Schedule A to Ministerial Order No. MSL:007/15
Amendment to Special Areas Land Use Order

SPECIAL AREA NO. 3

THE SETTLEMENT
AREA STRUCTURE PLAN

SE ¼ Sec. 33-27-4 W4M

The settlement Country estates

Special Areas Board

Palliser
Regional Municipal Services

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1.0 Background

The Plan Area for the Settlement Area Structure Plan encompasses the Southeast quarter of Section 33, Township 27, Range 4, west of the Fourth Meridian adjacent to the westerly Town of Oyen municipal boundary. This area is shown in **Figure 1 and Figure 2** and consists of approximately 157.5 acres (63.7 hectares). The plan area is owned by Pedekach Holdings INC. The land use within the plan area consists of pasture and hay crop.

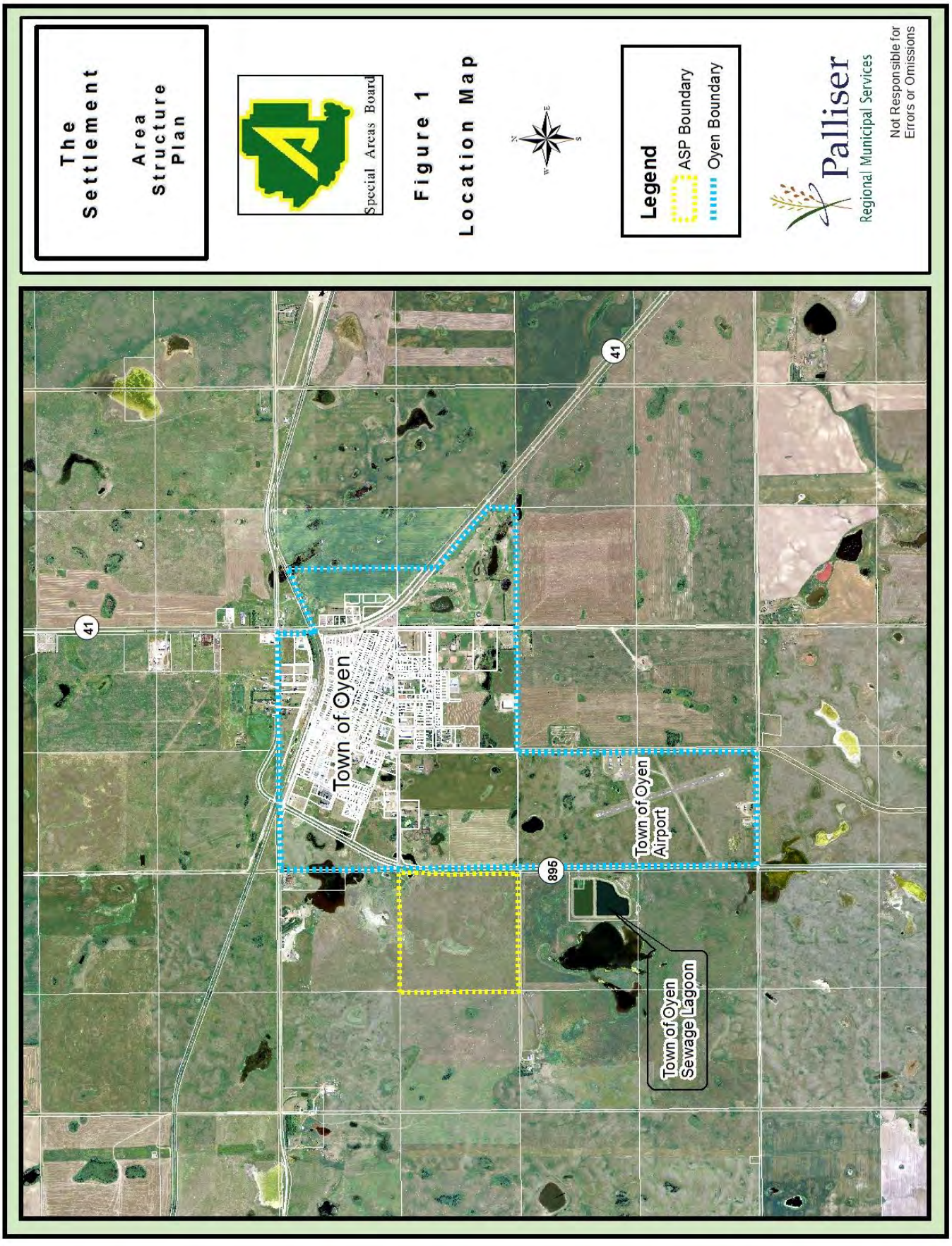
The land use on the adjacent quarter sections include agricultural to the north, west and south with the Town of Oyen Municipal Boundary to the east of Secondary Road 895. Located on the quarter section immediately to the south of the plan area is the Town of Oyen sewage lagoon. The quarter section to the southeast includes the Town of Oyen Airport. The adjacent quarter to the east within the Town boundaries is mostly vacant with the future land use proposed as long term residential in the Oyen Municipal Development Plan.

