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# Conceptual Scheme SE 3-54-21-W4

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## September 2006

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# Conceptual Scheme

## SE 3-54-21-W4

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### 1. PURPOSE

**1.1** The purpose of a Conceptual Scheme (CS) is to provide supporting rationale for the potential subdivision of this land to accommodate rural residential/agricultural development and to coordinate development planning of adjoining lands. The CS, as stated in Council Policy statement SER-008-019, is required:

- a)** To provide a framework for the subsequent subdivision and/or development of land within the Country Residential Policy Area and the Agricultural/Large Rural Residential Policy Area of the Municipal Development Plan;
- b)** To establish a potential plan of future subdivision or development that applies to a specific parcel of land;
- c)** To ensure that the subdivision under review does not prohibit the ability of remnant parcels, or adjacent parcels, to be further subdivided in the future. This can be achieved through improved subdivision design and the protection of land for future road dedication to provide access to remnant lands owned by the applicant or adjoining lands.

**1.2** Furthermore, as per Council Policy statement SER-008-019, the proposed Conceptual Scheme is essential for the following reasons:

- a)** The land being proposed for redistricting or subdivision is within the Agricultural/Large Rural Residential Policy Area of the MDP and is 16 ha (40 ac) or more in size; or
- b)** The land being proposed for redistricting or subdivision has the potential to be further subdivided; or
- c)** The proposed subdivision would result in more than two parcels on the quarter section; or
- d)** There is a need to coordinate development planning or servicing of adjoining lands.

### 2. OVERVIEW

**2.1** The proposed Conceptual Scheme has been prepared by Strathcona County Planning and Development Services in support of a Land Use Bylaw Amendment application and future proposed subdivision. Leonard & Linda Chmilar and Kim & Monica Elfstedt have submitted an application to rezone their 33.6 hectare (83.0 acres) and 31.1 hectare (76.8 acre) parcel from AG Agriculture: General District to DC Direct Control District in order to allow the future subdivision of nine (9) parcels ranging in size from approximately 3.2 ha (7.8 ac) to 7.5 ha (18.4 ac).

### 3. CONCEPTUAL SCHEME (DESIGN CONCEPT)

**3.1** The proposed Conceptual Scheme encompasses the entire SE  $\frac{1}{4}$  of Section 3, Township 54, Range 21, West of the 4 Meridian (Figure 2) and has been prepared in consultation with the affected and adjacent landowners of the quarter section. The goal of the Conceptual Scheme is to establish a framework for the potential future subdivision and development of the land while ensuring that the policies and guidelines within the applicable statutory plans and bylaws are adhered to. The objectives of the Conceptual Scheme are to illustrate the potential developable area(s), potential lot yield, potential access locations and potential reserve land (Environmental Reserve, Municipal Reserve and Conservation Lot).

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### 4. BACKGROUND INFORMATION

- 4.1** Legal Description: SE 3-54-21-W4
- 4.2** Farmland Assessment Rating & Canada Land Inventory Rating: E ½ 46.35%, CLI Class 2 & 4  
W ½ 51.8% CLI Class 3 & 5
- 4.3** Adjacent Land Uses:

- a)** North: Three (4) AG — Agriculture: General District parcels consisting of approximately 49.27 acres, 29.58 acres, 39.61 acres and 39.65 acres.
- b)** South: Township Road 540.
- c)** East: Range Road 212
- d)** West: Country Residential subdivision of Gunmanor Estates.

