

TO: Mayor & Council

DATE: March 13, 2018 Council Meeting

DIVISION: 5

FILE: PD-2017-015

SUBJECT: Outline Plan – West Point Estates (North)

ADMINISTRATION RECOMMENDATION:

Option #1 Upon Closure of the Public Hearing:

1. That Council amend the West Point Estates (North) Outline Plan as identified in *Attachment 2*, including **Option A** (no paving deferral) in Section 6.1.
2. That Council adopt the amended West Point Estates (North) Outline Plan.
3. That Bylaw 2017-22 receive second reading.
4. That Bylaw 2017-22 receive third and final reading.

EXECUTIVE SUMMARY:

The purpose of this application is to adopt the West Point Estates (North) Outline Plan which will guide the future redistricting and subdivision for a country residential development (one parcel per every three acres of developable land) within an area of the Jackfish Lake Area Structure Plan. This application is related to separate redistricting application PD-2017-016 (proposed Bylaw 2017-22).

The Outline Plan covers approximately a quarter section and a half of land, located at the southwest junction of Highway 770 and Township Road 522 (southeastern shores of Jackfish Lake). Existing lakeshore residential development has occurred along the north boundary of the plan area (Evergreen Bay). Land to the south is large lot residential / extensive agricultural activities.

The proposed Outline Plan application has been evaluated in accordance with the Municipal Development Plan Bylaw No. 37-2007, Jackfish Lake Area Structure Plan Bylaw 32-97, Council Policy C-PD033: Outline Plans and the County's Engineering Design Standards and other applicable documents. The Outline Plan will:

- Allow for country residential restricted development at a density of 1 parcel per every 3 net developable acres serviced by individual private on-site cisterns (potable water) and holding tanks (pump-outs);
- Require necessary regional and local transportation network improvements;
- Require off-site and on-site stormwater management solutions;
- Require a minimum riparian setback of 60 metres from Jackfish Lake through the combination of 30.0 m Environmental Reserve (ER) and 30.0 m Environmental Reserve Easement (ERE);
- Require the implementation of an Environmental Protection Plan (EPP) and Residents Environmental Code of Conduct (RECC);
- Require the creation of building envelopes for all lakeside residential lots, including setbacks from defined slopes. The building envelopes for lakeside residential lots shall not drain directly to Jackfish Lake; and
- Require the dedication of open space throughout the development in the form of various land dedications, including Environmental Reserve (ER), Municipal Reserve (MR) and Public Utility Lots (PULs) focused on tree preservation strategies.

Administration recommends Council amend the West Point Estates (North) Outline Plan as per the tracked changes in Attachment 2, including confirming Option A (no paving deferral) within Section 6.1 of the Plan, upon closing the Public Hearing (Option #1).

DATE APPLICATION RECEIVED:	March 3, 2017 (Completed Review December 1, 2017)
PROPOSAL:	To adopt the West Point Estates (North) Outline Plan that will provide a policy framework to guide the required redistricting, subdivision and development permit applications within NW & NE 09-52-02-W5M.
LEGAL DESCRIPTION:	NW & NE 09-52-02-W5M
GENERAL LOCATION:	Located along the southeastern shore of Jackfish Lake approximately 15 km west of the Town of Stony Plan. The subject parcel is directly south of Evergreen Bay (Subdivision) and west of Highway 770.
APPLICANT:	Urban Systems (Greg McKenzie)
OWNER:	Highland Property Development Ltd (Ken Horn et al.)
EXISTING LAND USE DESIGNATION:	AGR – Agricultural General District
PROPOSED LAND USE DESIGNATION:	CRR – Country Residential Restricted District
GROSS AREA (Outline Plan):	± 98.5 hectares (± 241.0 acres)
SOILS (C.L.I):	Class 3T, 8 - Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices. Adverse relief because of steepness or pattern of slopes.
SUBSIDENCE / FLOODING	The subject lands are adjacent to the bed and shore of Jackfish Lake. Slopes within the northwest portion of the site and upland of the riparian area have been studied and a top of bank setback will be required to ensure long-term stability.

BACKGROUND:

The subject land is located along the southeastern shores of Jackfish Lake within the Jackfish Lake Area Structure Plan, in an area that has been transitioning from agriculture to country residential.

The lands are located at the southwest junction of Highway 770 and Township Road 522. Township Road 522 and Lutz Avenue form the north boundary of the plan area and provide the only access to the lands. Direct access through an existing field approach to Highway 770 will be removed as part of the first phase of subdivision. The residential parcels range from one to six acres in size and are to be serviced via individual private on-site potable water cisterns and sewage systems (pump-out holding tanks).