In order to allow for the approval of this application, as well as compliance with the Special Areas Land Use Order and Section 14 of the Subdivision and Development Regulation, an Area Structure Plan (ASP) is required. This ASP has been undertaken at the request of the landowner/ agent to establish a land use and development concept for the plan area to be used for multi-lot rural small holdings purposes.

2.0 Purpose

The purpose of this Area Structure Plan is to provide a framework for subsequent subdivision and development of the Plan Area. The Settlement Area Structure Plan accomplishes this purpose by addressing the following objectives:

- to ensure that any proposed development or subdivision within the Plan Area is consistent with the policies and objectives of the Special Areas.
- to provide a framework to assist in the evaluation of future subdivisions and developments in the Plan Area by describing future land uses, transportation networks and public utility systems.
- to anticipate the population which may be realized when the Plan Area is fully developed.
- to outline and describe a sequence of development through the identification of development phases in order to allow development to occur in stages.


The Settlement
Area Structure Plan
Special Areas Board
Figure 1
Location Map
Legend
ASP Boundary
Oyen Boundary
Palliser
Regional Municipal Services
Not Responsible for Errors or Omissions
Town of Oyen
Town of Oyen Airport
Town of Oyen Sewage Lagoon
41
41
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The Settlement
Area Structure Plan
Special Areas Board
Figure 2
Plan Area
Legend
ASP Boundary
Oyen Boundary
Palliser
Regional Municipal Services
Not Responsible for Errors or Omissions
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3.0 Interpretation

The policies contained in this Plan are written to ensure a measure of flexibility in response to changes that may occur as the Plan Area is developed and/or subdivided. The policies contained in the Area Structure Plan utilize and make reference to a number of terms and phrases. The following interpretations shall be used:

"*shall*" is an operative word which means mandatory compliance; the action is obligatory.

"*should*" is an operative word which means compliance in principle but is subject to the discretion of the approving authority or Council in situations where compliance is impractical or undesirable. It is strongly advised, however, that the action be taken.

"*may*" is an operative word which means that a choice is available; no particular guidance or direction is intended.

"*Plan*" means the Settlement Area Structure Plan.

"*Plan Area*" means the area of the SE ¼ 33-27-4-W4M within Special Area No. 3 as shown in **Figure 2**.

All other terms and phrases have the same meaning respectively assigned to them in the Special Areas Land Use Order and amendments thereto and/ or the *Municipal Government Act.*

4.0 Site Analysis

4.1 Site Conditions

The Plan Area is generally flat, with a few low spots that may contain intermittent water collection. For this reason the area should be developable for large lot residential and associated land uses without the need for much grading. There is a significant low lying area and slough located to the north and south of the plan area. Drainage appears to move from north east to south west through the site however, is difficult to determine due to the lack of surface water. The soils within the Plan Area have a CLI classification of 4-5s, which indicates land with limited agricultural capabilities. The proposed development is not anticipated to have any land use conflicts with the adjacent Oyen airport as the take-off/landing approach pathway is to the east and does not cross the proposed subdivision area.

4.2 Existing Development

The Plan Area does not contain any improvements, and is used for grazing and pasture.

4.3 Existing Roadways / Utilities (Figure 3)

Roads
The Plan area is bound on the east by Secondary Road 895 and on the south by a 'forced' road that currently provides legal and physical access to a farmstead to the southwest. There is currently no direct approach or access from Secondary Road 895 to the plan area. A highway approach provides access through two parcels to the north. A minor agricultural approach is available from the forced road in the southwest corner of the quarter section.

Electrical
An above ground power line is located along the east side of the Plan Area and is proposed to be extended to provide electrical service for the proposed lots as shown in **Figure 6.**

Telephone
Telephone lines are located in proximity to the plan area and may be extended if needed.

