

AREA STRUCTURE PLAN FOR SUBDIVISION OF PORTION OF SE ¼ ~~4-22-10-16~~

16-10-22-W4

Submitted to
County of Lethbridge



PREPARED FOR:
Elbert and Tanya Van Hierden
Box 1762
Lethbridge, AB T1J 4K4



Collaborating to Passionately Create Inspired Architectural Environments

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Park Lake Area Structure Plan

1.0 Introduction

The preparation of an Area Structure Plan is required by Municipal Government legislation for land use rezoning such as that planned for the proposed new development at Park Lake, Lake Point.

1.1 Purpose of the area structure plan

The purpose of the Lake Point area structure plan is to develop the planning, infrastructure solutions and architectural controls to create a successful, vibrant and attractive acreage community. The ASP will provide policy guidance for the plan area in the interests of orderly development over a period of time.

1.2 The Vision

Lake Point will be a small community of 9 acreages located immediately north of Park Lake. The site will include landscaped ponds at the north of the property. One will serve as the storm water retention pond and one as a water source for the development. The subdivision will maintain the ponds by way of a condominium association. A proposed pedestrian/cycle trail will connect the residents with Park Lake allowing them to enjoy the benefits of country life and rural pursuits while living just 15 minutes away from the City of Lethbridge. See Figures 1, 2 & 3 in the attached Appendix "A" for site location and proposed layout.

Architectural controls will ensure the style and location of the homes will be as aesthetically pleasing as possible to give the development a distinct sense of character and place that will foster a sense of community among the residents.

1.3 Policy Context

The ASP has been prepared in accordance with the requirements established in section 633 of the Municipal Government Act and the County of Lethbridge, Municipal Development Plan:

- (1) For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may by bylaw adopt an area structure plan.
- (2) An area structure plan
 - (a) must describe
 - (i) the sequence of development proposed for the area,
 - (ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
 - (iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
 - (iv) the general location of major transportation routes and public utilities, and

(b) may contain any other matters the council considers necessary.

1.4 Land Use Bylaw

Agriculture is the predominant land use in the County of Lethbridge. To develop the ASP area for residential uses an amendment to the Land Use Bylaw for the County of Lethbridge will be required. This will establish the appropriate land use zoning for the development to proceed. The zoning will require a change of use from Rural Agriculture to Grouped Country Residential.

1.5 Municipal Development Plan

The recently adopted Municipal Development Plan (MDP) Bylaw 1331 adopted in January 2010, provides policy direction to subdivision and group country residential uses. The MDP allows that land adjacent to recreational areas, such as Park Lake, may be considered for group country residential development.

2.0 Existing Conditions and Development Considerations

2.1 Land Location

The land is located at Meridian 4 Range 22 Township 10 Section 16 in the SE quarter.

2.2 Land ownership

The plan area is owned by Elbert & Tanya Van Hierden\Brio Developments and they have commissioned Alvin Reinhard Fritz Architect Inc. to prepare this Area Structure Plan. See Appendix "B" for the current land title document.

2.3 Adjacent Land Use

The primary land use adjacent to the site is agricultural. Also adjacent to the site are a residential acreage belonging to the sites owner to the north, the provincial park of Park Lake to the south and Park lake paintball, a recreational facility, to the east. Consideration will be given to providing a densely planted barrier between the site and the paintball recreational facility to reduce or eliminate the risk of paintballs entering the site and the noise created by the activities. This information will be fully disclosed to potential residents of the proposed subdivision to ensure that there are not any conflicts between uses in the future.

2.4 Contiguous Property to the East

The project immediately to the east of the proposed development is owned and managed by Tony Sonen who operates Park Lake Paint Ball. The paint ball park is an open field where people are hosted to play paint ball marker games where they have simulation games where they utilize the markers in an outdoor environment. It occasionally involves some loud play as well there is the occasional stray paintball marker. In order to help mitigate this and contain the paint ball field it was determined that substantive planting will be provided on the eastern edge of the property immediately adjacent to the western edge of the paintball park. This will mitigate the concern relative to paint ball marker balls making their way through that environment. Tony had indicated that his finding has been that the marker balls will not make their way through dense plantings and as such the neighbours on the proposed development will not be negatively impacted by the fact that it is located directly contiguous with this paint ball field. The tree band will also include a large number of conifers which will also help mitigate the sound associated with the paint ball activities. The paint ball markers themselves are relatively quiet and certainly the calling of team mates, one to another, is more of an acoustic aspect of the site than is the actual marker activity itself. It was determined that this is a mitigated concern and that the negative impact of these games being played is not successive and as such should not be a hindrance to the development and that a well managed and designed and landscaped barrier including some aspects of berming and a trail system will create an effective separation and will alleviate any concerns relative to the adjacent use.

