

Town of Sylvan Lake



North East Area Structure Plan

Bylaw 1212/99

MARCH 2000

BY-LAW NO. 1212/99
OF THE
TOWN OF SYLVAN LAKE

Being a by-Law to adopt the North East Area Structure Plan.

WHEREAS it is deemed necessary and expedient to adopt an area structure plan for the purpose of providing a framework for the subdivision and development of all that portion of the South West Quarter of Section 3, Township 39, Range 1, West of the 5th Meridian which lies north and west of the Canadian National Railway, as shown on railway Plan 3932AP, and east and south of the Summer village of Jarvis Bay.

NOW THEREFORE, the Council of the Town of Sylvan Lake in the Province of Alberta, duly assembled and under the powers conferred upon it by the Municipal Government Act, being Chapter M-26.1 of the Statutes of Alberta, 1994, and amendments thereto, enacts as follows:


THAT Schedule "A", that is attached to and forms part of this By-Law, is hereby adopted as the Town of Sylvan Lake North East Area Structure Plan.

READ a first time this 8th day of November, 1999.


READ a second time this 13th day of December, 1999.

READ a third and final time this 27th day of March, 2000.

READ and signed by the Mayor and Town Manager this 27th day of March, 2000.



Mayor



Town Manager

TOWN OF SYLVAN LAKE

BYLAW No. 1212/99

SCHEDULE A

NORTH EAST AREA STRUCTURE PLAN

FIRST READING OF BYLAW – NOVEMBER 8, 1999

SECOND READING OF BYLAW – DECEMBER 13, 1999

THIRD READING OF BYLAW – MARCH 27, 2000

AMENDED MARCH 10, 2003 (Bylaw 1297/2003)

TOWN OF SYLVAN LAKE

NORTH EAST AREA STRUCTURE PLAN

1. PURPOSE OF THE PLAN

- 1.1 This Area Structure Plan (“the Plan”) has been prepared to provide a framework for the subdivision and development of a parcel of land in the S.W. 3, 39-1-5, north of the Canadian National railway, that is physically divided into east and west parts by Highway 20.
- 1.2 The Plan is required by the Municipal Government Act to describe:
 - (a) the proposed sequence of development for the area,
 - (b) the proposed land uses,
 - (c) the density of population, and
 - (d) the general location of roads and public utilities.
- 1.3 The Plan may also contain any other matters that the Council considers necessary.
- 1.4 The Subdivision and Development Regulation prohibits the approval of an application for subdivision approval, if the land is within 0.8 km of a highway where the posted speed limit is 80 kph or more, unless the land is contained and permitted within an area structure plan satisfactory to the Minister of Infrastructure.
- 1.5 The Act requires the Plan to be consistent with the Municipal Development Plan¹.
- 1.6 Any proposed subdivision in the area is required by the Act to conform to the provisions of the Plan.

¹ *The land covered by the Plan was annexed to the Town on July 1, 1999 at which time it was not included on the Municipal Development Plan land use and road system map. However, the other policy provisions of the Municipal Development Plan were applicable.*

2.0 PLAN CONTEXT

- 2.1** The Plan covers 25.05 ha (61.9 ac) parcel that at the time of the Plan's preparation was in one title and comprised two areas located as follows:

Area 1 is the land east of Highway 20, covering 19.25 ha (47.6 ac) more or less;

Area 2 is the land west of the highway, containing approximately 5.8 ha (14.3 ac).²

- 2.2** Area 1 has a limited slope down to the south to southwest. The land is primarily in agricultural use but there is a detached dwelling and shop towards the north west corner, access to which is gained by a private driveway off the highway. Two-thirds of the highway frontage is occupied by a stand of immature poplar that gives way in the extreme north west corner to a drainage course and wetland. The drainage channel runs southwards alongside the highway in a separately titled right of way before passing under the road. A gas pipeline runs along the southeast boundary with the railway.