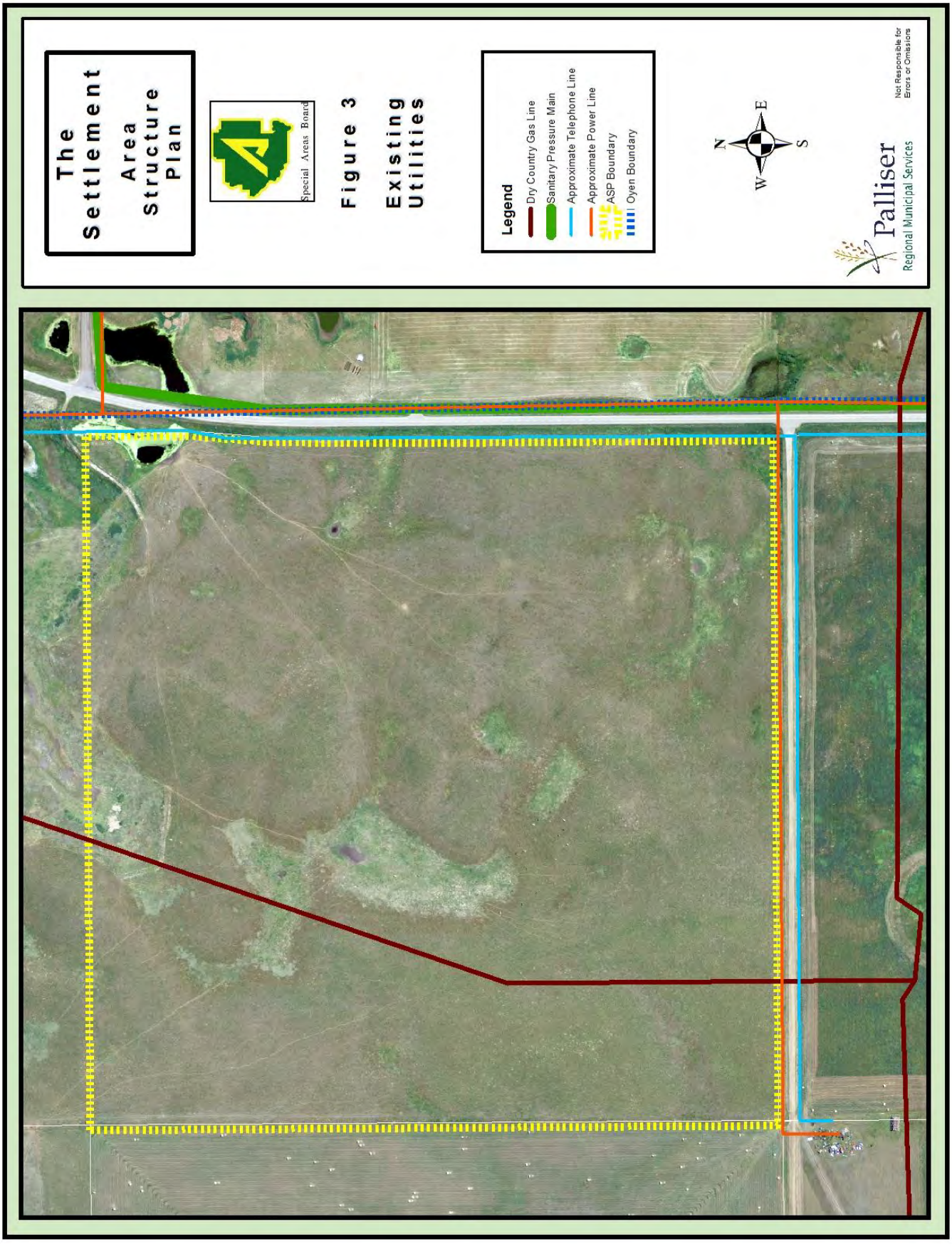
Gas
A low pressure Dry Country natural gas service line is situated within the Plan Area as shown in **Figure 3.** This line is located in a north-south direction through the centre of the plan area. The developer proposes to extend this line within a utility corridor to provide service to the proposed phase 1 lots.

Water
The Henry Kroeger water commission extended a regional waterline located along the west plan area boundary that provides service to the M.D. of Acadia and rural users. An easement has been registered on title. Water service to the phase 1 lots is proposed to be from an extension of this line to the east.

Sewer
The Town of Oyen sewage lagoons exist to the south at a distance greater than the 300 metre Subdivision and Development Regulation minimum setback requirement from the plan area boundaries. A sanitary forcemain is located adjacent to Secondary Road 895 leading from the Town of Oyen lift station to the lagoons. Sanitary servicing for the plan area is proposed to be private sewage disposal systems and will be required to meet the requirements of the current Private Sewage Disposal System Standard of Practice, Alberta Plumbing Code and any Special Areas regulations and policies.

Stormwater
Stormwater currently appears to flow through the site from northwest to southeast through a few minor low-lying areas. The amount of stormwater on-site currently is negligible and difficult to determine the direction of flow if any. The effects of development on Stormwater management is considered to be minimal as the development of large lot residential development should allow for stormwater to be handled on each individual site with natural drainage patterns and infiltration or the use of bioswales may be considered where necessary. The natural drainage patterns should be recognized at the time of development to ensure grading does not negatively affect existing sites or landowners.

