERS

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1.0 Introduction

1.1 Purpose

The Lot 2, Robinwood Acres ASP is required by the County of Vermilion River to facilitate the future subdivision of an existing 19 acre lot located in the Robinwood Acres country residential subdivision within the County.

The Development Concept Plan will illustrate how the existing 19 acre site can accommodate four country residential acreage lots that can be independently serviced with water wells or cisterns, septic tanks and tile fields.

The existing 5515 square foot home and 32 'x 48' foot barn are to remain on site on a five acre lot that is proposed to be subdivided from the 19 acre parcel. This executive style four bedroom /four bathroom home was built in 1974 and remains in good repair.

The barn contains 5 stalls and is also in good shape. The Development Concept Plan will illustrate the need to relocate the existing sanitary sewage mound onto the newly created five acre lot. There is also a need to relocate much of the paddock fencing that is in place.

Driveway access onto RR# 13 will remain in place to provide access to the newly created five acre lot.

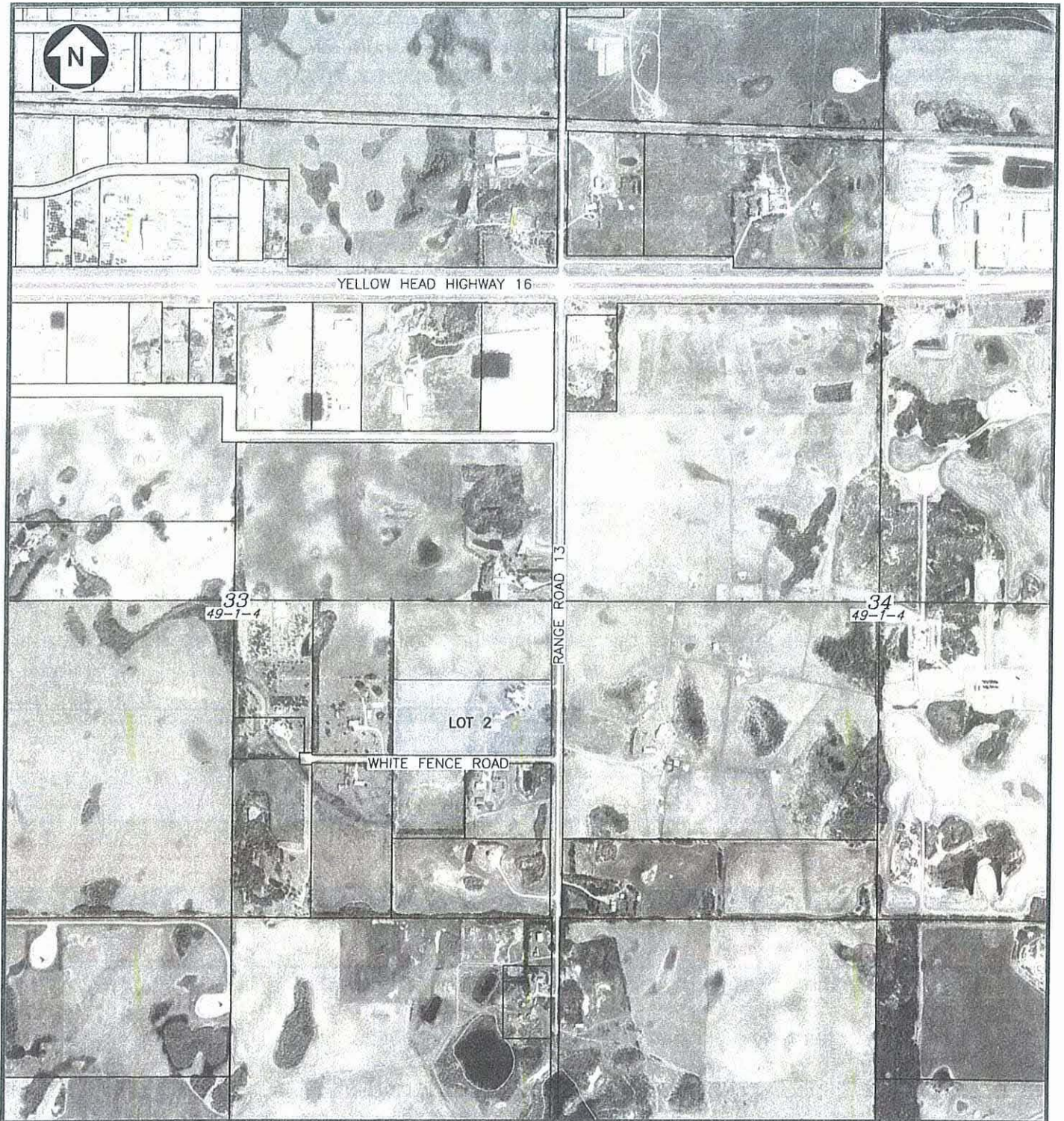
1.2 Location

The Robinwood Acres Country Residential subdivision was subdivided from the SE of 33-49-1-W 4M. The subdivision is located 1 mile west of the corporate boundaries of the City of Lloydminster and $\frac{3}{4}$ miles south of Highway 16 on Range Road 13.

Lot 2, Block 1 within Robinwood Acres is the subject parcel within this area structure plan.

While the existing home has access onto RR#13, the two new parcels will have access onto the east/west local road named White Fence Road. No changes to the White Fence Road structure are required for the new parcels.

Figure # 1 - Location Map



1.3 Policy Context of the Area Structure Plan

The proposed Lot 2 Robinwood Acres Area Structure Plan must comply with the Municipal Government Act and the various policy documents of the County of Vermilion River including the Municipal Development Plan, Inter-municipal Development Plan and the Land Use Bylaw.

1.3.1 Municipal Government Act

The requirements of the Municipal Government Act (MGA) have been met by this area structure plan. The MGA enables the County of Vermilion River to adopt area structure plans that provide a framework for the future subdivision and development of land.

Sections 633, 636, 638, and 692 of the MGA relate specifically to area structure plans stating that these plans:

a) must describe:

1) the sequence of development proposed for the area

The Development Concept Plan indicates that all three parcels are within the same initial phase given that the overall parcel is only 19 acres in size.

2) the land uses proposed for the area either generally or with respect to specific parts of the area