Adjacent residential/lakeshore development includes Evergreen Bay and Weekend Estates to the north and Paramac Cove to the south. A previously subdivided agricultural quarter section (total of 4 parcels) is located to the south; primarily unsubdivided agricultural quarter sections are located to the east across Highway 770.

Land uses within the plan area include a mix of Country Residential Restricted District (south half) and Agricultural Restricted District (north half). Separate redistricting application PD-2017-016 (Bylaw 2017-22) proposes to redistrict the agricultural restricted lands to Country Residential Restricted (CRR) District.

In 2007, the same Applicant submitted the West Point Estates (South) Outline Plan in support of redistricting Bylaw No. 04-2007 passed by Council on April 10, 2007. The Applicant did not proceed with development at that time. The

West Point Estates (North) Outline Plan expands on the previous plan and provides minor amendments to the south area in order to address traffic circulation and stormwater management within the combined areas.

EXISTING CONDITIONS:

The site contains extensive agricultural lands with a mix of vegetation and a significant undeveloped shoreline component. The site is relatively flat, sloping gently west and north toward Jackfish Lake. An existing single family dwelling, serviced by an existing private sewage treatment system and groundwater well, and accessory buildings are located on the subject lands at the end of Lutz Avenue. The yard site gains access from a single approach off Lutz Avenue. A separate agricultural field approach is located off Highway 770; this approach will be removed as per by Alberta Transportation requirements.

OUTLINE PLAN AND POLICY REVIEW:

The purpose of this Outline Plan is to guide country residential development within a 'greenfield' area of the Jackfish Lake Area Structure Plan in accordance with Policy 3.1 of Municipal Development Plan 37-2007 as well as Council Policy C-PD33 *Outline Plans*. The Policies require the Applicant to prepare an Outline Plan prior to redistricting and multi-lot subdivision. The Outline Plan is considered a non-statutory plan and is to be adopted by resolution of Council prior to final reading of the redistricting bylaw (Bylaw 2017-22).

Highland Property Developments Ltd., retained Urban Systems Ltd., to prepare the West Point Estates (North) Outline Plan. The outline plan boundary affects approximately 48.5 ha (121 ac) of the total 97.52 hectares (240 ac) of land comprising the northerly two quarter sections south of Township Road 522 and Lutz Avenue. The Outline Plan and supporting information provide a holistic perspective of the entire West Point Estates development. There are references to the various technical studies throughout the Plan, which have been undertaken for the entire Plan area, recognizing that ecological function and physical infrastructure considerations are not limited to the boundaries of the Outline Plan.

The implications have been examined, and any off-site or on-site planning issues have been resolved with the exception of those described within this Report.

A) RESIDENTIAL DEVELOPMENT:

The Outline Plan identifies a country residential area with open space; no other land uses are proposed. Any future subdivision within the country residential area shall meet the requirements of the Land Use Bylaw, the County Engineering Design Standards, and Section 4.7 of the Jackfish Lake Area Structure Plan.

Jackfish Lake ASP Policy 4.7.8 *New development shall be developed at a maximum density of 1 residential parcel per 3 acres of developable land. This may be achieved with a minimum parcel area of 3 acres or through the use of lots of as little as 1 acre in size and subject to the transfer of development densities within existing quarter sections and large parcels. Lands remaining after a transfer of development densities shall be dedicated to the municipality as either municipal or environmental reserve, depending on the characteristics of the lands in question.*

LUB Regulation 5.5.3(b), Density within the CRR District *For the purposes of this section (CRR District), net hectares of contiguous developable land shall be determined as those lands meeting the criteria for country residential subdivision less land is required for environmental and municipal reserves and roads.*

Table 5-2: Density Calculations (pg. 26) of the Outline Plan identifies that the total developable lands as identified through the technical reports is approximately 70.87 ha (175.04 ac) of the total gross site area of 97.52 ha (240.98 ac). Therefore, the total number of lots permitted within the Outline Plan area at full build out is 57

lots, following the one parcel per every three acres of developable land. The Land Use Concept (Figure 5.1, pg. 28) of the Outline Plan identifies the proposed maximum 57 lots.

Based on Parkland County's estimated average household population of 2.8 persons per household, it is estimated that the development will accommodate approximately 160 additional residents. Also based on Parkland County's average of 21% of residents falling between the ages of 5-19, it would suggest that approximately 33 school aged children may reside in the subdivision. However, given that the project is a lakeside development, it is assumed that a percentage of the lots will be used only for recreational purposes.