### 5. MUNICIPAL DEVELOPMENT PLAN

**5.1** The subject land is located within the Agricultural/Large Rural Residential Policy Area of the Municipal Development Plan. The policy area supports large rural residential development subject to:

- a)** Section 10.18(a): Maximum parcel density shall not exceed eight (8) parcels per quarter section.
- b)** Section 10.18(b): Suitable environmental conditions exist for on-site water supply and on-site sewage disposal.
- c)** Section 10.18(c): The subject land is redistricted under the Land Use Bylaw, to an appropriate land use district other than an AG Agriculture: General District or AD Agriculture: Future Development District.
- d)** Section 10.18(d): The subject land contains one contiguous developable acre (0.4 ha) of land.
- e)** Notwithstanding Section 10.18(a), the maximum parcel density of the Agricultural/Large Rural Residential Policy Area may be increased up to a maximum of ten (10) parcels per quarter section, subject to the following:
- i)** Section 10.18(1)(a): Council has adopted a Conceptual Scheme that has been prepared in accordance with County policy.
  - ii)** Section 10.18(1)(b): Where in the opinion of the County, the land includes priority upland habitat (forest and grassland) that is of significant ecological value to the community; and one of the following methods is used to conserve that habitat:
    - 1)** One additional lot for each 3.2 hectares (8 acres) of land, over and above the normal 10% requirement, that is voluntarily dedicated as municipal reserve for the purpose of habitat protection; or
    - 2)** One additional lot for each 8.0 hectares (20 acres) of land that is conserved under a voluntary conservation easement for the purpose of habitat protection; or
    - 3)** One additional lot for each 4.0 hectares (10 acres) of land that is registered under separate title, for the purposes of conserving significant habitat. These lands shall be districted for conservation purposes under the land use bylaw, and ideally would be owned and operated by a local homeowners association or nature conservancy group.
- f)** Section 10.18(1)(c): The related subdivision and development is designed in such a way so as to minimize the amount of tree removal; and,
- g)** Section 10.18(1)(d): Internal road access is provided to each of the existing and proposed lots that are part of the subject lands.

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**h)** Section 10.18(3): Council may establish a policy in the Council Policy Handbook outlining the circumstances, under which a Conceptual Scheme is required, as well as the purpose, general content and procedures required for the preparation and adoption of a Conceptual Scheme.

**5.2** The Conceptual Scheme illustrates the proposed land use bylaw amendment application and future proposed subdivision for the balance of the quarter section (Figure 2). The maximum lot yield (maximum parcel density for the quarter section) shall not exceed ten (10) parcels for the entire quarter section. Please note that the developable areas are approximate and may change at the subdivision stage.

### **6. LAND USE BYLAW**

**6.1** Pursuant to the Land Use Bylaw 8-2001, the subject lands are proposed to be redistricted to DC Direct Control District. The purpose of the DC District is to foster a rural residential lifestyle on properties smaller than rural residential parcels that provides for the preservation and protection of environmentally sensitive lands and habitat that are of significant ecological value to the community

**6.2** The DC District requires lots to be a minimum of 60 meters in width except in the case of an irregular shaped lot (such as a pie lot) and have a minimum area of 2.0 hectares (5 acres).

**6.3** A Land Use Bylaw Amendment has been submitted concurrently to rezone approximately 64.7 hectares (160 acres) of the SE 3-54-21-W4 from AG Agriculture General to DC Direct Control District.

### **7. CURRENT SITE USES**

**7.1** The quarter section is currently divided in two AG Agriculture General parcels, an 83.15 acre parcel and a 76.85 acre parcel.

**7.2** A single family residence exists on the east titled half of the quarter section in the northeast corner.

**7.3** There are no structures or dwellings established on the west titled half of the quarter section.

**7.4** The Conceptual Scheme proposes an Environmental Reserve (ER) dedication of 0.8 ha +/- (2.1 ac +/-) and proposed Municipal Reserve (MR) dedication of 9.6 ha +/- (23.8 ac +/-) as required under section 661(a) and (b). The proposed reserve areas are subject to change based on the required Biophysical Assessment and subject to final calculation upon subdivision.

### **8. SITE CONSIDERATIONS & PROPERTY INFORMATION**

**8.1** The general topographic relief of the quarter section is characterized as gently rolling with scattered shallow depressions.

**8.2** The subject property contains priority upland and wetland habitat, as identified in the Priority Landscape Ecology Assessment (PLEA) of Strathcona County.

