

BYLAW 2263/D&P/06

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ADOPTING THE BORDER AREA STRUCTURE PLAN


WHEREAS Section 633(1) of the Municipal Government Act 2000 enables the Municipal Council to adopt by bylaw an area structure plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality;


AND WHEREAS the Border Area Structure Plan addresses the requirements of an area structure plan as outlined in Section 633(2) of the Municipal Government Act 2000;

NOW THEREFORE, the Council of the Town of Stony Plain in the Province of Alberta, pursuant to authority conferred upon it by the Municipal Government Act 2000 enacts as follows:

1. That this Bylaw 2263/D&P/06 is to be cited as the "Border Area Structure Plan".
2. That Schedule "A" attached hereto is hereby adopted as part of this Bylaw.
3. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
4. That this bylaw shall come into force and take effect upon the date of third reading and signing in accordance with Section 213, Municipal Government Act, Revised Statutes of Alberta 2000.

Read a first time this 26th day of June, A.D. 2006.


Mayor Donna Cowan

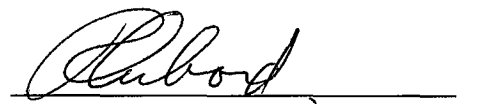

Randy Dubord, CMA
Director, Finance and Administration

Public Hearing held on 14th day of August, A.D. 2006.

Read a second time this 14th day of August, A.D. 2006.

Read a third time this 14th day of August, A.D. 2006.


Mayor Donna Cowan


Randy Dubord, CMA
Director, Finance and Administration

SCHEDULE A
BYLAW 2263/DP/06

**Border
Area Structure
Plan**

TOWN OF STONY PLAIN

June 2006



Scheffer Andrew Ltd.
Planners & Engineers

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1 INTRODUCTION

The lands included in this plan were annexed from Parkland County with the land transfer between municipalities occurring January 1, 2006. The purpose of this Area Structure plan is to replace the Fifth Meridian Area Structure Plan Bylaw 27-01 (ASP) as it applies to this 94 ha area, and to make changes that reflect the Town of Stony Plain's preferences for development in this area which is now under their jurisdiction.

This plan is prepared on behalf of the owners of NE ¼ 1-53-28-4 whose land is immediately north of the North Business Park. A subdivision application for NE ¼ 1-53-28-4 has been submitted in conjunction with this application and a subdivision has been approved by Parkland County for Lot 2 Plan 792-1088. Figure 1 indicates the location of the subject lands of the Border Area Structure Plan.

2 FACTORS INFLUENCING DEVELOPMENT

2.1 Policy Context

2.1.1 Municipal Government Act

This Area Structure Plan is to replace the existing Fifth Meridian Area Structure Plan and has been prepared under the Municipal Government Act (Revised Statutes of Alberta 2000) (MGA). Bylaws and resolutions of the old municipal authority apply specifically to the area of land that was annexed until they are repealed or replaced by the annexing municipal authority.

2.1.2 Municipal Development Plan

The plan area is not included in the Town of Stony Plain Municipal Development Plan (Bylaw Number 2226/DP/05, approved April 11, 2005) (MDP) as it was adopted prior to the annexation order. However, this Area Structure Plan is in general conformity with the Town of Stony Plain's policies contained within their MDP. Section 15.4 of the Municipal Development Plan requires area structure plans to be prepared and adopted by Town Council before subdivision is considered in newly developing areas.

2.1.3 Area Structure Plan

The Fifth Meridian Area Structure Plan Bylaw 27-01 was approved by Parkland County in August 2001. The subject area of the Border Area Structure Plan is a portion of the annexed area which was contained within the Fifth Meridian ASP and is now being replaced by this ASP. The existing development concept designates the subject lands as

business industrial with full municipal services and open spaces. This ASP proposes the same uses for the lands except for Lot A Plan 5897 RS which is proposed to be Urban Services instead of Business Industrial.

2.1.4 Land Use Bylaw

The subject lands of the amendment were rezoned to UR urban reserve, US urban service and M-1 light industrial in the Town of Stony Plain Bylaw 2253/LUO/06 on May 23, 2006.