Oil and Gas Development
There are no well sites or high pressure gas pipelines within the plan area or within close proximity.


The Settlement Area Structure Plan
Special Areas Board
Figure 3
Existing Utilities
Legend
Dry Country Gas Line
Sanitary Pressure Main
Approximate Telephone Line
Approximate Power Line
ASP Boundary
Oyen Boundary
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5.0 Policies

The development concept outlined in **Figure 6** was prepared for the Plan Area taking into consideration the development constraints and opportunities. The concept shows generalized land uses as well as access/ approach and road locations. The following is the rationale for the concept plan:

- Agricultural – Although the majority of the surrounding area contains agricultural uses, it is possible that conflicts between the agricultural uses and future multi-lot residential land uses may arise. However, considering the poorer soil types in the area and the predominant extensive agricultural activity in the surrounding area, land use conflict is not anticipated.

- Rural Small Holdings – The intent of the plan is to provide for larger Rural Small Holdings parcels. These larger rural parcels are intended primarily to provide sufficient land (and separation from neighbors as well as adjacent urban areas) to accommodate a residence and/or related on-site services, vehicle garage, large shop and/or yard space for those with heavy trucks and other heavy equipment used in the resource or agricultural sector.

- Commercial/ Industrial – These types of uses are not proposed for the plan area and would be incompatible with the residential characteristics of the area.

5.1 General Development

5.1.1 All subdivision and/or development activity which occurs within the Plan Area shall conform to the Special Areas Land Use Order.

5.1.2 Proposed developments shall take into consideration the existing utilities and roadways. The developer shall be responsible for any costs associated with the relocation and/or extension of any existing utility or roadway.

5.1.3 Developers of land within the Plan Area may be required to enter into an agreement with the Special Areas Board for the provision of services.

5.1.4 Where the use of a private sewage disposal system is required, the system shall conform to the Private Sewage Disposal System Standard of Practice, Alberta Plumbing Code and Special Areas policies and regulations.

5.1.5 The **Figure 6** Development Concept is conceptual only and changes to the density of parcels may be permissible in accordance with the applicable policies and requirements.

5.2 Agricultural

5.2.1 The development of intensive livestock operations on the agricultural lands within the Plan Area shall not be permitted. Land use of vacant land areas within the plan area shall continue to be extensive agriculture (pasture and hay production).

5.3 Residential

5.3.1 Residential subdivision and/or development within the Plan Area shall be consistent with the proposed land uses in **Figure 6**.

5.3.2 Access to Secondary Road 895 is proposed to be limited to a single access point that would become an internal access road for future phases and would only provide direct access to the two adjacent lots in phase 1.

5.3.3 Access to the lots along the south forced road are proposed to utilize joint approaches to limit the number of access points along this low density roadway.

5.3.4 Shelterbelts and other methods of buffering may be required to provide separation between the Rural Small Holdings land use areas dependent on the type of development proposed.

5.4 Highway Commercial/ Rural Industrial

5.4.1 Commercial/ Industrial land uses are not proposed within the plan area.

5.5 Roadways & Utilities

5.5.1 All direct access locations to Secondary Road 895 shall be approved by Alberta Transportation.

5.5.2 Direct highway access to parcels with Secondary Road frontage shall be in accordance with the proposed concept plan. Internal roads shall be required to the satisfaction of Alberta Transportation and Special Areas.

5.5.3 Only one access shall be permitted to the internal road from Secondary Road 895 with the location of this access to be consistent with the agricultural approach on the east side of the highway.