### **9. ENVIRONMENTAL CONSIDERATIONS**

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**9.1** The Strathcona County Prioritized Landscape Ecology Assessment (PLEA) identifies lands within the quarter section that have significant ecological value and should be protected by municipal reserve, environmental reserve, conservation easements and environmental reserve easements.

**9.2** The (PLEA) identifies the following features in the SE 3-54-21-W4M:

- a) Uaa:** Upland Poplar
- b) Ub:** Upland Mixed Wood
- c) Wa:** Marsh
- d) Wc:** Slough
- e) Wf:** Drainage Course
- f) Wg:** Swamp

**9.3** Pursuant to the MDP, Section 4 — Environmental Management, “in areas where native vegetation is important for soil conservation, water resource protection or wildlife habitat, Strathcona County will discourage further clearing or development, unless it is demonstrated to the County’s satisfaction that these resources will not be negatively affected.”

**9.4** Subject to the MGA Section 664(1), the owner of the parcel of land that is the subject of a proposed subdivision may be required to provide part of that parcel of land as Environmental Reserve if it consists of: a swamp, gully, ravine, coulee, natural drainage course, land that is subject to flooding or is unstable, a strip of land, not less than 6 metres in width abutting the bed or shore of any lake, river, stream or other body of water for the purpose of preventing pollution or providing public access to and beside the bed and shore. In addition, the applicant will be required to provide Municipal Reserve.

**9.5** A biophysical assessment was conducted on April 24, 2006. The assessment consisted of a survey of landscape, vegetation and wildlife on the subject property. The survey technique consisted of identifying and describing the general plant communities based on the landscape features. The vegetation and wildlife survey involved walking throughout the site in meandering transects. Due to the timing of the assessment, vegetation communities were observed and species recorded when possible. A rare plant survey was not conducted. Representative sites were photographed. All wildlife directly or indirectly observed was recorded. Appendix A includes a list of plant and wildlife species identified during the assessment.

### **Landscape**

**9.6** Overall, the terrain was rolling with scattered shallow depressions supporting a system of ephemeral wetlands. Three significant wetlands were observed on the subject property. The first is a large permanent wetland surrounded by upland poplar forest located in the northwest corner of the subject property. This wetland and upland complex is contiguous with a larger habitat block on the property to the north. An ephemeral drainage swale extends from the property to the north, south to an intermittent wetland in the central portion of the subject property. This wetland likely supports a small amount of standing water, but the vegetation indicates that it is a permanent wetland in the landscape. The drainage swales that extend from this central wetland are not important habitat features as they are routinely cultivated and do not support wetland vegetation. The third significant wetland feature on the subject property is located along Range Road 210 in the northeast corner of the subject property. This feature consists of a well developed permanent

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wetland with characteristic vegetation. The remainder of the subject property has been cultivated for years and the drainage swales, while providing short term drainage, do not persist on the landscape throughout the season.

### **Vegetation**

**9.7** The subject property has been cleared of native vegetation and has been under agricultural management for decades. The priority habitat occurs along the north boundary, adjacent to the undisturbed parcel to the north and along Range Road 210.

**9.8** The vegetation within the wetland and surrounding upland in the northwest corner is consistent with a typical forest/wetland complex. The poplar forest is dominated by aspen poplar. The well developed forest structure includes diverse herbaceous ground cover, low shrub and tall shrub layers. The wetland along Range Road 210 is a typical freshwater marsh, characterized by zones of vegetation (willows, grasses, sedges, cattails) around open water. The central wetland is more intermittent and did not have open water during the site reconnaissance. The vegetation is dominated by reed grasses. The variety of wetland grasses, sedges, rushes and willows provide wildlife habitat.

**9.9** The remaining wet areas range from isolated drainage areas to a system of connected ephemeral swales. From air photo interpretation (refer to following air photo) and site reconnaissance, it appears that several natural drainage swales exist connecting the drainage areas in the south and central portions of the subject property. These drainage features do not offer wildlife habitat, rather they provide drainage during spring runoff and summer precipitation events.