2.2 Ownership

Figure 2 indicates the land ownership of this area. All but Lot A Plan 5897 RS are privately owned. Table 1 indicates ownership at the time of this Area Structure Plan.

<u>Land Owners</u>	<u>Legal Description</u>	<u>Area (ha)</u>	<u>Area (acres)</u>
Border Paving Ltd.	NE ¼ 1-53-28-4	32.4	80.1
Legend Trail Holdings Ltd.	Lot 2 Plan 792-1088	15.3	37.8
P. & R. Scheideman	Lot 1 Plan 792-1088	16.2	40.0
H. & M. Kristel	Lot 3 Plan 902-3561	1.21	3.0
Town of Stony Plain	Lot A Plan 5897 RS	<u>28.9</u>	<u>71.4</u>
	TOTAL	94.0 ha	232.3 acres

Source: Alberta Land Titles, 2006.

2.3 Existing Land Use

The majority of privately owned lands within the ASP area are being used for agriculture with Lot 2 Plan 792-1088 being prepared for construction of an industrial park. There are sewage lagoons on Lot A Plan 5897 RS which were reclaimed when the Town connected into the Capital Region Sewage Commission sanitary line. A sewage transfer station is located in the southeast corner of Lot A Plan 5897 RS and is accessed from Golf Course Road.

2.4 Adjacent Land Use

The existing light industrial North Business Park in the Town of Stony Plain is south of the east half of the lands contained within this ASP. West of the existing industrial park is Urban Reserve for future industrial use. Secondary Highway 779 (5th Meridian Road) delineates the west boundary of the area with Parkland County support buildings immediately west of the highway. Northwest of the subject area is an industrial area with the Parkland County Administrative Centre. Northeast of the site are additional sewage lagoons. Golf Course Road is along the east boundary of the area with land to the east of the road under cultivation.

2.5 Access

The plan area is bounded by Secondary Highway 779 on the west, Wood Avenue on the south and Golf Course Road to the east. Direct access onto the highway is permitted from the existing Wood Avenue intersection. Access is allowed on Golf Course Road which will direct traffic south to the signalized intersection with Highway 16A. A future east-west arterial road is proposed to be aligned of the north boundary of the ASP area.

2.6 Resource Extraction

Information received from the Alberta Energy Utilities Board (AEUB) indicated that there are no sour gas facilities in the vicinity of the plan area. No other resource extraction facilities that would impact development were identified (within or adjacent to the plan area) by the AEUB.

2.7 Natural Features

Aligned in a north-south direction is a tributary of Atim Creek on the west edge of the plan area. This stream has been realigned from its original course when the secondary highway was constructed. South of the subject lands it is ditched and through Lot 2 Plan 792-1088 it is poorly defined. It appears to be more aligned with its original course in the northerly portion of the area. The stream splits Lot 3 Plan 902-3561 from the balance of the lands in the plan area. The stream course has been identified as a natural area or open space to be preserved. Environmental Reserve dedication of the floodplain would be the preferred method of preservation.

The privately owned lands are predominantly flat with natural drainage towards the stream. The reclaimed lagoons are mainly in their original configuration with some berms removed.

2.8 Historical and Archaeological Resources

Alberta Community Development stated that there are no significant historical or archaeological resource within the plan area.

3 DEVELOPMENT CONCEPT

3.1 Uses

Figure 3 indicates the Proposed Future Development Concept for the plan area. Lot A Plan 5897 RS is proposed to be Urban Services including uses such as storm water management, active sewage lagoons and recreation. The balance of the lands are proposed to be Business Industrial with full municipal services with Open Space for preservation of natural areas.

3.2 Industrial

Business Industrial with full municipal services would be the use for the majority of the plan area.

Some cells of the reclaimed sewage lagoon ponds in Lot A Plan 5897 RS may be reactivated. Thus, a Heavy Industrial District would be a suitable use in the easterly half of the plan area given the potential of nuisance.