The proposed land uses are country residential for all four parcels

3) the density of the population proposed

The proposed density would equate to 11 persons based on 3.5 people per household.

4) the general location of major transportation routes and public utilities.

Highway # 16, RR # 13 and White Fence Road will be identified along with the location of the power and gas lines servicing the subdivision.

b) may contain any other matters Council considers necessary

The Lot 2 Robinwood Acres Area Structure Plan will provide the additional information required by the County of Vermilion River as per PD- 011- ASP Standards and Development Charges.

The MGA provides the public and organizations such as School Boards the opportunity to participate in the planning process by requiring this ASP to be adopted through a Public Hearing and Bylaw process.

1.3.2 Municipal Development Plan

The Lot 2 Robinwood Acres Area Structure Plan must comply with the County of Vermilion River's Municipal Development Plan being Bylaw No.07-14 , Office Consolidation dated November, 2009.

The County's MDP provides guidance for growth management and development in the future and provides a number of policy statements that are applicable to this area structure plan.

Section 2.0 Country Residential Development within the MDP is perhaps the most relevant section of the MDP applicable to this ASP.

"Statement of intent:

The County of Vermilion River has experienced some country residential development and will accommodate more as demand increases"

With the improving economy within the region we foresee an increase in demand for high end acreages such as being proposed within this ASP.

"The Municipal Development Plan realizes that country residential living is one of the "lifestyles" in the County and should be developed in an organized and controlled fashion. Therefore the intent of the Plan is to allow country residential development in such a manner as to limit the removal of higher capability agricultural land....."

The future subdivision of the 19 acre parcel into three lots is in keeping with the intent of the County's Municipal Development Plan's policies and objectives.

Some of the MDP Policies that support the Development Concept Plan of the Lot 2 Robinwood Acres ASP are summarized below:

Policies:

2.3 Country Residential Subdivisions should be located in proximity to gas, electrical and telephone lines

2.4 Subdivisions shall not be approved where access to existing graded and graveled or paved roads does not exist.....

2.8 Country residential lots shall not be less than 2 acres and normally no more than 5 acres in size.....

2.17 Multi- lot country residential subdivisions shall be controlled by the County Council through the process ofan area structure plan.....