2.5 Environmental Conditions

Topography

The site sits between the 940m contour and the 935m contour and slopes toward Park Lake at the south. On the East side of the site is a low area that becomes water logged after rain periods and irrigation run off.

Soils Analysis

At present, homes in the region are supported with conventional septic fields. These systems have been in existence for numerous years and have not had any difficulties associated with them and as such it is anticipated that the soils will be such that septic fields will be acceptable and that the bearings will be of adequate capacity in order to support the construction as demonstrated. However, as a final prior to release condition, the necessary soils reporting will be undertaken pursuant to the Alberta Private Sewage Systems Standards of Practice 2009.

Biophysical Assessment

The information used was provided by the report on Environmentally significant areas in the Oldman river region for the County of Lethbridge. Park Lake is noted as a regionally significant site (Map 1 of Appendix "C" Environmentally significant Areas in the Oldman River Region) as the lake is a permanent wetland (Map 2 of Appendix "C" Environmentally significant Areas in the Oldman River Region) and a productive wetland habitat. This status applies to the provincial park area only. The proposed residential development should not have any impact on the marsh land due to its low density and distance from the lake.

Historical/Archaeological Concerns

No finds or prehistoric sites have been noted for the area as Park Lake is a relatively recent landscape feature. The site has been in existence since its creation as an irrigation reservoir and recreational park in the 1930s. (Map 3 & 4 of Appendix "C" Environmentally significant Areas in the Oldman River Region).

References

The Environmentally Significant Areas in the Oldman River Region report referenced above was prepared by Cottonwood Consultants Ltd. (1987) in conjunction with Alberta Forestry Lands and Wildlife and the Oldman River Regional Planning Commission.

2.6 Site Geometry

The parent title for this proposed subdivision is 92.63 Acres (37.48 ha) and the area of the proposed subdivision is 17.38 Acres (7.03 ha). This would leave 75.25 Acres (30.45 ha) remaining on the parent title.

3.0 County of Lethbridge General Land Use Policies

The Municipal Development Plan policies of the County of Lethbridge are designed to protect agricultural land by maintaining the use of prime agricultural land and preventing the fragmentation of parcels. The development of the proposed Grouped Country Residential community of Lake Point will not have an adverse impact on prime agricultural land in the county. The recently adopted MDP clarifies a site larger than 20 acres can be redefined if the land in question is adjacent to recreational areas such as Park Lake. This site due to its location and existing conditions make it suitable for subdivision and development.

3.1 Topography

The proposed subdivision will be sited on an area that is poor quality land and unsuitable for agricultural use because of its topography and location. The sites topography causes run off and irrigation water to collect in a low area on the east which, depending on rainfall, can cover a substantial portion of the site. Figures 1 and 2 of Appendix "D" show how this adversely affects the ability of the site to support a crop because of the constant saturation of the ground. The expense of work required to grade the site would not be recouped by the increase in agricultural productivity.

3.2 Location

The site is located between two residential parcels which prevents irrigation by pivot. The shape of the field also creates a difficulty for using side roll sprinkler systems as TWP road 102A angles to the south east which creates a dry area figure 3 of Appendix "D". The site is also located immediately to the north of Park Lake Provincial Park and in the Municipal Development Plan recreational areas are recognized as potential growth areas for residential development. This would help to reduce development pressure from buyers across the county who want to live in rural areas but do not wish to farm by adding to the bank of available acreages.

3.3 Man Made Constraints

Man made constraints that effect the site are TWP road 102A to the south which the proposed development will take access from. This will require a new cul-de-sac road to be created for the development. Other constraints are the previously mentioned paintball recreation facility to the east and the agricultural lands.

3.4 Confined Feedlot Operations

The proposed acreage development will not have an adverse impact on future feedlot operations because of the site's proximity to Park Lake. The County of Lethbridge MDP Bylaw No. 1331 excludes feedlot operations around Park Lake and other water bodies in the County. As a result of these restrictions, this residential development is well suited as at it will not conflict with livestock and other agricultural operations. This was also calculated and discussed with County of Lethbridge administrative staff.