**9.10** Overall, the diversity of plant communities across the subject property is low, therefore what remains should be conserved. Environmental and Municipal Reserves should be dedicated in such a way to conserve the remaining undisturbed lands across the subject property.

### **Wildlife**

**9.11** Direct observations of wildlife in the area were typical of the timing of the assessment. Ungulates dominated the landscape and their presence was noted through indirect observations, such as browse, scat and trails. Coyote scat was also observed. Protecting the connection to the forested lands to the north will allow for wildlife use of a large habitat block.

### **Reserve Recommendation**

**9.12** Environmental Reserve (ER) should be dedicated for wetland areas to the full extent described under the Municipal Government Act. It is recommended that a minimum 7.5 m buffer adjacent to all ER areas be taken for access purposes.

**9.13** Municipal Reserve (MR) be dedicated to the full extent owing for the expansion of poplar forest habitat. Providing one large habitat block in the north portion of the subject property may be the best alternative. This would conserve a larger area that incorporates a variety of habitats. This would also align with the existing MR parcel adjacent to the west (within Gunnmanor Estates) and allow for the remaining poplar forest to migrate into the subject property and ultimately expand the large block of habitat that exists on the property to the north.

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**9.14** Drainage Easements between the landowner and Strathcona County would also be beneficial in conserving the ephemeral drainage swales to ensure that development does not negatively impact natural drainage.

### 10. TRANSPORTATION

**10.1** A 5 meter road widening will be required adjacent to Range Road 212 and Township Road 540 and a 6m x6m corner cut at the intersection at the time of future subdivision.

**10.2** Access to Lots 2 and 3 is to be provided by a shared approach.

~~**10.3** Access to Lots 5, 6, 7 and 8 will be provided via an internal road that gains access from Township Road 540.~~

**10.4** Access to Lot 9 **7** is to be provided off of an existing cul de sac in the northeast corner of the Country Residential subdivision of Gunmanor Estates.

**10.5** At the time of future subdivision, all existing and proposed access locations and proposed internal roadways will be identified and must be to the satisfaction of Strathcona County's Engineering Servicing Standards.

### 11. SERVICING

**11.1** The appropriate servicing for water and sewer will be determined at the time of subdivision to the satisfaction of Strathcona County.

### 12. DEVELOPMENT CRITERIA

**12.1** To assist in the preparation of future redistricting and subdivision applications the following list of Development Criteria have been developed for reference. The criteria has been developed from policies, standards and regulations within the various applicable bylaws and statutory plans and from information gathered at meetings with landowners within the SE 3-54-21-W4 and the surrounding area. Additional development criteria may be identified at a more detailed subdivision stage.

**12.2** The proposed Conceptual Scheme (Figure 2) illustrates the proposed land use bylaw amendment that has been applied for and the future proposed subdivision. The Conceptual Scheme identifies the potential developable areas on the balance of the quarter section, taking into consideration undevelopable areas such as environmental reserve, municipal reserve and conservation lot, as well as an internal roadway location from Gunmanor Estates and Township Road 540.

**12.3** The developers (applicants) will, through the subdivision application process be required to address servicing for water and sewer, access locations, internal road layout, municipal reserve, environmental reserve, environmental reserve easements and potential conservation easement requirements, geo-technical considerations/constraints, approval fees, rural road levies and any other requirements deemed appropriate, to the satisfaction of Strathcona County.

**12.4** Technical considerations including a biophysical assessment or stormwater management report and any other studies deemed appropriate by Strathcona County to be addressed, if

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required, to the satisfaction of Strathcona County at the time of subdivision. At all times County standards shall be maintained.

**12.5** Drainage Easements between the landowner and Strathcona County would be entered into for conserving the ephemeral drainage swales to ensure that development does not negatively impact natural drainage.