2.18 Multi lot country residential developments should be clustered or grouped to reduce potential land use conflicts and minimize service costs.....

2.19 Multi lot country residential developments will be discouraged ...from locating on good agricultural land....

2.20 Council's consideration of Land Use bylaw amendments for multi lot C/R land use developments will include the following criteria:

- a) the site should possess features..... which would provide an attractive residential environment
- b) density of development shall be directly related to the development capability of the land resources such as potable water supply.....
- c) ...access to individual lots will be provided by internal roads.....
- d)shall be an adequate supply of potable water for the development proposed
- e) sanitary sewage shall be treated and or disposed in accordance with Provincial requirements

2.23 The development process for multi lot country residential development shall ensure that storm water is managed in accordance with good engineering practices

2.26 Preparation and approval of an area structure plan may be a prerequisite for a multi lot country residential subdivision

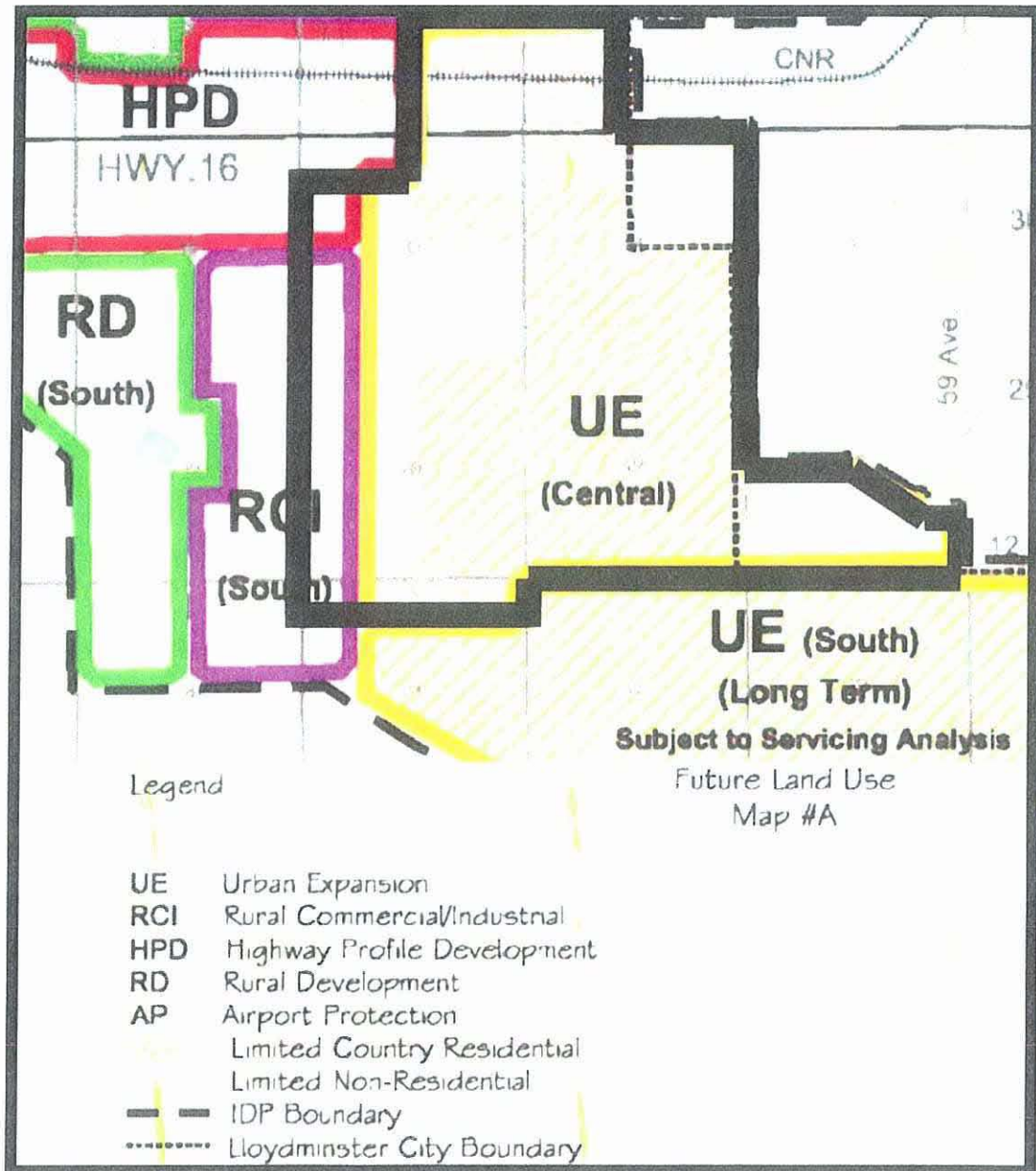
The Lot 2 Robinwood Acres ASP will address all of the above MDP policies.