The Subdivision and Development Regulations limits residences, hospital and similar uses within 300 metres of an operating wastewater treatment plant (which includes sewage lagoons). This limitation on overnight accommodation may affect uses such as surveillance suites in the plan area.

3.3 Parks, Recreation, Open Space & Community Services

Lot A Plan 5897 RS in the northeast portion of the plan area is the location of the sewage lagoon cells which were temporarily discontinued when the municipality connected to the regional sewer line. The area will be maintained as an Urban Service district which will allow for the reactivation of the lagoon sites if necessary, storm water management facilities and recreational uses.

The natural area on the western portion will be preserved in order to contain the tributary of Atim Creek and to maintain a visual buffer between the highway and the industrial area. Consistent with the MDP, the floodplain may not be developed except for maintenance of flow on those lands. Given that the stream has been realigned, further realignment of the stream within the floodplain within the plan area to maintain flows and

natural wetland stormwater retention areas would be acceptable with supporting documentation signed and sealed by a professional engineer.

3.4 Transportation

The plan area is consistent with the MDP with respect to north-south connectivity and north to east connectivity through the extension of Boulder Boulevard. The north-south connection is in lieu of a service road adjacent to Secondary Highway 779 which is precluded by the location of the stream. The internal location of the north south connector is aesthetically more pleasing for highway travellers who will see the natural area adjacent to the highway. It is also cost and use efficient, as it will allow for lots fronting onto it from both sides. Figure 4 indicates the Transportation Concept Plan. Alberta Transportation is in concurrence with the service road being internally located. A Traffic Impact Assessment prepared by Scheffer Andrew Ltd. May 2006 for the plan area indicated that the intersection of Wood Avenue and Secondary Highway 779 is adequate to handle the increased traffic from the expected development within the area.

4 MUNICIPAL SERVICES

4.1 Water Supply

Connections to the existing 250 mm water main paralleling Wood Avenue will provide the water supply for the plan area.

4.2 Sanitary Service

The Capital Region Sewage Commission bisects the amendment area in an east-west direction. Connection to the Regional sanitary line is subject to the approval of the Commission and is subject to their guidelines. The number of individual connections to their existing manholes is based upon basin area or flow volumes. In the plan area, the regional sewer line will be contained within open spaces, public utility lots and within road right of ways.

4.3 Storm Water Management

Figure 5 indicates the location of the proposed storm water management facilities within the plan area. A regional storm water management facility in the western portion of Lot A Plan 5897 RS to handle the majority of flows is optimal in terms of maintenance and regional planning. This storm water management facility would be sized at 4.5 ha to handle the stormwater flows from the lands east of the north-south road through the plan area. This wetland pond size may be oversized to accommodate wet weather flows from

outside the plan area. Two wetland management facilities within the Open Spaces area on the west will accumulate drainage west of the north-south road.

4.4 Shallow Utilities

Existing franchise providers for the Town of Stony Plain will provide the required utilities in this area.

4.5 Police, Fire & Emergency Services

The Stony Plain RCMP detachment will provide policing for the plan area. Fire protection and emergency services will be provided by the Town of Stony Plain.

5 DEVELOPMENT SEQUENCE

Land adjacent to Wood Avenue is to be developed initially along with the regional storm water retention pond in Lot A Plan 5897 RS. Lot 1 Plan 792-1088 can be developed once the road connection to Wood Avenue has been completed through Lot 2 Plan 792-1088. Lot 3 Plan 902-3561 can be developed independently other of the parcels as it has road access to the service road north of the plan area if it is determined to be outside of the Open Space area as determined by a professional engineer.

6 RATIONALE

The Border Area Structure Plan will ensure that the servicing, districting and development of this portion of the Town of Stony Plain will be in compliance with the municipality's existing statutory plans.