**12.6** Future development may require the provision of internal road access to individual parcels depending upon the location of proposed lots and shall be determined at the discretion of Strathcona County at time of subdivision. ~~shall only be allowed based on the provision of internal road access to individual parcels. Potential locations for internal road access are shown on Figure 2.~~

~~**12.7** For development to proceed to the level outlined on Figure 2, a 30 metre road right of way must be dedicated at a location suitable to Strathcona County, and a road must be constructed, to County standards, to provide access.~~

**12.8** Access to Lots 2 and 3 be provided by a shared access.

**12.9** Access to Lot 4 be provided from Township Road 540.

**12.10** Development within the quarter section will maintain a rural residential lifestyle on properties of approximately 2.0 hectares (5.0 acres) or larger

**12.11** For development to proceed to the level outlined on Figure 2, environmental reserve must be dedicated for wetland areas and watercourses to the full extent described under the Municipal Government Act at the time of subdivision.

**12.12** For development to proceed to the level outlined on Figure 2, municipal reserve must be dedicated to the full extent owing for the maintenance of upland habitat, based on 10% of the land area less that area owing as environmental reserve at the time of subdivision.

**12.13** Development adjacent to slopes, wetlands and water courses shall conform with environmental setbacks contained within the Land Use Bylaw 8-2001.

~~**12.14** For future development to proceed to the level outlined on Figure 2 a~~ A development agreement will be required to address the construction of any internal roadways and any offsite improvements required.

**12.15** Prior to development, percolation and water table testing will be conducted on the proposed lots by a qualified professional so that suitable locations can be chosen for building sites and for on-site private sewage disposal systems.

**12.16** At all times all lots shall comply with the requirements of the appropriate land use district. ~~The approximate base developable area is 50.0 hectares +/- (121.0 acres +/-). Based on the developable and undevelopable areas illustrated in Figure 2, 8 lots are proposed for the entire quarter section.~~ Please note that the development concept shown on Figure 2 is conceptual and may change at the time of future subdivision. Further investigation of the quarter section may identify constraints to development on the quarter section.



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### 13. SUBDIVISION APPROVAL