1.3.3 Lloydminster/ County of Vermilion River Inter-municipal Development Plan – June 2008

The Lot 2 Robinwood Acres ASP lies within the boundaries of the IDP. The Future Land Use Map # 4 within the IDP shows Robinwood Acres as within the Central Urban Expansion Area but it is not part of the area designated for Limited Country Residential Use.

The first stage of residential growth on the Alberta side is expected to occur in the Central Urban Expansion area.

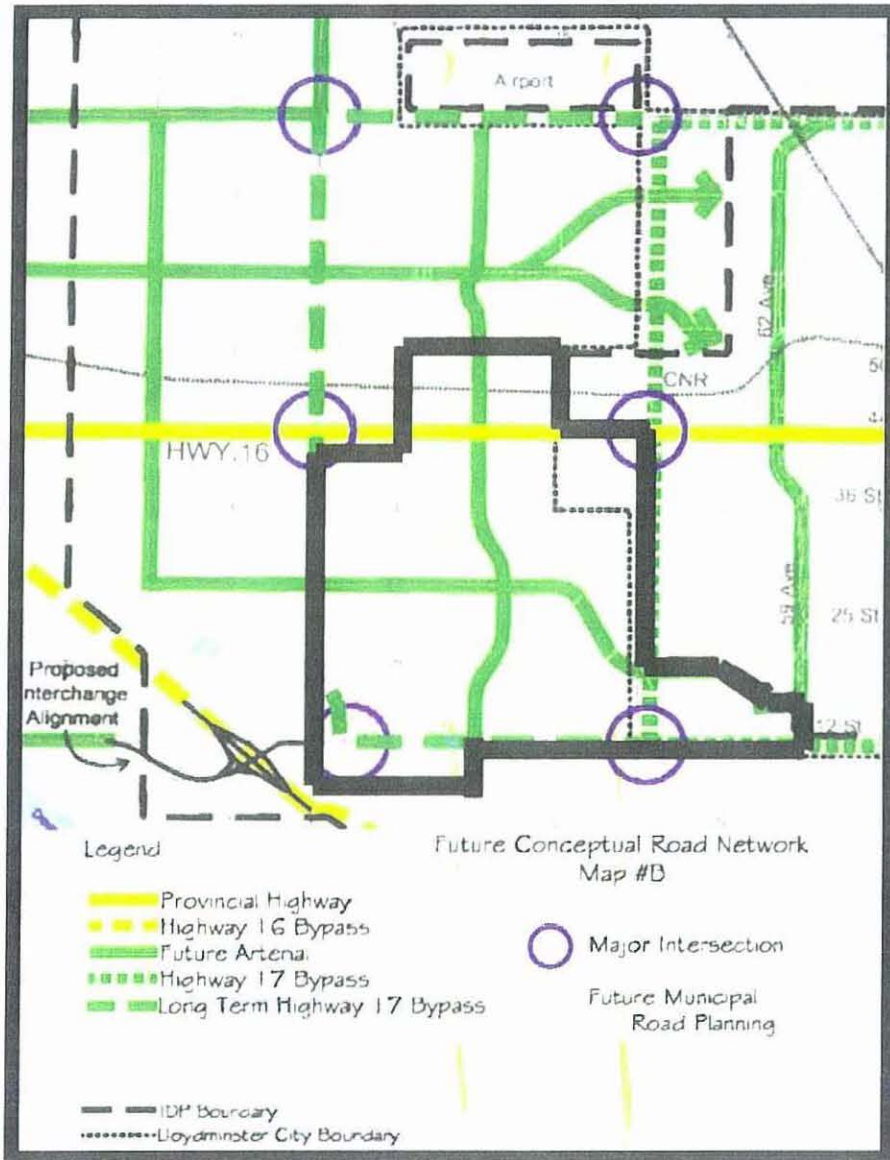
Figure # 2 - IDP Land Use Map # A



The Future Conceptual Road Network is illustrated as Map # B within the Inter-municipal Development Plan.