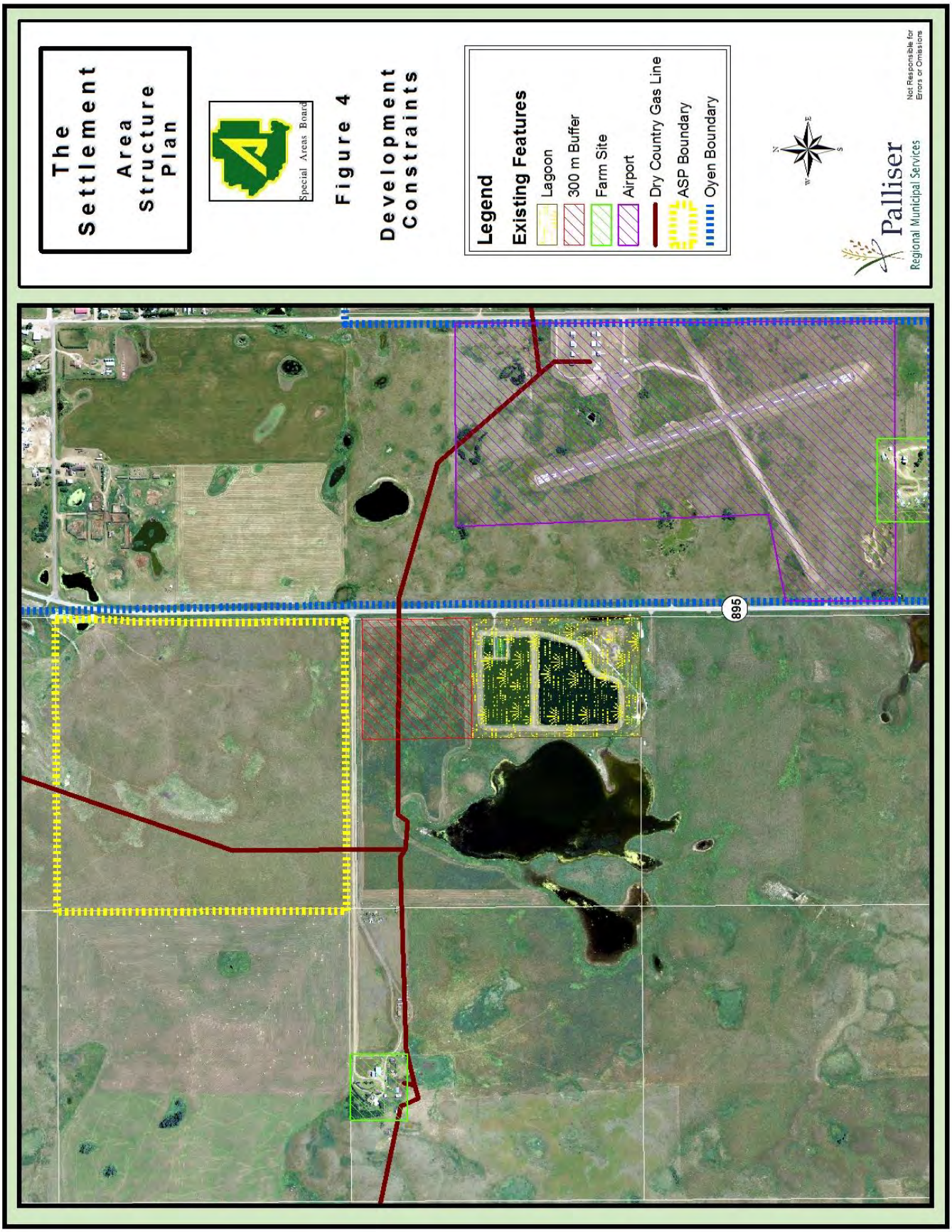
5.5.4 If required, any future improvements to highway accesses and service roads shall not be at the cost of Alberta Transportation.

5.5.5 Stormwater management may be required when considered necessary to ensure existing parcels are not negatively affected by changes in storm water flows and drainage patterns to the satisfaction of the appropriate authorities.

5.5.6 All utilities shall be provided adjacent to the property line of each parcel by the developer.

5.6 Municipal Reserve

5.6.1 Municipal reserve may be required as land or money-in-place of land up to the amount of 10% of the subdivision area in accordance with the *Municipal Government Act*. At the time of plan development the proponent is considering the provision of a community feature such as a fishing pond that would also provide a storm water management function for the subdivision area in a future development phase. The proponent requests that the municipal reserve requirements be deferred to the balance of the plan area by caveat registered on title to be a consideration in future development phases.