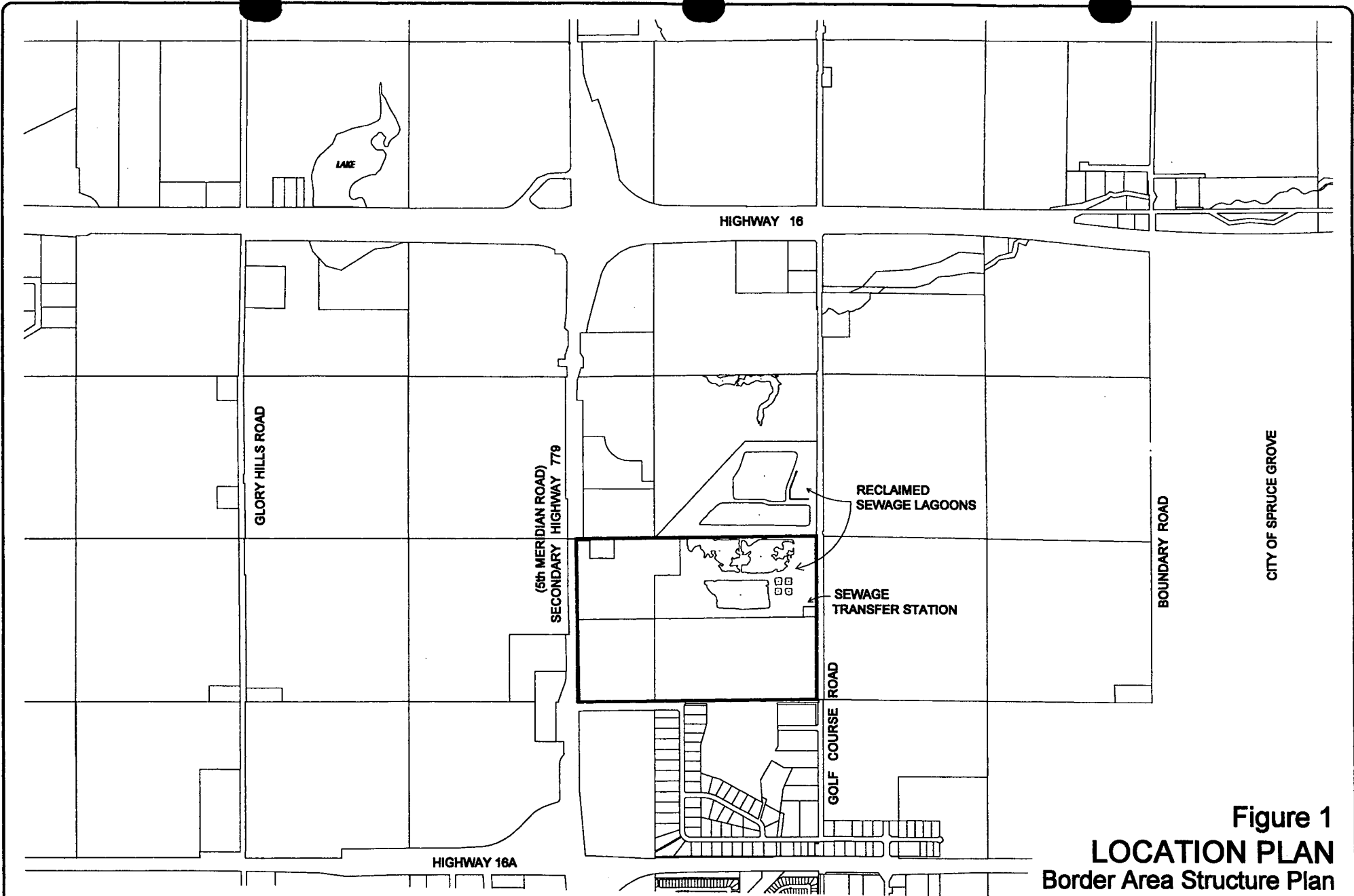


Figure 1
LOCATION PLAN
 Border Area Structure Plan