The primary influence of this future road network is that RR # 13 is shown as a future arterial road which will lie immediately east of the intersection of White Fence Road & RR # 13. The expanded right of way for this arterial road will be taken along the eastern edge of RR# 13 and thus will have a negligible impact on the Lot 2.

Figure # 3 - Map B - IDP



It is expected that the Lot 2 Robinwood Acres ASP will be distributed to the Inter-municipal Liaison Committee for their review and comments.

A number of specific policies within the IDP make reference to the Robinwood Acres subdivision and these are summarized below:

4.2 General Land Use and Subdivision Policies

- c) Parcels within the IDP area that are currently zoned forCountry Residential (CR-1) may continue with those uses identified in the County's Land Use Bylaw.

4.3 Urban Expansion Area (UE) Policies

- b) Robinwood Acres, located in SE 33-49-1-W4M will remain zoned as Country Residential One CR-1. Additional subdivision of Robinwood Acres is possible under the provisions of the CR-1 district. The Central ASP will address future subdivision design for the area.
- q) Robinwood Acres, located in SE 33-49-1-W4M will remain zoned as CR-1. Additional subdivision of Robinwood Acres is possible under the provisions of the CR-1 district. As urban development expands westward, landowners will be offered the opportunity to decide whether they wish to undertake an Area Redevelopment Plan (ARP) and prepare to re-subdivide the country residential subdivision to urban densities or remain unchanged. This option would be available to landowners upon written request to the County to undertake an ARP. The Central ASP will further address future subdivision design for this area. "

The lot 2 Robinwood Acres ASP meets the intent and policies of the IDP by allowing for modest expansion of a pre-existing 19 acre country residential parcel. The IDP served as a useful resource document to provide information on soils, drainage, topography and ground water for this region.