B) TRANSPORTATION:

The Applicant submitted a Traffic Impact Assessment (TIA) and Intersectional Analysis letter, prepared by Urban Systems, in support of the Outline Plan. The traffic network is discussed in detail within Section 5.2 of the Outline Plan. The proposed phasing of the infrastructure is discussed in detail within Section 6.1 of the Plan.

i) Off-Site Improvements:

The following off-site upgrades, as discussed in greater detail within Section 5.2 of the Outline Plan, will be required to support the increased traffic from the development:

- 1) The removal of the existing agricultural field approach directly onto Highway 770 that is located south of Township Road 522. This approach shall be removed by the Developer at subdivision stage if not removed prior to.
- 2) The upgrade of the intersection of Highway 770 and Township Road 522 to a Type IIIb intersection.
 - o *This intersection was proposed to be completed by Alberta Transportation in 2017 but has been carried over to 2018 to allow additional consultation in the design as it also involves the closure and consolidation of the Weekend Estates / County Boat Launch intersection to the north. At subdivision stage, the Developer will be required to complete the intersection work if not already completed by the province.*
- 3) Township Road 522 and a portion of Lutz Avenue will require various improvements including expanded right-of-way widths, horizontal and vertical geometry improvements, intersection geometry improvements and pavement structure.
 - o *The Developer is requesting that only the geometric improvements and a widened gravel surface be completed as part of Phase 1, and defer the asphalt surfacing of the off-site roadways until Phase 2.*

Option A: (Administration's Recommendation)

Recommend that Council not defer paving of Lutz Avenue & Twp. Rd. 522 beyond Phase 1 by confirming Option A in Section 6.1 of the Outline Plan.

Administration has concerns with the Developer's request to defer the asphalt surfacing of Township Road 522 and Lutz Avenue to 50% lot sales or within three years of Phase 1 approval, whichever occurs first. The project has been designed with a dispersed road network to reduce the number of vehicles utilizing Lutz Avenue and Township Road 522 and thereby reducing the impact to the lots within the Evergreen Bay subdivision. However this cannot be realized until full build out of the project or completion of Phase 2; there is no timeline defined for completion of Phase 2. With the exception of the proposed emergency access, Phase 1 is really an extension of Township Road 522 and Lutz Avenue with one-way in and one-way out. The construction traffic associated with Phase 1 lot development plus associated vacuum truck and water hauling traffic will likely have a negative impact (noise, dust) on existing lots within the Evergreen Bay subdivision under gravel surface conditions. As such, Administration is not supportive of the phased infrastructure plan within Section 6.1 of the Outline Plan and recommends that all off-site roadway improvements, including asphalt surfacing be completed in accordance with County Engineering Design Standards as part of the first phase of subdivision, if the first phase of subdivision is to be lakeside lots

within the western portion of the plan. As such, Administration recommends that Council amend Section 6.1 of the Outline Plan through confirmation of Option A.

Option B: (Developer's Request)

Alternatively, if Council agrees with the Developer's paving deferral request, than Council shall amend Section 6.1 of the Outline Plan by confirming Option B. Administration has reviewed Option B against Council Policy C-PDo1: Development Agreement Securities and confirms that the County would be secured for the deferred infrastructure in the amount of 150% prior to endorsement/registration of Phase 1. The Developer has included dust control, to the satisfaction of the County, as a requirement until the paving is complete; details to be confirmed within a Development Agreement. Council could also amend the terms of the deferral than as being offered by the Developer in Option B.

To ensure enhanced water quality within and outside the Outline Plan, the Developer shall ensure that all off-site roadway improvements do not discharge directly to Jackfish Lake where feasible and economical. At subdivision stage, this matter is subject to detailed engineering design.

ii) On-Site Improvements:

The Developer has proposed a dispersed network of local roadways and cul-de-sacs within the Outline Plan area feeding off of Lutz Avenue and Township Road 522. A connection to adjoining lands to the south has been planned near the common quarter section boundary between the two quarter sections; this connection would extend south to Township Road 521 in the future. The proposed internal roadways and cul-de-sacs shall be constructed to County Engineering Design Standards, which includes a paved asphalt surface.

Section 6.1 of the Outline Plan identifies that all local roadways and cul-de-sacs within Phase 1 will be constructed and paved in accordance with County Engineering Design Standards. An emergency access (gravelled roadway) will be completed eastwards from Phase 1 to loop back to Lutz Avenue and/or Highway 770 until additional network is completed in Phase 2.

Alberta Transportation, Fire Services, and Development Engineering have identified requirements regarding the proposed emergency route alignment and/or connection to Highway 770. All require that the emergency access be completed prior to Phase 1 lots being developed. Detailed comments are included within the Appendix 'A' comments.