The Settlement Area Structure Plan
Special Areas Board
Figure 4
Development Constraints
Legend
Existing Features
Lagoon
300 m Buffer
Farm Site
Airport
Dry Country Gas Line
ASP Boundary
Oyen Boundary
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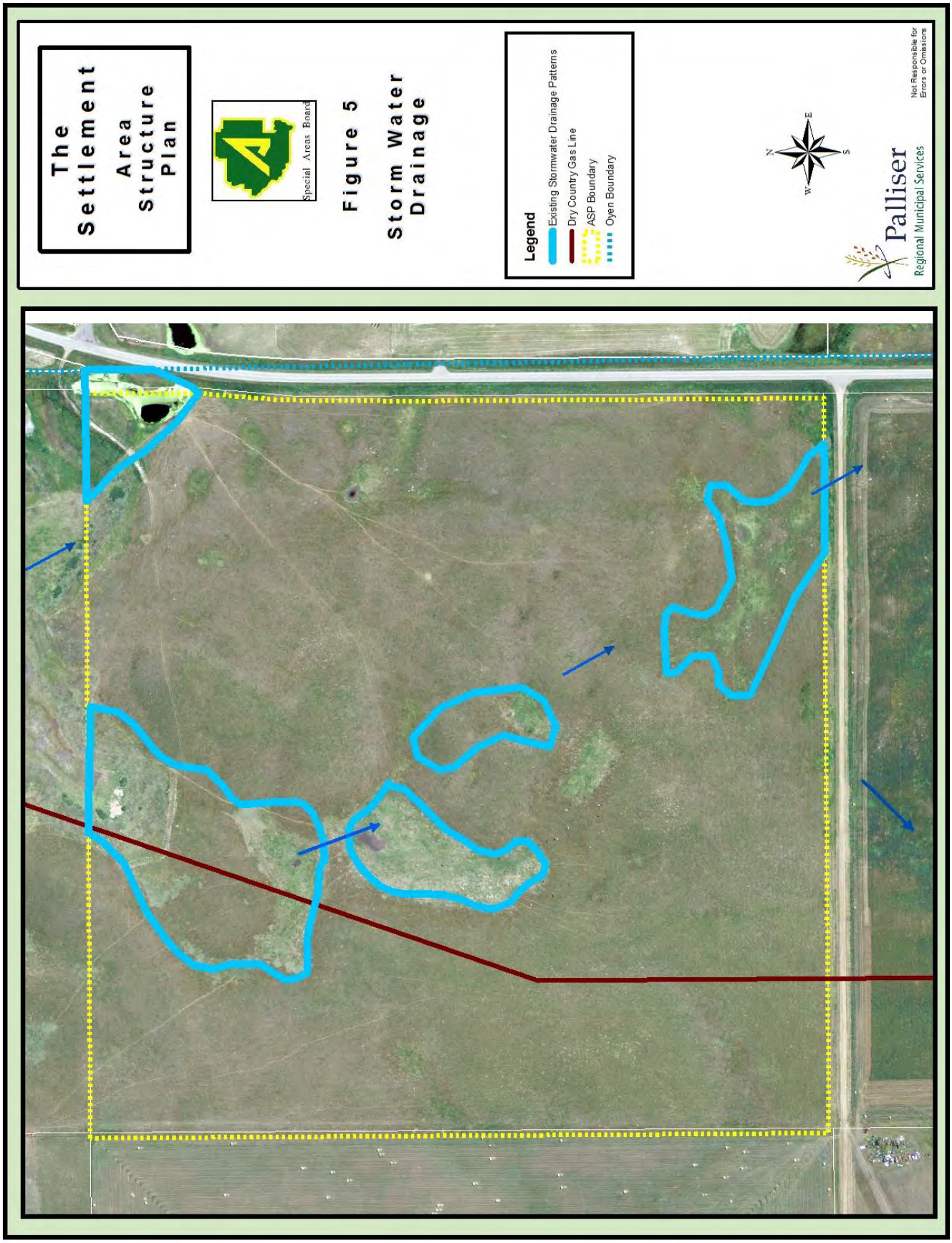
The Settlement Area Structure Plan
Special Areas Board
Figure 5
Storm Water Drainage
Legend
Existing Stormwater Drainage Patterns
Dry Country Gas Line
ASP Boundary
Oyen Boundary
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6.0 Population

The nearest residence to the plan area is located adjacent to the southwest corner of the ASP boundary. The majority of subdivision and development activity within the Plan Area will be rural residential with the option of a small owner/ operator type business (rural small holdings) on parcels between 3-10 acres. A total of 10 parcels are proposed within Phase 1 with a potential population increase of approximately 30 people (average of 3 people per household). Future phases could potentially provide for an additional 7 lots in phase 2 and additional lots as a phase 3 if required.

7.0 Subdivision/ Development Staging

Figure 7 illustrates the sequence of development of land within the Plan Area.

Phase 1:
Phase 1 consists of Rural Small Holding parcels between 3-10 acres along the existing roadway and adjacent to Secondary Road 895. All proposed Phase 1 parcels would have access from existing roadways and are proposed to be subdivided and serviced at the same time.

Phase 2:
The Phase 2 area is shown for future reference and may be considered if demand for additional serviced parcels is needed in the future.

Phase 3:
Development beyond Phase 2 is shown in consideration of the road access that will be available if the development concept proceeds as proposed.