 Town of Stony Plain

Not to Scale
 June 15, 2006
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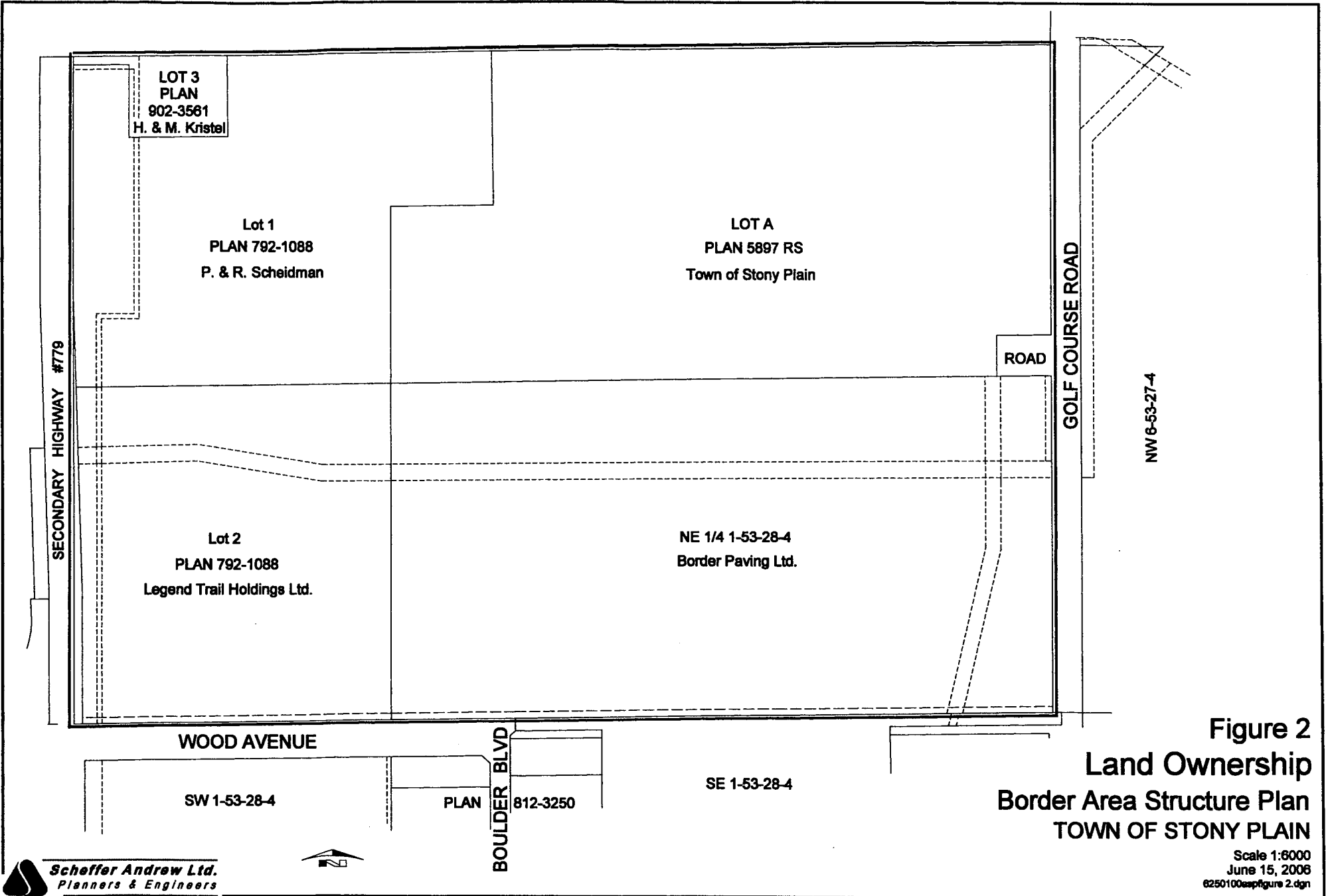
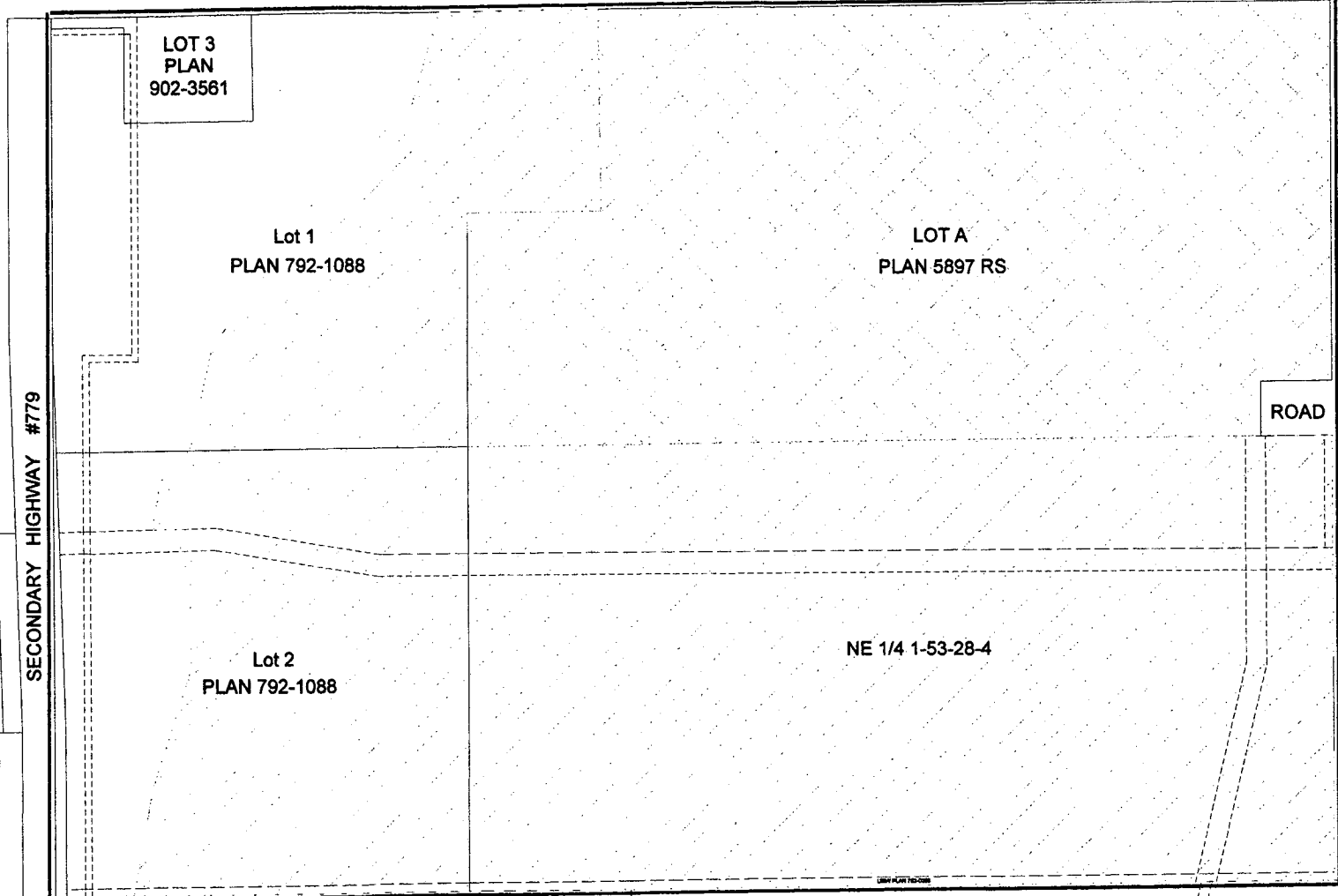