Jackfish Lake ASP Policy 4.9.5 *The balance of the transportation network for the Plan area shall consist of internal local and county roads providing access between individual developments and identified collector and arterial roads.*

Jackfish Lake ASP Policy 4.9.6 *Direct residential access will generally only be allowed onto local internal roads.*

Jackfish Lake ASP Policy 4.9.7 *The development of the local roads shall have careful consideration for development on adjacent lands. Careful planning and design control shall be required to ensure the integration of future development into the existing, and proposed network. Where possible additional traffic should not be routed through existing developed local roads.*

C) UTILITY SERVICING:

i) Potable Water:

Thurber Engineering conducted a Domestic Groundwater Assessment for the proposed Outline Plan area in 2006, followed by a pumping test and more detailed evaluation of the groundwater resources in 2007; the

results were further reviewed in 2016 with the inclusion of the revised development area to the north. The calculated Q_{20} values were identified as not being sufficient to service a conservative subdivision of 60 lots, each with an allowable withdrawal rate of 1,250 m³/day/lot (75,000 m³/year total). The underlying aquifer cannot support a development of this size.

Further, the water samples collected during the 2007 aquifer testing do not meet the current *Alberta Environment and Parks (AEP) Alberta Tier 1 Soil and Groundwater Remediation Guidelines* or the *Health Canada Canadian Drinking Water Quality Guidelines*. The water sourced from the underlying aquifer would require treatment for total dissolved solids, sodium, manganese and sulphate, prior to domestic consumption. The study also found that deeper wells would not mitigate water quality issues.

Therefore, based on the findings, at the subdivision stage, each new lot would be required to enter into a Restrictive Covenant requiring the installation of a cistern for potable water use as the requirements for access to groundwater, in accordance with the provincial *Water Act (Section 23(3))*, cannot be met.

ii) Wastewater:

The subject lands were evaluated by Thurber Engineering through various Geotechnical Investigations over a period 2006 - 2016. Wastewater servicing is expected to be provided by individual private sewage treatment systems. In-situ percolation tests were collected and evaluated to determine rates. While the results of the testing suggest that the use of treatment fields or mounds would be generally suitable within the Outline Plan area, the Developer has volunteered to restrict treatment options to holding tanks (pump-outs only) for private sewage to ensure prevention of potential nutrient seepage into the lake/groundwater. Holding tanks would require occasional servicing by means of a vacuum truck. Effluent from the holding tanks would be delivered to a Parkland County Wastewater Transfer Station, connected to the Alberta Capital Region Wastewater Commission (ACRWC) transmission line for disposal. Wastewater Transfer Stations located at 53026 Range Road 280 and 53201 Range Road 265 both have capacity to accommodate the development.

At the subdivision stage, each new lot would be required to enter into a Restrictive Covenant requiring the installation of a holding tank (pump-out).

Jackfish Lake ASP Policy 4.8.1 All new and existing developments shall have properly permitted, installed and maintained sewage disposal systems for all waste water (including all grey water waste.

iii) Stormwater:

The Applicant submitted a revised stormwater management plan dated January 31, 2018, prepared by Urban Systems, in support of the Outline Plan area; there is no Master Drainage Plan for the Jackfish Lake area. The revised report removed the option of traditional wet ponds from the development.

The report identified a total of eight pre-development catchment areas (basins) based on the site's existing topography. Surface runoff generally flows through a series of existing wetlands and tree stands in a northwesterly direction, and ultimately discharges into Jackfish Lake. A post-development rate of 5 L/s/ha has been established for each of the stormwater management facilities by Alberta Environment and Parks (AEP) for development within this area of the Edmonton Metropolitan Region.

Constructed wetlands are proposed to control and treat post-development runoff prior to discharging into Jackfish Lake. These stormwater management facilities will be sized for the 100-year return period 24-hour rainfall event. The stormwater plan also provides a number of Best Management Practices (BMPs) to be implemented at various stages of construction and for residents that have been included within the separate Environment Protection Plan.

At subdivision stage, the storm water management plan is subject to approval by Alberta Environment & Parks and Parkland County; approvals must be obtained prior to any construction occurring on-site.

Development Engineering have expressed concerns regarding the overall number of stormwater management facilities proposed and have encouraged the Developer and their engineering representative to seek alternatives with overall grading designs to relieve Parkland County of future maintenance costs by reducing the number of facilities within the project.

Community Sustainability and Development Engineering have stated that isolating and containing all surface water associated with the development to controlled release SWMFs tied into a wetland treatment train rather than traditional wet ponds is the most effective means of addressing impacts to lake water quality.