4.0 Land Use Concept

Lake Point will be a high quality subdivision with architectural controls to ensure the best possible residential subdivision. The proposed acreages will have the benefit of an attractive rural location but will not require the removal of agricultural land from productive use. The acreages will be compatible with the other recreation and residential land uses in the Park Lake area.

4.1 Smart Growth

Smart growth is becoming an important concern in North America to assist in the control of urban sprawl. The goals are to achieve a compact form of development where a majority of residents needs are met within the community requiring fewer or shorter vehicle journeys. This emphasis on cycling and walking creates a healthier population and encourages social interaction helping to create a sense of place and community.

Lake Point pursues the ideals of smart growth by concentrating development in an area unsuitable for general agriculture. Instead of taking land in other quarter sections away from agricultural use for housing, the development concentrates the acreages in a parcel of land not readily usable for farming. The site slopes to an area where the lake likely used to be. This area creates a collection point for rain and irrigation water and can be observed to follow the area of the original slough that was used to create the Park Lake reservoir. See figure 4 of Appendix "D". The development would relocate the low area into a managed pond which would serve to create a picturesque living environment for the residents. The development would also reduce the pressure to subdivide other quarter sections for residential use by providing a bank of available acreages in the County of Lethbridge.

4.2 Neighbourhood design

The acreages are designed around a central access driveway with the residences setback on private drives to maintain the rural atmosphere. Substantial existing Trees as well as new planting will act to mitigate the prevailing south west winds and create a sense of privacy from the road to the south and the paintball facility to the east. The proposed development will provide 9 acreages ranging in size from 1.01 acres to 1.89 acres which meets the minimum by-law requirements.

4.3 Roads

Access will be provided to all lots from a new road created to County standards from the nearest County road TWP road 102a. Currently the site is just beyond the extent of paved surface. As per discussions with the county we are proposing to construct this roadway to the County standards. After the required warranty period the road would be turned over to the County.

4.4 Theme

Lake Point will use architectural controls to maintain a consistent theme throughout the development. Size, stylistic elements, position of the dwelling on each lot and landscaping will be guided to ensure an aesthetically pleasing design while still giving each resident a choice of design. Architectural controls are attached as appendix "E"

4.5 Open Space

The open space for Lake Point is shown in Figure 3 of Appendix "A" The open space will be linked to the provincial park by a system of trails that run around the ponds at the north of the proposed development. The lakes will be kept fresh using fountains to circulate the water which as well as providing retention for storm water will create an attractive area of amenity land for the future residents managed by the condominium association.

4.6 Common Landscape Amenity

On site pond and walking trails and low maintenance amenity area provides approximately 5.4 acres (2.20 ha) which is 31% of the site.

4.7 School services

The site is within the catchment area for the Holy Spirit school district as well as the Palliser Regional Schools. Schools are also available from elementary to high school in Lethbridge at less than 15 minutes drive from the site.

4.8 Emergency services

First response for emergency services will be provided by the Coalhurst Fire Department. We are planning to provide a water source on the site from the larger lake at north end of the site. The depth of the lake will be sufficient to ensure there is an adequate water supply taking into account summer evaporation and winter freezing. The water source for firefighting will be designed to meet the Alberta Fire Code regulations and County standards. Engineering design and approval of the water supply system will be commissioned prior to the start of construction on the proposed development.

4.9 Public Participation and Consultation

Public participation and consultation form an important part of the area structure plan process. The developers of Lake Point have consulted the neighbouring land owners to gain feedback and support for the project.

5.0 Utility Servicing

5.1 Water

Lots will be supplied with potable water via a tie in to the Lethbridge North County Water Co-op, which is currently taking deposits for their phase 2. Their plans are to start construction on this water line in the region later this year or early 2011. At present the developer is in discussions with the Lethbridge North County Water Co-op. The cost associated with the water is an initial down payment of \$1,250.00 per unit for each of nine units to initiate the water supply and \$7,000.00 per unit once the water is supplied to the site. We propose this to be a prior to release condition such that the water rights are secured prior to the release of the land-use.