Figure 2
Land Ownership
Border Area Structure Plan
TOWN OF STONY PLAIN



LOT 3
PLAN
902-3561

Lot 1
PLAN 792-1088

LOT A
PLAN 5897 RS

Lot 2
PLAN 792-1088

NE 1/4 1-53-28-4

ROAD

-  Business Industrial Full Municipal Services
-  Open Space
-  Urban Services

GOLF COURSE ROAD

NW 6-53-27-4

WOOD AVENUE

SW 1-53-28-4

PLAN 812-3250

BOULDER BLVD

SE 1-53-28-4

Figure 3
Proposed Future Development Concept
Border Area Structure Plan
TOWN OF STONY PLAIN

Scale 1:6000
 June 15, 2006

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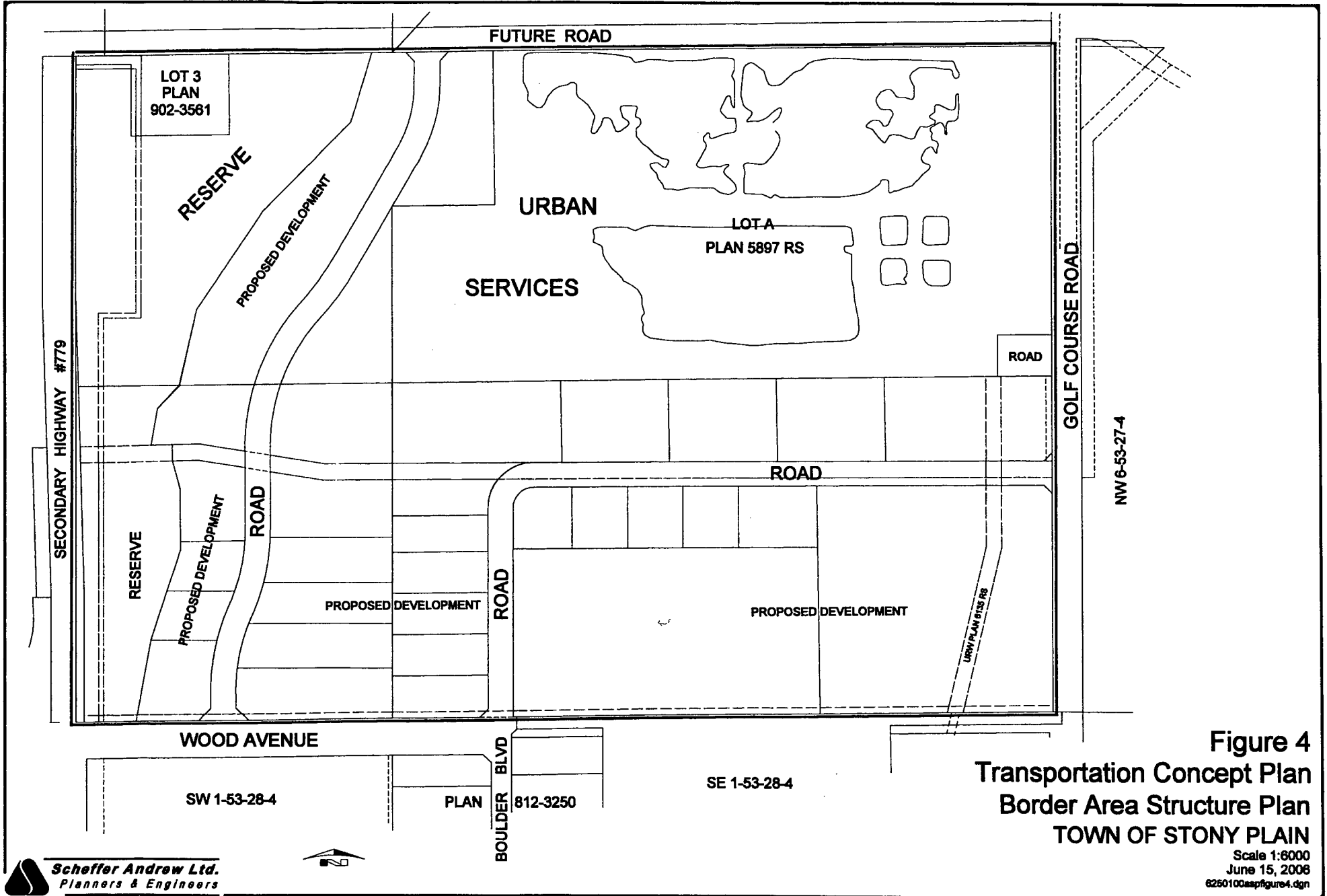


