

Overview of Re-designation Application by Richard DeGroat

1. Introduction

1.1 Purpose of the Re-designation Application

The DeGroat application for re-designation has been prepared pursuant to the “Sylvan Lake Management Plan: 2000 Update” as adopted by resolution of Lacombe County Council. The application will provide Council with supporting rationale for re-designation of the subject lands from Agricultural to Residential Lakeshore in order to accommodate the development proposal.

1.2 Background to the Re-designation

The general purpose of the Sylvan Lake Management Plan 2000 is to promote responsible land use and development around Sylvan Lake. The 2000 Update was started in 1997 by the eight municipalities around the lake. Over the four year review process a great deal of input was received by informal and formal processes including; three surveys of lake users and landowners, two open houses, circulation of several draft plans, and two public meetings. Significant effort was made by all municipalities to receive feedback from a broad range of stakeholders. The final plan was adopted by Lacombe County in January 2001 and responds to the request for flexible guidelines that allow for environmentally sustainable development to be considered.

1.3 Interpretation

In this Application:

- i. “Management Plan” or “Sylvan Lake Management Plan: 2000 Update” means the Land Use Plan adopted by Lacombe County and embodied in the Sylvan Lake Management Plan: 2000 Update prepared by IBI Group
- ii. “Site” or “Development Site” or “Lands” means the portion of the North ½ of S33-39-2 W5M consisting of 27.17 ± ha (more or less)

- iii. “Council” means the Council of Lacombe County
- iv. “Development Proponent” or “Applicant” means Mr. Richard DeGroat. Mr. DeGroat has owned the site for approximately eight years.
- v. “County” means Lacombe County.

2. The Development Plan

2.1 Regional/Municipal Location

The Lands are situated along the northwest end of Sylvan Lake approximately 0.8 kilometers south of Rainy Creek Road on Range Road 2-4. The Lands are located within the Lake Development Area as defined within the Management Plan.

2.2 Definition of Site Area

i. Boundaries of Site Area

The Lands are bordered on the east by Sylvan Lake. To the north is a residence of Dr. and Mrs. Campbell, their associated outbuildings and approximate 155 acres of cattle pasture. To the west the Lands are bordered by Range Road 2-4 and the seasonal residence and cultivated farmland of Mr. Gerry Schoettler. To the south of the Lands is the Sylvan Lake Natural Area.

ii. General Physical Description

The Lands are gently rolling with a surface slope southeast towards Sylvan Lake. Most of the site is in cultivated alfalfa and hay. Skid mounted grain bins are located on the western boundary. Mr. DeGroat’s personal residence and

garage are under development in the southeast corner of the Lands. Trees and natural vegetation borders the lakeshore and bank north of Mr. DeGroat's home site. A small area of trees is also located in the northeast corner of the Site and in two locations on the south boundary. Natural drainage is to the south and southeast of the Site.

3. Development Goals and Objectives

3.1 Goals and Objectives of the DeGroat Proposal

- a) To create a residential lakeshore development that creates a unique home site opportunity with high standards of design and aesthetic excellence.
- b) To create an environmentally responsible development that respects the natural setting of the Site and provides opportunity for enhanced protections.
- c) To establish an ongoing stakeholder group that is both equipped and motivated to pursue environmental stewardship over the Site and surrounding areas.

3.2 Principals of Development

The proposed development is governed by the following:

- a) Development will be done in accordance with Lacombe County by-laws and municipal standards.
- b) Provide a residential lakeshore development that is consistent with the Management Plan and is environmentally responsible.
- c) Provide municipal, open space and environmental reserves that are environmentally responsible and meet the residents' recreational needs.
- d) Development of an efficient internal road system and storm water management plan that reduces impacts on Sylvan Lake.

4. The Proposal

4.1 The Proposal Concept

i. The Plan of Subdivision Concept

Appendix 2 – Proposed Subdivision Site Plan illustrates layout of the proposed subdivision. The development will consist of 55 home sites on the 27.17 ha (67 ± acres) land area. Also included are 2.5 ha (6.276 acres) of municipal reserve, 2.08 ha (5.14 acres) of open space, 1.49 ha (3.68 acres) of environmental reserve .55 ha (1.36 acres) of public utility land and .2 ha (.49 acres) of road right of way . Two points of internal road access are provided to range road 2-4. Access to lots is provided by internal subdivision road to be built to Lacombe Country standards. The road layout is designed to conform to the natural contours of the land and provide storm water runoff diversion and protection for the Site and Sylvan Lake. Future road access to the north adjoining acreage is provided, as is a 5 meter road right of way on the properties western boundary.