Recommend Council add Policy 5.1.2.4 to Outline Plan before final consideration

On January 31, 2018, the Developer and his engineering representative submitted a revised 'Storm Water Management Plan' for the project that confirms that all proposed facilities will be constructed in the form of constructed wetlands, and not traditional wet ponds. Administration fully supports this requirement, including the slightly higher operational/maintenance costs. At the February 13, 2018 hearing, the Applicant submitted proposed revisions to the Outline Plan to address Administration's previous comments on this matter, including new Policy 5.1.2.4. Administration supports the proposed new Policy in the Outline Plan as it conforms to Policy 10.27 of the Municipal Development Plan regarding the enhancement of existing wetlands to serve as constructed wetland storm water retention facilities.

iv) Shallow Utilities:

Shallow utilities within the Outline Plan area would be determined at the subdivision stage in consultation with the applicable utility provider, and in accordance with the County's Engineering Design Standards. The Developer is required to pre-service the residential lots with gas and power.

v) Solid Waste Management:

Parkland County does not offer roadside waste and recycling pick-up for residents. Future residents within the Outline Plan area can drop off regular household waste and recyclables at no charge at any of the County's transfer stations with a solid waste disposal card. The closest transfer station to the Outline Plan area is the County Transfer Station and Recycle Centre located at 52514 Range Road 11.

D) FIRE, POLICE, AND EMERGENCY RESPONSE CONSIDERATIONS:

Primary fire response would be provided from the Stony Plain Fire Station, located with the Town of Stony Plain. Policing would be provided by the RCMP Detachment in Stony Plain with support from Parkland County Community Peace Officers. Emergency Service would be addressed by the 911 system, with the dispatch of ambulance service from the EMS facility in Stony Plain and/or EMS facilities within Edmonton.

E) GEOTECHNICAL / SLOPE ANALYSIS:

Thurber Engineering performed geotechnical investigations for the site between 2006 - 2016, which included the advancing of a total of 40 test holes. The soil conditions consist primarily of silty clay loam with topsoil varying between 50 to 60 mm. The soil conditions pose no restrictions to the proposed residential construction of single family homes and associated improvements.

The shoreline in the northwest portion of the development has the steepest slopes on the site which are upwards of 20% grades in two locations. Although the slope stability analysis indicated that the slopes in this area are stable on a global basis, the site reconnaissance indicated that there are two areas of instability that should be considered when planning development in this area. The analysis further recommended that any structural development be setback from the delineated top of bank for the two slopes by distances of 15 m and 10 m respectively. The location of the two slopes are shown on Figure 4.3, Development Constraints of the Outline Plan.

At the subdivision stage, each new lot impacted by the required setback from the identified slopes would be required to enter into a Restrictive Covenant requiring the landowner to undertake structural development only within the identified building envelope and outside of the required top of bank setbacks.

F) ENVIRONMENTAL CONSIDERATIONS:

i) Biophysical Environmental Assessment (BEA):

A Biophysical Assessment was completed by EnviroMAK Inc. for the entire Outline Plan area, including the previously redesignated lands to the south due to recent changes in the provincial Wetland Policy. This Assessment identified environmentally sensitive lands and conservation values that should be considered for protection and/or avoidance in the development strategy. The Assessment identified that approximately half of the landscape was in range lands used for agricultural purposes, with the bulk of the remaining lands occupied by mixed wood forest, ephemeral drainages, and wetlands.

Under the current Alberta Wetland Classification System a total of 12 wetlands were identified with a variety of types including marsh wetlands, deciduous wooded swamps, fens and ephemeral wetlands and classifications ranging from Class C to Class D. Only the natural occurring bed and shore of Jackfish Lake is claimed by the Crown, with no wetlands being claimed within the proposed development.

Therefore, a separate Wetland Assessment and Compensation Report has been completed and will require provincial approval at subdivision stage and prior to construction onsite. The Outline Plan has been prepared in accordance with the recommendations of the BEA and Wetland Assessment & Compensation Reports.

ii) Riparian Setback:

An important and highly valuable asset of this site is its riparian health, which is considered to be in good condition (State of the Watershed Report) along the majority of the site. Protecting this aspect of the site with a combination of Environmental Reserve and Environmental Reserve Easement to ensure the riparian area remains in good health is paramount to this development.

Jackfish Lake ASP Policy 4.5.2 A buffer of natural vegetation between privately owned lots and the lakeshore is the best method of ensuring the protection of natural habitat and the health of the lake. Environmental reserve parcels, municipal reserve parcels, and other municipally-owned parcels, including undeveloped roads, that are immediately adjacent to the waters of Jackfish Lake and any other water body in the Plan area shall be left in or allowed to return to their natural state. This applies to all such parcels of land, whether in existence prior to, or created subsequent to, the adoption of amendments to this Area Structure Plan on April 9, 2002. No development by adjacent private landowners shall be allowed on these lands, with the exception of a path to be allowed for access to the lake. The width of the path is to be equivalent to 20% of the average lot width, and to a maximum width of 10 metres. The exception to this policy is Parkland County's boat launch located on Lot R-3, Block 2, Plan 5115 TR.