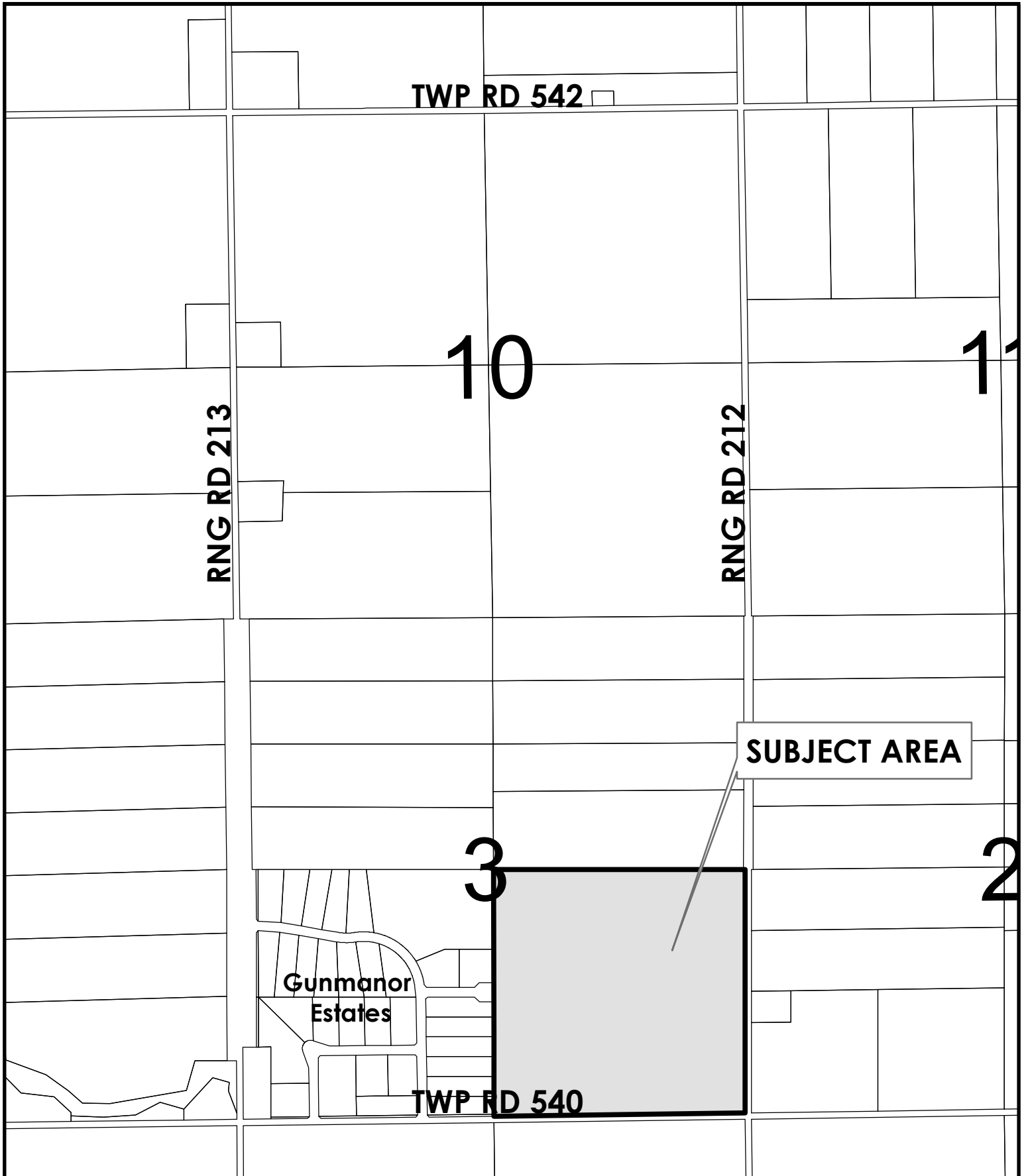
**13.1** Notwithstanding any other issues that may arise through the subdivision review process, the following will be addressed as conditions of subdivision:

**a)** Final location of property lines and parcel areas may be adjusted at the time of subdivision, however, shall comply with the maximum density and minimum lot areas of the Land Use Bylaw District for the lands.

**b)** Any other conditions which may be applicable.

### 14. COMPLIANCE WITH OTHER LEGISLATION

**14.1** Nothing in this Conceptual Scheme shall be interpreted as relieving a person from complying with Federal, Provincial or Municipal statutes or bylaws. In the event of a conflict between any of the provisions of this Conceptual Scheme and the provisions of any statute or bylaw, the provisions of the statute or bylaw shall prevail.