- 2.3** Area 2, lying between the old and current highways, is notable for 3 gas/oil wells and associated tanks on its western side and Sylvan Creek along its eastern and, in part, southeastern boundaries. The creek is in a Crown-owned right of way that separates the privately owned land from Highway 20. The land has three pipeline rights of way across it and a drainage ditch roughly bisects the area into north and south halves. The north half is low lying and vacant, except for the wells although efforts are being made to raise land levels with fill. The south half appears to be in hay.

² Within the boundaries of the Plan is also a right of way owned by the Crown. This 20 m (65.6 ft.) wide right of way covers approximately 1.57 ha (3.88 ac) and no changes to the right of way, other than one new road crossing, are proposed in the Plan.

3.0 PLAN CONCEPT

3.1 Land Use - General

- 3.1.1 Area 1 will be subdivided and developed for commercial uses along the western highway frontage and residential purposes to the east. Open park space will separate these two different land uses and conserve the drainage courses and wet areas. The distribution of these land uses is shown in conceptual form on the map that is part of this Plan.
- 3.1.2 Area 2 will be developed for commercial uses separated from existing residential subdivisions in the Town and Summer Village of Jarvis Bay to the west by public open space. The existence of the wells may result in a phased change of land use as the eastern and southern portions of the area are liable to be developed before the land occupied by the wells, tanks and lease road.
- 3.1.3 Upon the development of the two areas, the Town, in accordance with its Land Use Bylaw, will require the conservation of existing trees and shrubs to the maximum extent possible.

3.2 Land Use – Area 1

- 3.2.1 The residential area will accommodate narrow lot residential uses in an area of approximately 10.5 ha (26 ac) and will be developed according to the Town's standards in the Land Use Bylaw, as amended, subject to the maximum number of residential lots being approximately 122. All dwellings will be required to be a minimum of 30 m (98.4 ft.) from the railway right-of-way, in accordance with the Town's Municipal Development Plan. In addition, the lots will exclude the pipeline rights-of-way. [Bylaw 1297/2003]
- 3.2.2 The location of this development behind a commercial subdivision and isolated in relation to the other residential parts of the Summer Village and Town will necessitate a high standard of amenity both in and adjoining the residential area. The Town will require the following:
 - (a) the dedication of municipal reserve in the form of 12.0 m (39.4 ft.) wide municipal reserve parcels between the residential area and the commercial lots.

- (b) the provision of a 25.0 m (82.0 ft.) road right-of-way between Highway 20 and the residential area. This right-of-way will accommodate the construction of landscaped boulevards with a paved pedestrian trail on one or both sides.
- (c) the dedication of the remaining municipal reserve (the total being equivalent to a maximum of 10 percent of Area 1) in the form of an open space amenity for the area residents.

[Bylaw 1297/2003]

- 3.2.3 The remaining part of Area 1 will be primarily developed for highway commercial uses with a total area of approximately 5 ha (12.4 ac). Any storm drainage detention pond required for Area 1 will be anticipated to be within this highway commercial subdivision. In addition, it is expected that the small wetland between the highway and the drainage right of way in the north west corner of the Area will be left in its natural state as municipal reserve.

3.3 **Land Use – Area 2**

- 3.3.1 The access and pipeline constraints affecting Area 2 will necessitate the preparation of an overall site development plan prior to a consideration of any individual proposals. The site plan must reflect the concepts shown on the Plan map, in particular:

- (a) the provisions for access to the old highway;
- (b) a pedestrian trail adjoining the creek right of way (this trail or the trail to Jarvis Bay Drive shown on the map will need to be paved and constructed simultaneously with the residential area);
- (c) eventual inclusion of the well lease area upon abandonment of those wells.

[Bylaw 1297/2003]

The highway commercial land shown on the Plan map comprises some 2.4 ha (6 ac), however that yield will be affected by how the pipeline constraints are accommodated and by any storm detention pond requirements.