Figure 4
Transportation Concept Plan
Border Area Structure Plan
TOWN OF STONY PLAIN

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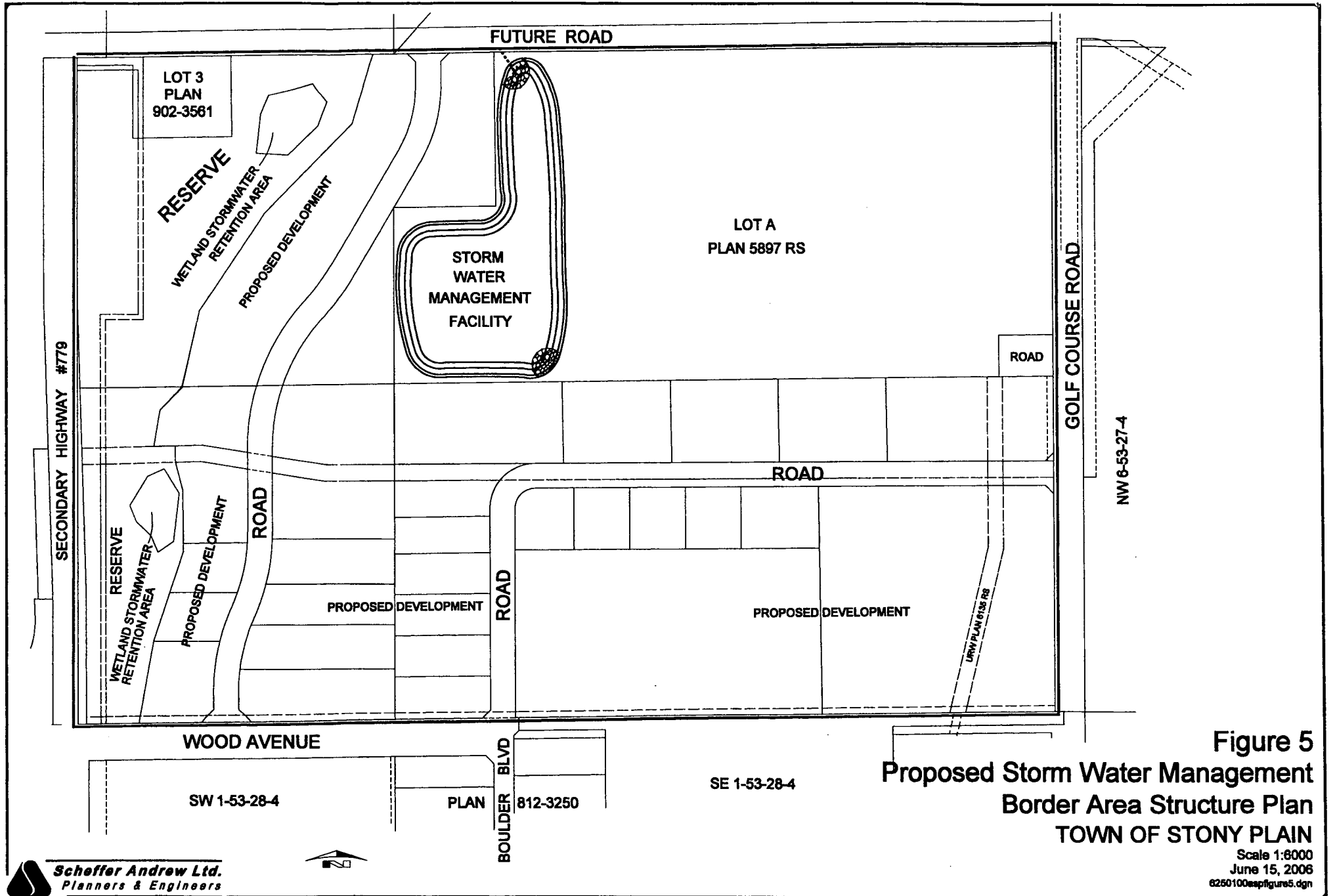


Figure 5
Proposed Storm Water Management
Border Area Structure Plan
TOWN OF STONY PLAIN