8.0 Implementation

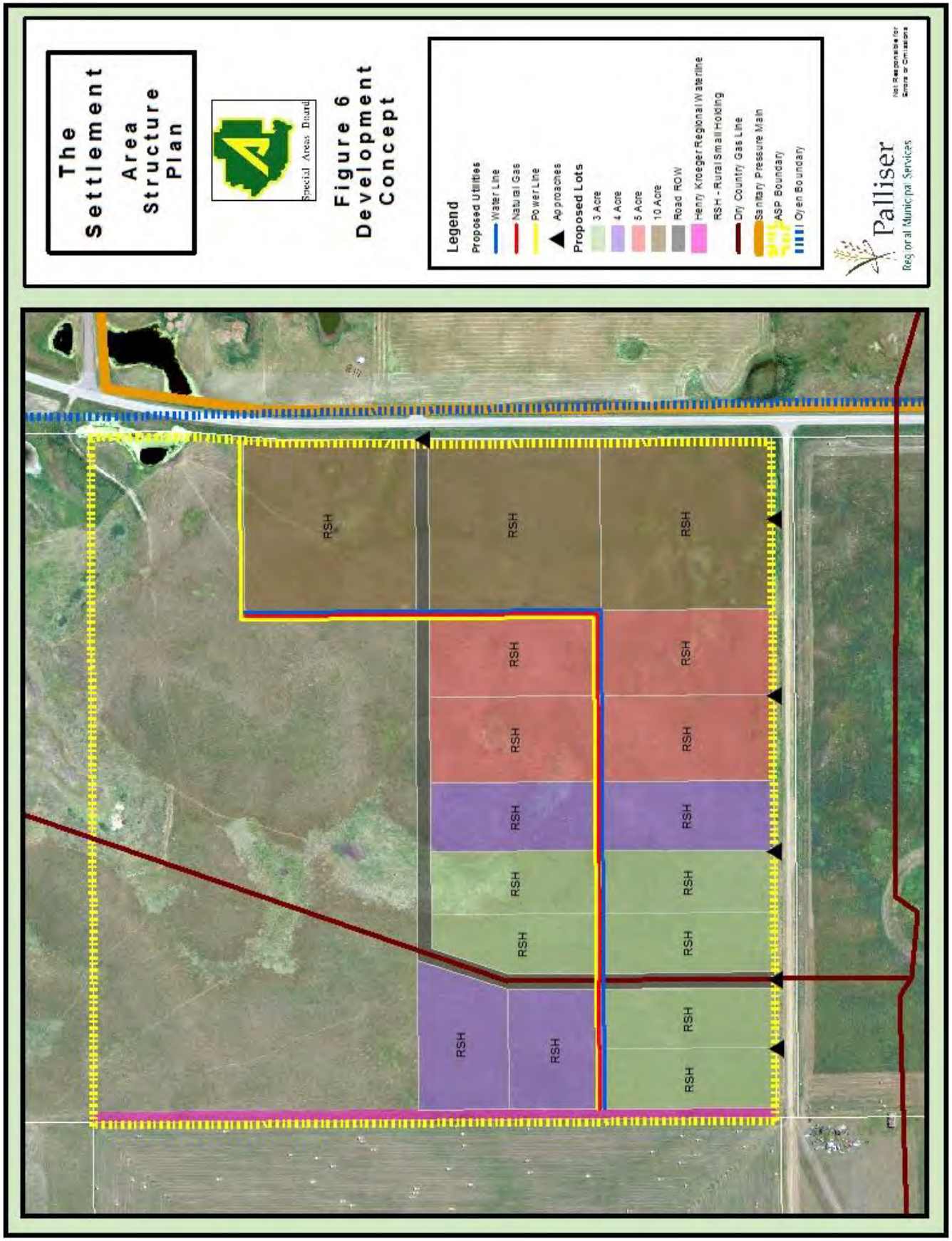
The adoption of this Area Structure Plan in accordance with Section 633 of the *Municipal Government Act* will result in this plan becoming a statutory document of the Special Areas and will guide further subdivision and development within the plan area.