3.4 Roads

- 3.4.1 The principal road consideration is the location of the new intersection on Highway 20 that will provide access to Area 1. Alberta Infrastructure requires that the access point be opposite the intersection with the road on the west side of the highway.

A traffic analysis / signal study prepared in February 2000 indicates that Area 1 will generate about 4100 daily trips when fully developed (within about twenty years). The study also indicates that although left hand turns out of Area 1 (i.e. south onto Highway 20) will be affected as traffic levels increase on Highway 20, signalization of the intersection will not be required within the twenty year horizon.

- 3.4.2 The other roads required by the Plan will be subject to the following:

- (a) local roads will be constructed to the Town's design standards;
- (b) the intersection of the highway service road with the residential area access road in Area 1 will be bulbed in accordance with the road engineering study; [Bylaw 1387/2003]
- (c) the local road in Area 2 will be required only if the comprehensive development plan for the land indicates that the land will not be developed as a single entity or will be subdivided in a manner that the Town regards as requiring that local road.

- 3.4.3 The traffic analysis / signal study indicates that the estimated pedestrian crossing demand will be relatively low and therefore only a signed and marked crosswalk may eventually be warranted when the area is fully developed. The study recommends that a traffic and pedestrian count be conducted within one year of the completion of the ultimate development and this information be used to reassess pedestrian crossing control requirements.

- 3.4.4 Intersection illumination will be to the satisfaction of Alberta Infrastructure. Installation of illumination will be the responsibility of the developer.

- 3.4.5 Alberta Infrastructure requires that the Town be the applicant for a development permit for the intersectional improvements.

4.0 Development Phasing & Servicing

- 4.1 The phasing of the development will be in accordance with agreements between the developer(s) and the Town. However, it is anticipated that the first phase of development will include the residential area. This will be tied to the dedication of the municipal reserve buffer, the construction of the new highway intersection and the paved pedestrian trail through Area 2 or to Jarvis Bay Drive. [Bylaw 1297/2003]
- 4.2 The Plan area will be serviced with municipal water and sanitary sewer utilities. The phasing of the construction of municipal utilities will be determined following an overall utility study acceptable to the Town.
- 4.2 Storm water drainage will be in accordance with an overall scheme prepared prior to the commencement of development of the land within the Plan. The scheme will ensure that there is adequate provision for drainage within each phase having regard to existing and future development within and adjacent to the Plan area.

5.0 PLAN IMPLEMENTATION & REVIEW

- 5.1 The Plan concept shown on the map will guide the preparation of more detailed plans of subdivision and development that the Town will require be prepared, prior to the redesignation (rezoning) and subdivision of any land. All subdivision and development will be required to conform to the Town's Land Use Bylaw and its engineering design standards.
- 5.2 Upon the preparation of the more detailed proposals, the Council will request the comments of the Summer Village of Jarvis Bay and Red Deer County.
- 5.3 The Plan is conceptual in its provisions and it will therefore be interpreted with flexibility providing that the Plan's purpose and direction are not prejudiced. The Town Council's decisions on interpretation will be final.
- 5.4 The Plan will be reviewed:
 - (a) as the Town Council may decide, or
 - (b) upon the Town Council's acceptance of a request from the (an) owner of land within the Plan area, or
 - (c) after a period of 3 years from the date of adoption to ensure its adequacy.

Town of SYLVAN LAKE

NORTH EAST AREA STRUCTURE PLAN

-  Highway Commercial
-  Highway Commercial & Public Open Space (upon well abandonment)
-  Public Open Space
-  Residential
-  Minimum Setback of dwellings from CNR ROW

-  Crown Owned Drainage ROW
-  Oil/ Gas Wells
-  Highway & External Road Access Points
-  Local (Municipal) Roads
-  Pedestrian Sidewalks/ Trails
-  Temporary Turnaround
-  Access Closure
-  Access Closure (upon well abandonment)