A series of linear parks, view lots and activity lots have been provided throughout the subdivision for municipal and environmental reserve. Access is provided along the entire lakeshore by a band of environmental reserve. The trees and natural vegetation along the shoreline and escarpment bank will be dedicated for 1.49 ha (3.68 acres) of environmental reserve. Access to the lakeshore is provided by municipal reserve along the north property boundary and by a 1.2 acre and approximately 70 meter long lakeshore area along the south east boundary of the Site. Three additional municipal reserve lots have been provided in the center and along the north and west boundaries of the property. A public

utility lot in the south east of the property will provide a dry pond storm water management area. The northern municipal reserve lot will be available for group recreational activities by the subdivision's residences. The usefulness of this reserve is enhanced by the provision of adjacent open space. Access between the north and south municipal reserves is provided through a linear parkway running north/south between the lots. This reserve also provides a natural area situated with good view lines to the lake for residents.

A homeowners association will be registered as a non-profit organization under the Societies Act of Alberta. The association will be funded with an initial contribution from Mr. DeGroat, and will have a registered encumbrance against all lots for an annual operating fund. The homeowners association will create a community-based group of stakeholders with both the ability and motivation to promote environmental stewardship and responsibility within the development.

4.2 Land Use Component

i. Residential Lakeshore

The development proposal consists of 55 residential lots (ranging from 3/4 to 1.1 acres); one public utility lot, road right of way dedications, four Municipal Reserve lots, one open space lot, and multiple municipal and community pathways (all comprising approximately 20% of the gross acreage of the site area less environmental reserve), and an environmental reserve along the lakeshore. The proposed development meets or exceeds all Lacombe County guidelines for residential lakeshore developments.

The goal of the development is to create a comprehensively planned residential lakeshore community that combines with the best elements of the Site, in order to create a neighborhood that offers a unique sense of community and one that achieves high design, aesthetic and environmental standards that are compatible with existing land uses and in conformance with the Management Plan.

The concepts that govern the proposed development are:

- a) The residential development shall conform to the provisions of the Lacombe County Land Use By-law, including permitted and discretionary uses and including general and specific setback requirements.
- b) The development shall be responsive to the policy guidelines set forth in the Management Plan.
- c) The development will integrate high environmental standards, including the requirement for “state of the art” standards for homeowner private sewage treatment.
- d) A comprehensive set of architectural guidelines will be implemented, and lots will be caveated with a restrictive covenant respecting the guidelines to ensure the aesthetic integrity of the development and compliance with environmental mitigations incorporated within the development.

- e) Installation of underground power, gas and telephone shall be completed at the developer's expense and in accordance with utility company standards.
- f) All internal subdivision roads and approaches have been designed in accordance with County standards and will be subject to approval by the county's engineer.
- g) The homeowners' association will be registered with the Societies Act of Alberta and will be mandated to charge an annual fee to lot owners in order to pay for its ongoing operations.

4.3 Environmental Considerations

i. Background

Most of the proposed site has been cultivated for agricultural operations for several decades. Mr. DeGroat has commissioned the following reports:

- a) Fisheries Resource Assessment for the Proposed DeGroat Development on Sylvan Lake prepared by Pisces Environmental Consulting Ltd.
- b) Storm Water Report DeGroat Subdivision Lacombe County prepared by EXH Engineering Services Ltd.
- c) Groundwater Feasibility and Availability Assessments DeGroat Property SW-33-39-02-W5M prepared by Groundwater Exploration and Research Ltd.

- d) Environmental Review, DeGroat Development Sylvan Lake prepared by Golder Associates Ltd.
- e) Geotechnical Report prepared by Parkland Geotechnical Consulting Limited.
- f) Right of Way and Easement design schematic prepared by WNM Engineering.

The proposed development has been designed to reflect and incorporate the comments and mitigation steps suggested or recommended by the above noted reports. The above captioned reports are attached as Appendixes to the application. The conclusions and recommendations of each report are detailed within the reports.

4.4 **Specific Issues.**

The development plan addresses the following issues in several ways including the following:

i. Sewage Disposal

Treatment of sewage will be accomplished through a requirement that all lots within the development must install a sewage treatment system meeting the Lacombe County's new Residential Lakeshore bylaw requirements including NSF Standard 40 Criteria. The NSF Standard 40 was adopted by the Safety Codes Council of Alberta in its Private Sewage System Standards of Practice 1999. NSF Standard 40 criteria equates to the TSS and BOD continuous discharge

standards for Alberta Municipalities with populations less than 20,000 who are conducting mechanical sewage treatment for continuous discharge to water courses. The systems represent “state of the art” homeowner sewage treatment standards within Alberta.