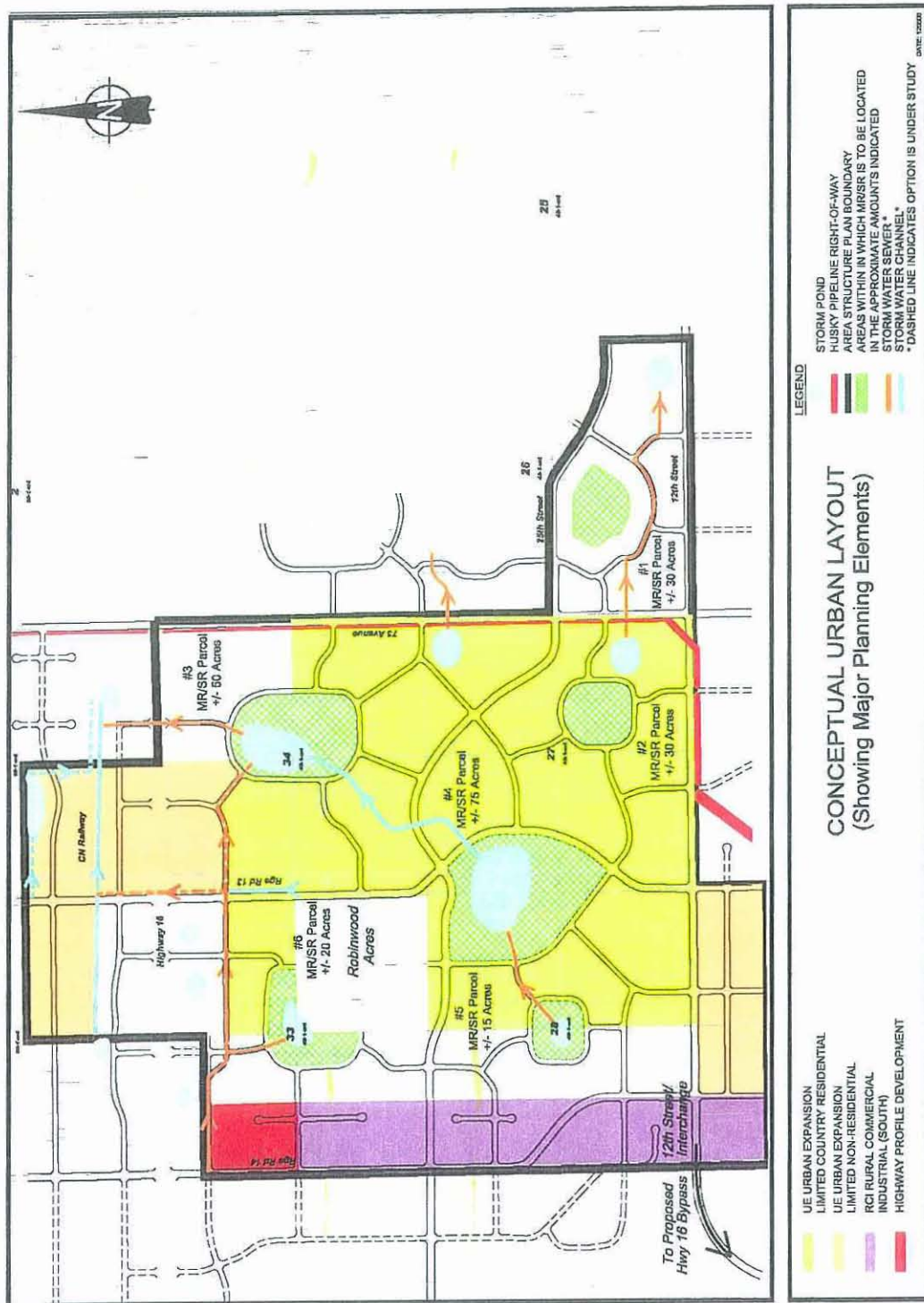
1.3.4 Central Urban Expansion Area Structure Plan Bylaws 01-28/08-16 Consolidated Version.

The Central Urban Expansion ASP was put in place to support the implementation of the IDP. The Lot 2 Robinwood Acres ASP lies within the boundaries of the CUE ASP and provides greater detail respecting the 19 acre parcel located in the Robinwood Subdivision.

The IDP Policies that specifically reference Robinwood Acres are also emphasized in the CUE ASP.

The Conceptual Urban Layout Plan within the CUE ASP exempts the Robinwood Acres subdivision from the surrounding land base which is illustrated for urban expansion.

Figure # 4 - CUE ASP Conceptual Urban Layout Plan - pg 20



Policy 4.5 within the CUE ASP states the following:

“With respect to Robinwood Acres....the CUE ASP serves to identify the major planning components surrounding Robinwood Acres so that these are known to the landowners should they decide to participate in the eventual urbanization of the area and embark upon an area redevelopment plan in accordance with relevant IDP policy and the provisions of the MGA”

The Conceptual Urban Layout Urban Expansion areas will demand urban services in terms of water, sanitary and storm infrastructure, roads and other services that support urban residential densities that characterize the City of Lloydminster.

What we are advocating under the Lot 2 Robinwood Acres ASP is an interim step whereby the modest increase in country residential lots can be independently serviced in accordance with the County's engineering standards and Provincial guidelines.

Any future subdivision of Robinwood Acres, as is contemplated following the County's approval of the Lot 2 Robinwood Acres ASP, will have to meet the implementation requirements of the CUE ASP- Enhanced Subdivision Application Requirements. The majority of this required information is being brought forward under this area structure plan.

1.3.5 Land Use Bylaw No. 07-13, November, 2009

Robinwood Acres is classified as being with the Country Residential One CR-1 District in the County's Land Use Bylaw. The purpose of this district is to allow multi- lot country residential development.

Single family dwellings, as contemplated within this area structure plan, are a Permitted Use within this land use district.

The minimum lot area is 1 acre and the minimum floor area for a single family dwelling is 900 square feet. The smallest lot being proposed under the Lot 2 Robinwood Acres ASP is 5.0 acres with the other parcels being approximately 5 plus acres.