Community Sustainability and the Developer's environmental consultants (EnviroMak) met on December 15, 2017 to review/discuss those comments provided by the department as described in attached Appendix 'A'. On December 21, 2018, the Developer submitted a revised Environmental Protection Plan (attached):

Water Quality / ER & ERE Buffer / Trail Development

Issue: Proposed removal of trees for lot access trails to the lake and implications for water quality and the lake buffer function.

Response/Action: In response, the proponent has voluntarily integrated an approximately 20% reduction in maximum allowable trail width (reduction from the maximum allowed 10 m as per the Jackfish Area Structure Plan to a reduced 8 m width as voluntarily implemented by the developer) for the 15 water front lots on the new parcel undergoing rezoning. This change to the development plan reflects a higher standard than the current County policies and requirements associated with the buffer area. Further, attention will be placed upon trail development best management practices in the Resident Environmental Code of Conduct (RECC) with encouragement to further reduce trail footprint where possible and implement BMPs to minimize and avoid potential effects. The EPP has been revised to reflect this measure.

Recommend Council add Policy 5.1.2.11 to Outline Plan before final consideration.

Administration highlights that the voluntary reduced trail width exceeds Policy 4.5.2 of the Jackfish Lake ASP. Administration recommends that the voluntary reduced trail width, as identified in the EPP, be incorporated as Policy into the West Point (Estates) North Outline Plan to support implementation. At the February 13, 2018 hearing, the Applicant submitted proposed revisions to the Outline Plan to address Administration's previous comments on this matter, including new Policy 5.1.2.11. Administration has reviewed the proposed Policy and proposed some wording/clarification as per the tracked changes within Attachment 11. Administration has reviewed these changes with the Applicant who has identified no concern. Administration recommends adoption of Policy 5.1.2.11 within the Outline Plan prior to final consideration.

iii) Wetland Assessment:

A total of twelve wetlands were confirmed with the subject lands. These wetlands included six marsh wetlands, four swamp wetlands, and two fens; one ephemeral wetland and three ephemeral drainages were also identified. Alberta Public Lands does not recognize any Crown-claimed lands within the NE and NW-9-52-2-W5M with the exception of the bed and shore of Jackfish Lake.

A *Water Act* Approval is required for the disturbance of any wetland, including the ephemeral wetland. In addition to the *Water Act* Approval, wetland replacement is required for the disturbance of the higher valued wetlands (marsh, swamp and fen wetlands). As alteration to some of the wetlands is proposed, an Avoidance, Minimization and/or Replacement Plan shall be prepared for submission along with regulatory notifications/approvals/compensations at the subdivision stage. Provincial approvals will be required prior to construction onsite. The Outline Plan has been prepared in accordance with the recommendations of the proposed Wetland Assessment and Mitigation Proposal prepared by Enviro Mak Inc.

iv) Environmental Protection Plan (EPP):

An Environmental Protection Plan was prepared in support of the development. The purpose of the EPP is to ensure that biophysical factors and/or valued ecosystem components located with the West Point Estates subdivision are strategically protected and to identify and describe environmental protection measures and procedures to promote the long-term environmental sustainability of the development. The EPP was developed in consideration of the recommendations of the Biophysical Assessment, Wetland Assessment and Impact Report, and Riparian Setback Matrix Model Letter.

Jackfish Lake ASP Policy 4.8.3 *Parkland County, in conjunction with the Jackfish Lake Management Association and the local Health Unit shall prepare and distribute educational material, which will provide information on options for sewage treatment, including costs.*

At the subdivision, the Applicant has proposed to register a Resident's Environmental Code of Conduct against each lot within the Plan area as part of implementing the EPP.

Community Sustainability and the Developer's environmental consultants (EnviroMak) met on December 15, 2017 to review/discuss those comments provided by the department as described in attached Appendix 'A' regarding the proposed EPP. On December 21, 2018, the Developer submitted a revised EPP that included:

1) Re-Organization & Addition of Mitigation Responsibilities Outlined in Table 5.1

Issue: Clarification of the division of responsibilities for the mitigation identified in Table 5.1 of the EPP (i.e. developer vs property owner/home builder responsibilities).

Response/Action: The EPP has been updated to address the recommended changes to Table 5.1 with the addition of responsibilities to the table.

2) Further Information on the Resident Environmental Code of Conduct (RECC) Approach

Issue: Requested further information that may support the effectiveness of a Resident Environmental Code of Conduct.