**FIGURE 1  
KEY PLAN  
SE 3-54-21-W4**



**PLANNING & DEVELOPMENT SERVICES**

**Drawn By:** R. Feniak

**File No.:** P41M0000

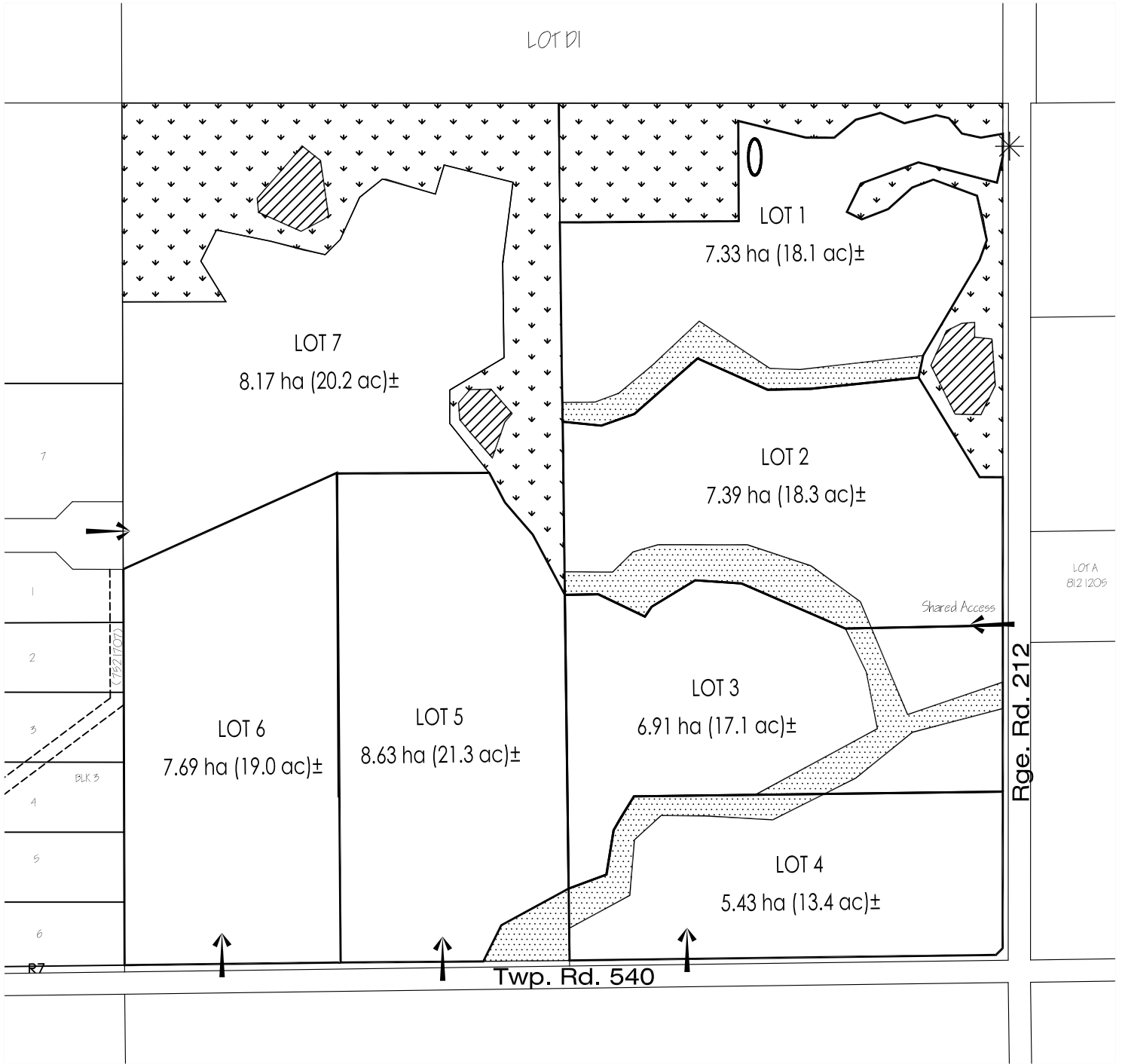
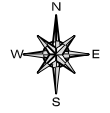
**Date Drawn:** 07/03/06

Dwg No.: N:\ArcView Projects\  
Conceptual Schemes\41\  
P41M0000 - Key Plan.mxd

**Scale:** NOT TO SCALE



# CONCEPTUAL SCHEME SE 3-54-21-W4



**Legend**

- SE 3-54-21-W4 = 64.8ha (160.0ac)±
- Proposed Developable Area = Approx. 51.6 ha (127.4 ac) ±
- Existing Access
- Potential Access Location
- Proposed Municipal Reserve Area = Approx. 8.94 ha (22.1 ac) ±
- Proposed Environmental Reserve Area Approx. 0.86 ha (2.13 ac) ±
- Drainage Easement
- Existing Dwelling

**FIGURE 2  
CONCEPTUAL SCHEME - SE 3-54-21-W4**

PLANNING & DEVELOPMENT SERVICES

Drawn by: Dimple Tinani	Adopted: 10/03/2006	Dwg No.: 2010A004
Date Drawn: 07/17/2010	Revised: 07/26/2010	Scale: NOT TO SCALE