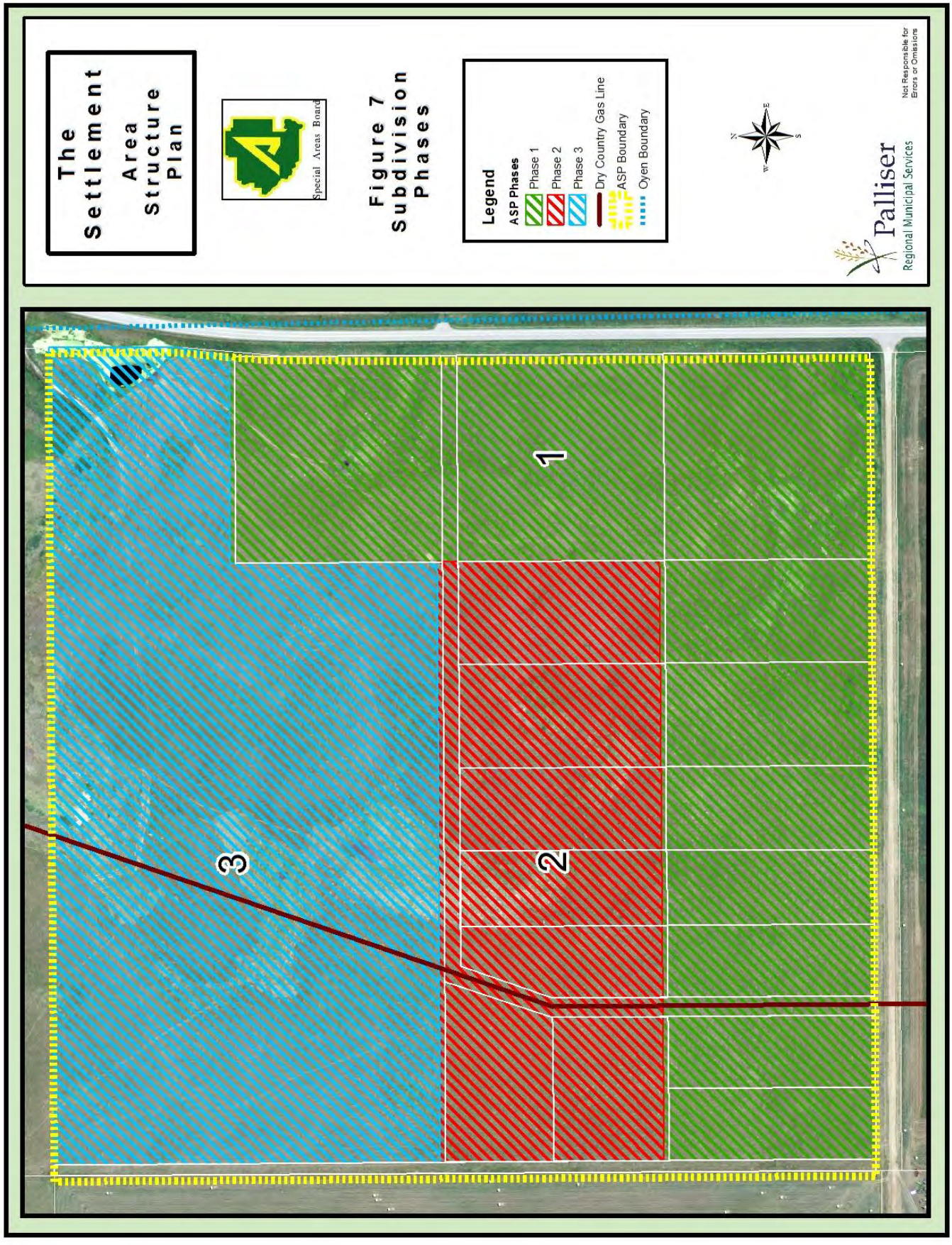
The plan area is currently classified ***'A' – Agricultural Land Use District with 'AVO' Airport Vicinity Overlay District*** that provides specific regulations for development near the Oyen airport. Prior to subdivision or development of this site a land use district amendment from "A" – Agricultural District to "RSH" – Rural Small Holdings District is necessary. It is recommended that when this plan is adopted, the land use district for Phase 1 be reclassified at the same time.

Future Phases shall be reclassified at the time of subdivision to the appropriate land use district.

This Area Structure Plan is intended to establish a long-term development pattern for the plan area. Minor modifications from this plan may be considered without the need for plan amendments. There is a possibility that future conditions may require amendments to this plan. Prior to adopting any additional amendment to this plan, the proposed amendment

should be referred to Palliser Regional Municipal Services for application and comment with such comments to be presented at the Public Hearing.


The Settlement Area Structure Plan
Special Areas Board
Figure 6 Development Concept
Legend
Proposed Utilities
Water Line
Natural Gas
Power Line
Approaches
Proposed Lots
3 Acre
4 Acre
5 Acre
10 Acre
Road ROW
Henry Kroeger Regional Waterline
RSH - Rural Small Holding
Dry Country Gas Line
Sanitary Pressure Main
ASP Boundary
Open Boundary
Palliser
Regional Municipal Services
RSH


The Settlement Area Structure Plan
Special Areas Board
Figure 7 Subdivision Phases
Legend
ASP Phases
Phase 1
Phase 2
Phase 3
Dry Country Gas Line
ASP Boundary
Oyen Boundary
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