Response/Action: Please see below information on the RECC approach to satisfy your request for supporting information. The Resident Code of Conduct approach has been utilized on lake residential developments with measurable success. Homeowner's associations have a lengthy history of application in all types of residential development. Often a homeowner's association will develop rules of conduct (often an extension from architectural guidelines) along with association enforcement/penalties and policies. The Resident Environmental Code of Conduct (RECC) is a specialized offshoot of this same process for ecologically sensitive areas or development areas with ecological features and/or objectives. An Urban Lake Management Plan and Resident Code of Conduct was developed by EnviroMak for the Summerside Lake subdivision in the City of Edmonton greater than 10 years ago. The Resident Code of Conduct formed the basis for the emerging and growing residents to invest in the environmental sustainability and integrity of their urban lake environment. Similar to many of the elements provided in the appendix of the EPP for West Point Estates, the Resident Code of Conduct prepared for Summerside Lake addressed use of the lake environment, fish stocking, protection of water quality, boating use restrictions, resident expectations associated with fertilizer and herbicide use and many other potential issues that required guidelines so as to maintain the ecological benefit of the lake to all the residents. The association over the years developed just as the lake environment has and has developed a website to provide a venue beyond annual meetings to address concerns/issues. The "living" association addresses the "living" lake with understanding that adaptive management is necessary with guidance from their environmental consultant and various stakeholders and regulatory agencies. A similar example is being undertaken in St. Albert with the development of a new RECC for a residential lake environment presently. EnviroMak is again facilitating this process. Numerous other examples of similar association foundational documents can be found in various natural lake associations although the semantics/naming and/or nurturing of the process may vary. Some links are provided below.

<http://summerside-connect.com/faq/>

<http://www.memphremagog.org/documents/codeen01.pdf>

http://www.lacxavier.ca/pdf/Code%20de%20vie_2010_eng.pdf

v) Historical Resources / Environmental Site Assessment:

A Historical Resources Overview was conducted for the site and submitted to Alberta Culture and Tourism. The existing log cabins (current accessory buildings used for storage) and the single family dwelling were documented. Approval has been granted for the development with no further reporting required.

At the subdivision stage and in accordance with the completed Phase I Environmental Site Assessment (ESA), the existing septic field shall be decommissioned to the satisfaction of County Safety Codes when no

longer in use. Also, as the residence on site was constructed prior to 1950, the presence of potentially hazardous building materials (e.g. asbestos) should be considered prior to demolition of the building.

G) ENVIRONMENTAL RESERVES:

The Development Concept for the Outline Plan area proposes a total of 6.55 ha (16.18 ac) of Environmental Reserve dedication. The majority of this dedication will consist of a 30 metre riparian setback from the bed and shore of Jackfish Lake; the riparian buffer will be expanded to 60 metres through the registration of an Environmental Reserve Easement (ERE) against lakeside lots. The remainder of the dedication will include those existing wetlands not converted to constructed wetlands for stormwater management purposes.

At the subdivision stage, the extent of Environmental Reserve dedication shall be further reviewed in detail. Policy 5.1.2.9 of the Outline Plan will require that the boundaries of the ER and ERE areas be posted with appropriate signage in accordance with the County's Engineering Design Standards to identify to lot owners and the general public the location of the environmentally sensitive lands.

Jackfish Lake ASP Policy 4.7.10 The irregular nature of the Jackfish Lake shoreline works against the imposition of a conceptual subdivision standard, such as cluster design over linear design. Given the irregular shoreline, as subdivisions are applied for on specific parcels of land, a proposed subdivision design will be evaluated in relation to the characteristics of the shoreline of the subject parcel, with the intention of creating as large an environmental reserve parcel as practically possible to provide the necessary buffer between lots to be subdivided and the lake. At the time of subdivision a minimum 30 meter environmental reserve shall be dedicated between the lake and any newly created parcel.

Jackfish Lake ASP Policy 4.5.1 Parkland County shall include in all development agreements for approved new subdivisions on lands covered by the Plan a requirement that the developer post public notice signs to mark the boundaries of environmental reserve parcels. Posting of existing subdivisions will be completed as resources allow

H) MUNICIPAL RESERVES:

The Development Concept proposes the dedication of 13.47 ha (33.28 ac) of Municipal Reserve (MR) land, which is 14.8% of the Net Developable Area of the Outline Plan area and in excess of 10% under the *Municipal Government Act*. These lands will be dedicated to the County at the time of subdivision to create natural park areas for passive recreational opportunities and preserve existing tree stands that do not meet the criteria for Environmental Reserve.

The Jackfish Lake Community and the County's Parks, Recreation & Culture department have commented that the proposed network of municipal reserve parcels allocated throughout the development do not provide optimum connectivity to adjoining properties, nor lands near the lakeshore and the 30 metre riparian environmental reserve (public access).

