

## NEW COMMENTS (in bold text)

1) At the end the developer showed Rainbow Beach as the Gold Standard for responsible subdivision design. The aerial map did show more undisturbed shoreline than other existing subdivisions.

- However he did not answer my question as to the width of the lakeshore frontage.
- Just by looking at the maps for Rainbow Estates & West Point Estates it is clear that the wide acreages in Rainbow Estates do not match the long skinny lots proposed.
- In the JMLA presentation they did the calculations based on Rainbow Estates
  - 14 lots would be similar to Rainbow Estates
  - I believe the shallow portions of the lake should be taken into consideration when deciding on number & placement of the acreages
  - Another option is to have a communal path & boat dock on the north side (where it touches the main lake)
- If you look at the existing tree line it would be fairly easy to fit the 14 acreages to start after the tree line.
  - People have the right to clear trees off their own property normally
  - There is a wide variation between people as to how much lawn or trees they prefer
  - Restrictive covenants that limit tree clearing would be hard to enforce & impractical based on how much land is needed for the house, driveway, lawn, garages, sheds etc.
- Shallow shorelines are a concern when deciding on lake access
  - JF Lake Area Structure Plan (ASP) 2.2.2 pg 6 discusses the issues with disturbing sediment on the lake bottom
  - Shallow water as an initial access to the lake will cause disturbance of sediment by residents trying to get to deeper water.

2) The developer mentioned RECC (Code of Conduct) & Community Associations as the best way to maintain control of lot owner compliance and lessening environmental impact

- At the QEII Hospital in Grande Prairie, I am a Nurse Educator (currently holding a casual position).
    - As such we know it is better to have system controls in place that guarantee safety rather than relying on individual compliance
  - The developer gave Pigeon Lake & Muriel Lake as examples of community associations that have been effective
    - Freda Patterson's presentation regarding Muriel Lake was very graphic & did not mesh with the developer's statements
    - As a young adult I remember Pigeon Lake as a beautiful clear lake that was great for swimming
    - We tried to go swimming at Pigeon Lake a few years ago & there was signs not to swim or let you dogs go in the water because of E-coli & blue-green algae
      - E-coli's main source is from fecal matter
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- *What causes an E. coli intestinal infection?*
    - *You get an E. coli infection by coming into contact with the feces, or stool, of humans or animals. This can happen when you drink water or eat food that has been contaminated by feces. (www.myhealth.alberta.ca)*

- Blue-green algae is often because of increased phosphorus from fertilizers that enter lakes
- 3) At the beginning the companies that presented mentioned retaining 6 of the wetlands
  - 1 retained wetland & 3 constructed wetlands were mentioned in the developers presentation at the end
  - the 2 presentations don't match
- 4) The quotes used by the developer from Jackfish Lake Area Structure Plan (ASP) do not match my presentation or other presentations.
  - Land-based assessment of development
    - I can't find anything in Paragraph ASP: 2.2.1 "Land-based Limiting factors" or 2.2.3 "Land Use Future Development" to support the developer's claim that based on land use the development should be allowed
  - If you read the entire context of ASP Paragraph 4.5:
    - I interpret it as talking more about the violations that are present in existing subdivisions. It does not mean we shouldn't care about how new developments are designed, EG: 14 lakeshore lots instead of 30
    - I do agree that the shoreline in existing subdivisions should be brought back to its natural state & Environmental Reserves should be maintained properly
    - 4.5 *"not logical to require new developments... to meet stringent guidelines to protect the water quality if existing shoreline developments are permitted to continue to violate all accepted guidelines"*
  - Paragraph 4.7 & Policies #1 pg 20-21 was quoted by the developer as showing that development was allowed
    - 4.7 *"properly designed and managed low density residential development can be developed with negligible impact on the lake water quality."*
    - #1 *"low density country residential"*
    - The key words here are LOW density
    - 57 lots with 30 lakeshore lots is not low density
    - The 30 lakeshore lots are all squished in & this is where a majority of 1 acre lots are

(For the Comments section I am going off my notes because the minutes are not available online & video wouldn't play on my computer.)