5.2 Sanitary

Sanitary treatment will be managed individually with a private septic system for each residence. Soil sample tests will be provided to verify that proper engineering of septic systems can be achieved. A qualified expert will be engaged to design the septic systems to be in accordance with the Safety Codes Councils new Alberta Private Sewage System Standard of Practice 2009. An exploration excavation to confirm the depth of water table and a soils analysis report will be conducted by an accredited agency or engineer and provided at the time of subdivision approval at the developer's expense.

5.3 Storm water

Storm water will be collected and managed on site. Use of non-permeable surfaces will be minimized through the design of the development so that most of the storm water can be absorbed into the landscaping. In the 100 year storm event the lake at the north of the site will have sufficient capacity to store surplus water from the development. Prior to any subdivision approval, the developers will provide an engineered storm water drainage report prepared in accordance with Alberta Environment guidelines and requirements to verify surface run-off patterns and volume to be anticipated at full build-out of the subdivision. The developers of the subdivision, as per any agreement entered into with the County of Lethbridge, will be required to provide mechanisms needed for storm water management, at their expense. The developer will be responsible for obtaining Alberta Environment approval under the Water Act prior to the final approval of the subdivision.

5.4 Solid Waste Collection

The requirements for regular solid waste disposal will be included in the codes and covenants of the subdivision and this will be the responsibility of the land owners.

5.5 Utilities

Enmax, Atco and Telus services will be brought to the property line which will be the responsibility of the developer.

Appendix "A"



N.E. 1/4 SEC. 16 - 10 - 22 - 4

S.E. 1/4 SEC. 16 - 10 - 22 - 4
(92.63 ACRES)

PROPOSED SUBDIVISION
LINES (TOTAL AREA 17.38 ACRES)

ADJACENT
PROPERTIES

LOT 1
PLAN 911 1262

LOT 2
BLOCK 1
PLAN 961 0122

ROAD PLAN 4603 B.M.

PARK LAKE

GOVERNMENT ROAD ALLOWANCE

S.W. 1/4 SEC. 18 - 10 - 22 - 4

① Overall Site Plan

Pathway
System

Total Site 17.38
Acres

Storm
Retention
Pond

Water
Reservoir

Lot #4
1.10
Acres

Lot #5
1.05
Acres

Lot #6
1.02
Acres

Lot #7
1.03
Acres

Lot #3
1.18
Acres

Lot #8
1.10
Acres

Lot #2
1.89
Acres

Lot #1
1.21
Acres

Lot #9
1.01
Acres

Solid
Waste
Enclosure

ROAD PLAN 4603 B.M.

Total Area of
Road Allowance
1.31 Acres

Road Into Existing
Remaining Property

② Site Plan

DATE	NO.	BY	REVISION
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880 828 C14
6801 1st Avenue South
LETHBRIDGE, ALBERTA T1J 4P4
TEL: (403) 530-8100 • FAX: 537-2575
E-Mail: general@alvinfrizarchitect.com

Do not scale this drawing. All dimensions, data and levels shall be verified prior to construction and all cases or omissions shall be reported to the architect immediately.

PROJECT:
**LAKE POINT
SUBDIVISION**
COUNTY OF LETHBRIDGE, AB

DRAWING TITLE:
PROPOSED SUBDIVISION

SCALE: 1:200
DRAWN BY: JPS
CHECKED BY: AF
DATE: JAN 2010
PROJECT NO.: 08810 PESD
DRAWING NO.: **FIGURE 2**
P:\08810\PE\08810\DWG\SITE.DWG