Large executive style country homes are proposed for each of the three new lots. The proposed parcel dimensions within the asp will far exceed the minimum frontage requirements of the CR -1 District and the future homes built on the new lots will easily meet the front, rear and side yard requirements of the Bylaw.

2.0 Features of the Site

2.1 General

The dominant features of the 19 acre site are the existing 5,515 square foot home with attached garage and the barn located in the northeast corner of the existing lot. An asphalt driveway off of RR#13 provides access to the home.

The proposed Development Concept Plan retains the home, barn and landscaped yard site on a five acre sized lot in the same location.

A septic tank mound located along the western property line of this new parcel will have to be relocated eastward to be within the five acres. A number of site options to make this relocation feasible.

The paddock fencing that currently exists on site will have to be relocated to reflect future new lot lines.

The proposed 8 acre parcel in the centre of the site includes a stand of willows and mixed brush and a slough located in the eastern portion of the proposed lot.

Appropriate management practices for this minor wetland feature will be introduced at the time development takes place on this parcel. Provincial wetland policies will be followed at that time.

Access to this parcel and the other westerly proposed lot will be off of White Fence Road west of the drainage URW as indicated on the Development Concept Plan.

The general site conditions of the remainder of the 8 acre lot plus the proposed lot to the west consist of improved pasture with some existing fencing. An existing hedgerow of trees runs north to south along the western edge of the 19 acre parcel providing a visual barrier to the acreage home located to the west of this site.

2.2 Manmade Site Features

A low pressure gas distribution line exists along the White Fence Road right of way providing natural gas to the acreages in Robinwood Acres.

A north/south ATCO Electrical Power line provides power to the existing home located on the 19 acre parcel. This overhead service will remain in place and registered on the new lot title.

2.3 Phase 1 Environmental Site Assessment (ESA)

The Phase 1 ESA was completed in accordance with good practice and included a site visit, interviews and an evaluation of information and reporting. The findings of the Phase 1 ESA (full report by Blanchard Environmental Services is included in Appendix A) indicate there is little to no risk of environmental contamination of the property. The BEC Phase 1 ESA report is included in Appendix A.

2.4 Topography & Soils

The 668 contour interval runs midway through the 19 acre parcel with the 670 contour interval to the west and the 672 interval to the southeast. The 19 acre parcel is relatively flat with perhaps a 2 meter grade from south to north. Drainage flows northward through the second westerly proposed five acre lot off of White Fence Road.

Prior to subdivision occurring the land was classified as CLI -2 under the CLI Land Capability for Agriculture Rating System. It has been utilized for pasture for many years.

Site specific soil and near surface water table testing was not completed for the ASP. This will be required at time of subdivision to confirm the soils are suitable for septic fields and designed and constructed in accordance with the regulatory requirements.

2.5 Traffic Impact Assessment

Bunt & Associates were contacted to complete a Traffic Impact Assessment for this area structure plan. While they recommend that a TIA is not warranted for the three additional lots being created their letter provides the following points:

- Single family detached housing provides an average daily rate of 9.57 trips per unit, an AM peak hour rate of .75 per unit and a PM peak hour rate of 1.01 per unit. For the two new residential units on White fence Road we would estimate an increase of trips of three to four vehicles in the peak hour on RR#13
- the peak hour traffic on RR#13 at the intersection with Highway 16 could presently deviate by as much as three to four vehicles on any given day
- Bunt & Associates fully expect that the addition of three new residential properties will not noticeably affect the operational characteristics of the

existing Highway 16 and RR#13 intersection. We are not aware of any operational issues /concerns at this intersection

- The existing driveway to the large house on site appears to be in good shape and will remain in place.

Bunt & Associates Traffic review report is included in Appendix B.

2.6 Drainage Review

As part of the ASP, a topographic survey and drainage review by Northwest Hydraulic Consultants indicated the area is located on a natural meandering drainage course. The drainage course does not have a defined channel, but should be protected by a drainage easement at the time of subdivision. A copy of Northwest Hydraulics Drainage review report is included in Appendix C.