A geotechnical and surface groundwater study has been commissioned by Mr. DeGroat from Parkland Geotechnical Services Ltd. Work to date has indicated that the groundwater level in the site is suitable for private sewage. Percolation tests have been conducted and they confirm the site meets or exceeds provincial standards.

ii. Water Supply

The development proposes each lot owner be on a private well. Groundwater feasibility and availability assessments conducted by Groundwater Exploration and Research Ltd. indicate that more than sufficient water is available on the property for the proposed subdivision. The installation of well water systems will be in accordance with County and provincial requirements.

iii. Storm Water Management

The Storm Water Report prepared by EXH Engineering Services Ltd. incorporates a storm water management plan that utilizes the development’s proposed roadway ditch system and the Sites natural features. In addition, a dry pond will be constructed to meet the report’s specifications. The dry pond is expected to be needed only in the event of exceptional storm runoff. The natural

vegetation along the shoreline is also being preserved under the development plan and will provide continued natural filtration protection. The report projects a 40% reduction in post development peak runoff flows from pre-development runoff levels.

iv. Fish Habitat

The Fisheries Resources Assessment prepared by Pisces Environmental Consulting Services Ltd. determined that the fish habitat resources offshore of the Site were below the general habitat index for Sylvan Lake as a whole. The development does not incorporate any beach or dock works. Combined with the storm water management plan, the development creates no adverse impact to fish habitat.

v. Environmental Mitigations

Each lot in the development will be controlled by Architectural Guidelines and Restrictive Covenants. The Guidelines and Covenants include mitigative actions and controls on the following matters:

- All building locations and materials require prior approval
- Only sewage treatment systems designed to NSF standard 40 criteria may be installed in the development.

- All sewage system locations and installers must be pre-approved.
- Natural vegetation “fencing” is encouraged and all fencing plans must be pre-approved.
- No livestock is permitted and domestic pets must be controlled within the owner’s lot.
- Discrete lighting is required.
- Topsoil must be conserved and no soil may be removed without permission.
- No burning of construction material is permitted and the owner must ensure all material stays within their lot boundaries during construction.
- Lots must be kept free of trash and noxious weeds.
- Drainage must not be altered.

Owners within the development will be in a position to enforce the covenants. The Homeowners Association will also be motivated and funded to ensure ongoing adherence to the standards.

An Environmental Review of the Site and proposed development was conducted by Golder Associates. Their conclusions included the following observations:

“...Most of the development site is currently cultivated for agricultural purposes. By encouraging individual homeowners to maximize landscaping opportunities, particularly if native vegetative

species are selected, the development will increase the biodiversity of the site and allow for use of the site by a wide variety of bird and mammal species that are tolerant of human presence. Architectural guidelines proposed by the developer will encourage purchasers to adopt landscaping that uses native species and minimizes maintained lawn areas.

The site is generally rolling terrain. The development plan takes into account the terrain and address subsidence and erosion concerns through lot and municipal reserve placement...

Currently no public access to the lake exists, through reserves, road allowances or other means. The development plan provides for pedestrian access to the lake by the provision of two accesses bordering the north and south property boundaries.... An Environmental Reserve will also be provided along the lakeshore for public access. Over 3.51 ha (8.68 acres) will be dedicated and returned from private agricultural operation to public municipal and environmental reserve. The site is not conducive to the development of public beach or facilities for boat or motor vehicle access. No beach development will be undertaken as part of the development...

The natural vegetation band along the escarpment bank and lakeshore will be retained. No motor vehicle access will be provided along the edge of the property bordering the Natural Area or to the lakeshore. The development provides public reserve and a large reserve lot dedicated to buffer most of the Natural Area boundary. Proposed Architectural Guidelines require building designs to minimize tree removal on the lots where trees exist. The southern and northern municipal reserve lots incorporate and protect stands of trees. The development is not likely to have an impact on wildlife movement on a regional scale...

No standard septic field disposal will be permitted in the development. All homeowners are required to install sewage treatment systems designed to NSF standard 40 criteria as adopted in Alberta for private sewage treatment. The NSF standard 40 performance criteria for BOD and TSS discharge equate to the Alberta standards for BOD and TSS discharge by small municipalities (less than 20,000) undertaking mechanical secondary treatment and continuous discharge to watercourses (NSF standard 40 criteria; Alberta Environment Standards for Mechanical Secondary Treatment and Continuous Discharge to Water bodies). Proposed Architectural Guidelines and restrictive covenants will be registered against title to all lots and used to enforce and monitor this and other requirements...

Responsible long-term management of the site will be encouraged by providing lot purchasers with the opportunity and ability to promote environmental stewardship. The developer proposes to create a Homeowners Association as a non-profit organization under the Societies Act of Alberta. Control over the Architectural Guidelines will in time be transferred to this body. This will create a community-based organization of landowners with both the incentive and ability to approve and enforce protective ongoing mitigation. “