1-1 IMP 2010 04 28 1300

9 residential lots North of Park Lake
Architecturally Controlled Community

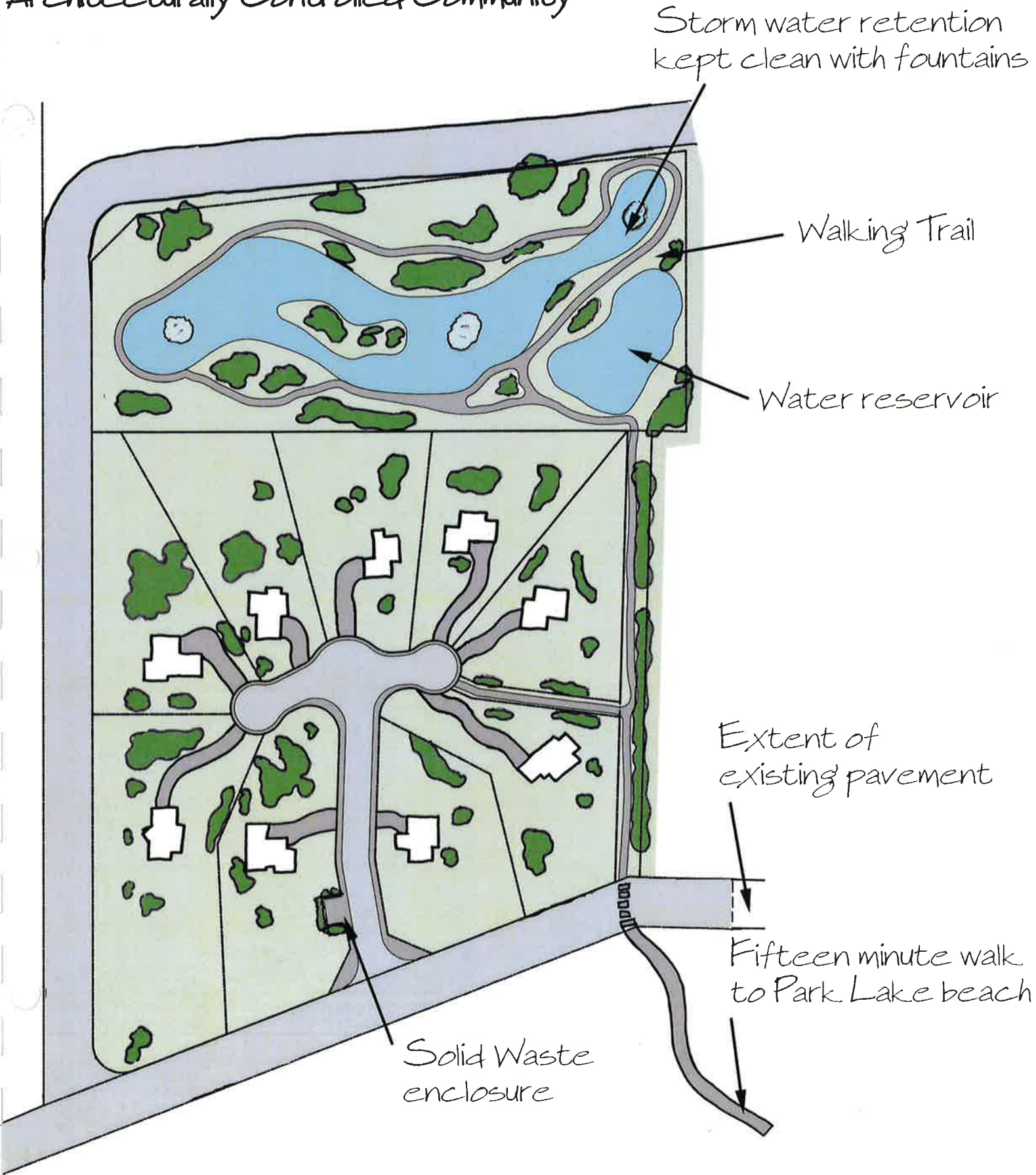


Figure 3

Appendix "B"



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0030 349 922 4;22;10;16;SE 041 094 057

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 22 TOWNSHIP 10
SECTION 16
THAT PORTION OF THE SOUTH EAST QUARTER
LYING NORTH OF THE NORTHERLY LIMIT OF
THE SURVEYED ROADWAY SHOWN ON PLAN 4603 BM
CONTAINING 47.69 HECTARES (117.85 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES
ROAD WIDENING	1672 JK	0.295	0.73
DESCRIPTIVE	9111262	3.24	8.01
SUBDIVISION	0410523	6.671	16.48

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: COUNTY OF LETHBRIDGE

REFERENCE NUMBER: 041 066 599 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
041 094 057	12/03/2004	TRANSFER OF LAND	\$400,500	CASH & MORTGAGE

OWNERS

PRAIRIE LAND BALING LTD..
OF BOX 1762
LETHBRIDGE
ALBERTA T1J 4K4

(CONTINUED)

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 22 DAY OF OCTOBER, 2009 AT 02:36 P.M.

ORDER NUMBER:15111249

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE
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Appendix "C"