2.7 Water Well Review

The 1999 Regional Groundwater Study by Hydrogeological Consultants Ltd. estimated that groundwater wells drilled in upper sand & gravel aquifers (30m deep) was the most common zone for wells in the County of Vermilion River. Yields in this zone as well as upper bedrock aquifers ranged from 10m³/day (1.5igpm) to 300m³ /day (45igpm).

The estimated groundwater consumption for country residential households ranges between 1.1 m³/day and 3.4 m³/day. The prospect of finding sufficient groundwater for the number of lots being proposed is excellent.

The water quality in most County aquifers is shown as having 500 to 2000 mg/l of total dissolved solids (TDS). The groundwater from the surface deposits is mainly calcium- magnesium-bicarbonate or sodium bicarbonate type water.

A well water review was completed by Thurber Engineering, which confirmed there should be sufficient available well water supply for the new residential lots based on their review findings. A copy of the Thurber Well Water Review report is included in Appendix D.

2.8 Municipal Reserve Dedication

The need for Money in Lieu of Municipal Reserve (MR) will be investigated at the time that a subdivision application is made.

Further research is required to ascertain whether the original Developer of Robinwood Acres provided Money in Lieu of MR as no MR parcel exists within Robinwood Acres nor is there a Deferred Reserve Caveat that appears on the existing Title.

3.0 Development Concept Plan

The dimensions of the existing lot and the two new lots are as follows:

Lot 1: 124.54m x 185.97m, 2.02ha (5.00ac) +/-

Lot 2: 285.11m x 185.96m, 3.39ha (8.38ac) +/-

Lot 3: 169.14m x 121.50m, 2.06ha (5.09ac) +/-

The above lot configurations allow for a 5.1m road right-of-way widening on the existing White Fence Road north side of White Fence Road.

The three proposed residential properties would generate a population of 11 people @ 3.5 people per household and using a ratio of .61 students per household a school population of 1.83 students.

Each proposed lot offers a number of building site options with the final choice of building pocket being selected by the new owner. The intent is to attract executive style homes to these future lots and lot pricing will demand upscale homes.

4.0 Servicing

Potable Water and Sanitary Sewer Services

A review of the water wells within a 1 mile (1.6 km) radius of the development area was completed by Thurber Engineering. The results of the water well review indicate the local aquifer within the study area could supply groundwater for household use in the order of 33 m³/day to 327 m³/day.

Each lot will be independently serviced with an approved septic tank/tile field sanitary system and have a water well or cistern for potable water. No site specific testing has been completed on the lots at this time, and any final septic field approvals would require a licensed septic field installer to design and approve the soil conditions and near surface water table. For the purpose of this ASP the understanding is all lots will utilize holding tanks and truck haul. There is no indication that an approved septic field could not be located within the lots shown.

Surface Drainage (Storm water management)

Surface drainage plans will be put in place at the development stage of each lot. There is a local drainage course draining South to North including drainage across White Fence Road. This drainage course will be maintained in its current state and encompassed within a drainage easement on the new proposed Lot 2.

There is some evidence of a potential wetland located on the new Lot 2 which we have reviewed. There is no need for an assessment until such time as there is intent to remove or alter the wetland, at which time an assessment and compensation plan is required. This area is identified on Figure # 5. An appropriate management of the wetland under the wetland policy will follow as part of further development.

Power and Gas

Each new lot will be serviced with power and gas from the franchise utilities in the area. There is sufficient capacity in the existing overhead power and gas. There is an existing gas line on Range Road 13 to provide gas service to the new lots. Atco gas propose to extend a gas main along the north side of White Fence Road to service the new lots. An existing overhead power line on White Fence Road would provide power service drops to the new lots.

Appendix A – Phase 1 ESA

Refer to bound report

Phase 1 Environmental Site Assessment

By: BEC Blanchard Environmental Consulting

Appendix B – Traffic Impact Assessment

Refer to Letter

Lot 2 Robinwood Acres ASP Lloydminster

TIA requirement

By: Bunt and Associates Engineering Ltd.

Appendix C – Drainage Assessment

Refer to Letter

Robinwood Acres ASP, Lot 2 Block 1 Plan 1218TR,

County of Vermilion River

Drainage Review

By: Northwest Hydraulic Consultants

Appendix D – Water Well Review