#### SPEAKER NOTES

*(new information added to previous written submission are in bold text)*

Hello.

My name is Teresa Plante & I am a resident of Jackfish Lake Weekend Estates.

I do NOT support the proposed Outline Plan or Land Use Bylaw Amendment for West Point Estates subdivision for various reasons.

Summary of reasons:

- A. Agricultural Restricted (AGR) zoning should continue

- B. Lakeshore lots should not be allowed
- C. Lots should be 2.5 acres or greater
- D. This subdivision proposal contravenes the Jackfish Lake Area Structure Plan [ASP]. The ASP is a bylaw originally passed in 1997 and amended in 2002.
  - High density subdivision proposed
  - Disturbance of natural environments close to the lake
  - Increased recreational use beyond lake capacity
  - Shoreline overdevelopment
  - Increased traffic on TWP 522 & HWY770
- E. The proposal increases the County workload and monitoring

**My husband and I own a company that builds multi unit building, townhouses & single family homes.**

**So we understand why the developer wants this subdivision.**

**However any land close to a lake has to have more stringent requirements because of environmental concerns.**

**A) I believe staying with Agricultural Restricted (AGR) Zoning is the optimal solution**

- This land purchased as agricultural - AGR zoning
- There is no expectation that zoning changes should be approved.

**As a builder we have bought land numerous times where what we planned to do had to be changed as advised by the city/county of Grand Prairie.**

**For example we bought a property that had an apartment print approved by the city. After we bought the property the city decided the apartment building plan would not be allowed. This was a 150,000.00 print now worthless. At times not receiving approval is a cost of doing business.**

**Besides being a builder I am also a Nurse & as such am alarmed in the inevitable environmental impact of the proposed subdivision.**

Allowing the proposed large-scale residential development would definitely adversely affect the lake usage and water quality.

West Point Estates (North) has been proposed at present but there is a south portion that is already zoned as County Residential Restricted (CRR). The proposal for this section was delayed.

- My question is how many lots will be proposed for the south section? *(Answer by Admin: proposal is for both the north & south sections)*
- West Point (North)
  - → 57 lots density increases density at JF lake by almost 1/4.
- With the south section that number → even higher.

**In 2013 when we purchased our property, residents told us that there had never been algae in the lake. Now there has been algae & winterkill of fish in 2015 & 2016 so there is already some decline in water quality.**

The County Admin Reports from Jan 9, 2018 states that JF Lake is a eutrophic lake that has had algae in the last few years.

- **So what does eutrophic mean?**
- **Internet research:** A eutrophic ("well-nourished") lake has high nutrients, high plant growth & lots of decomposition occurring at the bottom.
  - If you have gone swimming in JF → know this is true!!
- **Eutrophication** → lakes receive nutrients (phosphorus and nitrogen) and sediment from the surrounding watershed and become more fertile and shallow. ...
- **Increased nutrients** → algae blooms, more plant growth & overall poor water quality
  - Making the lake less suitable for recreation.
- **Algae blooms block light from getting into the water.**
- **Enough overgrowth of algae**
  - Less O<sub>2</sub> in the water
  - Creates dead zone where no organisms (fish especially) can survive
- **The concern is: Human-induced eutrophication**
  - Much shorter time scale (decades instead of centuries) because of human disturbance and nutrient inputs
- **County Admin Report** → proposed subdivision- potential to cause environmental impact to:
  - terrain, soil quality
  - 12 wetland
  - native vegetation, wildlife,
  - surface water quality, groundwater quality & fish habitat.