Jackfish Lake ASP Policy 4.10.1 Future subdivision shall include access corridors and linkages which connect open space areas so as to optimize the potential of the total open space network for recreational or other general use activities compatible with the terrain characteristics.

Jackfish Lake ASP Policy 4.10.2 All municipal reserve dedication taken at the time of subdivision shall be taken in the form of land. This land should be used to separate existing subdivisions from new development. Reserve lands should also be used to attempt to provide pedestrian access to the water without requiring new developments to access through existing subdivisions.

I) PRE-APPLICATION CONSULTATION:

The Applicant held two open houses regarding the Outline Plan and separate redistricting application on July 20, 2016 and August 10, 2016 in accordance with Public Engagement Policy C-AD051. There were fifty (50) attendees at the first session and forty five (45) at the second session. A detailed summary of the engagements and comments received are provided within Section 4.2.5 of the Outline Plan. The majority of attendees were concerned with:

- Increased boat traffic and safety issues;
- Increased population in the watershed could damage the lake further (environmental pressure);
- Increased traffic could cause safety issues along Highway 770, Township Road 522 and Lutz Ave.;
- Increased noise and other negative impacts on current lake residents and;
- Concerns of lack of enforcement of existing bylaws and restrictions by various agencies, including the County.

M) COUNTY'S LEGISLATIVE NOTIFICATION:

Upon formal receipt of the Outline Plan and separate redistricting application, both applications were referred to adjacent and area landowners by Administration on May 16, 2017. The County received the following responses (provided to Council at the January 9, 2018 Council Meeting, 1st reading):

- Letter from the Jackfish Lake Management Association (JLMA);
- Non-Statutory Petition signed by Concerned Members of the Jackfish Lake Community; and
- 39 Individual Landowner Submissions.

Administration also received a number of responses from External Agencies and Internal County Departments, their responses are provided within Appendix 'A' of this Report.

The Public Hearing Notification was sent to adjacent and area landowners and impacted agencies by Administration on January 15, 2018. The Public Hearing was also advertised in the local newspapers on Friday, January 19, 2018 and Friday, January 26, 2018.

- **Written Submissions / Presentations / Speaking Notes received prior to and at the February 13, 2018 Public Hearing are included in Attachment 10; and**
- **Additional Written Submissions received after the February 13, 2018 hearing and prior to March 6, 2018 are included in Attachment 11. Any additional submission received after March 6, 2018 will be presented to Council when the hearing is reconvened.**

The community responses identify a number of social, environmental and other concerns with the development concept as described within the Outline Plan. A number of the community responses identify perceived non-conformance with various objectives, goals, and/or policies within the Jackfish Lake Area Structure Plan.

CONCLUSION:

The West Point Estates (North) Outline Plan was prepared in accordance with Policy 3.1 of Municipal Development Plan Bylaw No. 37-2007, Council Policy C-PD033: Outline Plans, the Jackfish Lake Area Structure Plan Bylaw 32-97, and County Engineering Design Standards, The technical studies supporting the application conclude that the subject lands are suitable for the proposed country residential use and the recommendations within the studies will be implemented at appropriate stages of the development. Recommendations to improve some of the technical reports have been made by various responders.

Administration recommends Council amend the West Point Estates (North) Outline Plan as per the tracked changes in Attachment 2, including Option A (no paving deferral) within Section 6.1 of the Plan, upon closing the Public Hearing (**Option #1**). Following consideration of any amendments to the Outline Plan, Administration recommends final consideration of the Outline Plan before proceeding with second reading of Bylaw 2017-22..

OPTIONS:

- Option #1 Upon closure of the Public Hearing:
1. That Council amend the West Point Estates (North) Outline Plan as identified in *Attachment 2*, including **Option A** (no paving deferral) in Section 6.1.
 2. That Council adopt the amended West Point Estates (North) Outline Plan.
 3. That Bylaw 2017-22 receive second reading.
 4. That Bylaw 2017-22 receive third and final reading.
- Option #2 Upon closure of the Public Hearing:
1. That Council amend the West Point Estates (North) Outline Plan as identified in *Attachment 2*, including **Option B** (with paving deferral) in Section 6.1.
 2. That Council adopt the amended West Point Estates (North) Outline Plan.
 3. That Bylaw 2017-22 receive second reading.
 4. That Bylaw 2017-22 receive third and final reading.
- Option #3 Upon closure of the Public Hearing:
1. That Council defer the West Point Estates (North) Outline Plan and second reading of Bylaw 2017-22 to the _____, 2018 Council Meeting.
- Option #4 Upon closure of the Public Hearing:
1. That Council defeat the West Point Estates (North) Outline Plan.
 2. That Council defeat Bylaw No. 2017-22 at second reading.
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Date written: March 6, 2018

Department: Planning and Development