The Admin Report also states:

The area for the proposed development is noted as:

*“having a high environmental sensitivity due to groundwater sensitivity and high potential for surface water quality degradation. It is also noted in the Parkland County Environmental Conservation Master Plan (ECMP) that increasing development and recreation pressure are stressing the Jackfish Lake aquatic environment and this has potential to significantly compromise the ecological integrity and hydrological function of the area if the carrying capacities are exceeded.”* (Appendix A #9)

*“The question is what effect will the addition of this development project to an already stressed, highly developed lake system have on lake health, specifically water quality and to what degree will that impact be detected.”* (Appendix A #29)

The County Admin Reports also quote the State of the Watershed Report for JF Lake → identified as being moderately impaired & *“indicates that Jackfish Lake is considered highly sensitive to human encroachment and recommends that strict measures are required to minimize future degradation of the lake from shoreline disruption or watershed land use changes... there are concerns for cumulative impacts to water quality and the overall ecological health and function of the lake due to increased development and recreational pressure...”*(Appendix A #10)

When we purchased our land in 2013 we were considering another residential 5-acre lake-view parcel that we thought might be good to subdivide into 2 lots or build a senior's complex.

When we asked the county about this we were strongly advised that no new subdivisions would be allowed by the county.

**Why is this proposed zoning change even being considered?**

The County has no obligation to the Developer and the potential harm to the lake is clearly noted in the Admin Reports.

- The obvious solution → deny proposed zoning change.

### **B) Lakeshore lots should not be allowed**

- 30 lakeshore lots → extreme environ impact on water quality and habitat.
- Each lot is allowed to clear up to a 10m path according to JF Lake ASP.
- The ASP is a bylaw so it supersedes any policy by the County to restrict it.
- If 30 lots clear → Envir Reserve is useless.
- The lake lots are designed with split drainage so each lot will drain into the lake.
- **Residential yards are notorious for overuse of fertilizers and pesticides, which would then drain into the lake affecting the already eutrophic water.**
  - Admin stated there are no guidelines or enforcement for the use of herbicides, fertilizers etc.
  - My husband normally likes a lawn that looks like a green carpet but when we bought the lake property we decided not to use chemicals. You can tell by looking at our lawn because there is lots of clover & weeds
    - Most lawns around the lake are beautiful & green which suggests the use of herbicides & fertilizer
    - This would be no different in the new subdivision
    - RECC (Code of Conduct) & community associations are difficult to enforce & rely on neighbors spying on & reporting each other, or suing their neighbors
    - Not a very neighborly way to start a new subdivision
- 1 communal cleared access and boat dock would have considerably less impact on the water lake quality.
- Buoys with posted speed limits along the shoreline
  - Less disturbing of sediment on lakebed.

**If the zoning proposal is approved (over strong objections) then reducing the impact to the lake is the next important consideration. Lakeshore lots should not be allowed.**

### **C) Lots should be 2.5 acres or greater**

The only reason that septic fields are not an option is because of the size of the acreages. 1 acre lots don't have land mass for other septic systems.

- Septic holding tanks are not a beneficial solution.

*“Alberta Health Services (AHS) does not support the use of holding tanks as the lack of servicing and maintenance often leads to unlawful, open discharge with an increased risk of soil and water contamination thereby creating a public health nuisance.” ( Appendix A)*

**As a nurse I am especially concerned with public health & avoiding potential harm to people**

- Septic systems can break w/o owner's knowledge.
- ?Heard of people who create a hole in the bottom of their septic tank so that the tank does not have to be pumped out as often (or at all).
- Historically septic tanks often lead to unlawful open discharge of sewage.
- Difficult to monitor.
  - 1<sup>st</sup> Septic tank bottom hard to assess when in use
  - 2<sup>nd</sup> Some residences will function as lake cottages
    - Can't monitor just based on # of pump-outs.
- Cisterns and septic fields eliminate the probable environmental impact from septic holding tanks.
- Therefore larger acreages of 2.5 acres or greater would be optimal.

**D) Proposal contravenes Jackfish Lake Area Structure Plan[ASP]**

The ASP is a bylaw originally passed in 1997 and amended in 2002. As a bylaw it takes precedent over other considerations such as County policies etc.

**ASP Contravention #1: High-density subdivision proposed**

The ASP (paragraph 4.7) suggests that only "*properly designed and managed low density residential development can be developed with negligible impact on the lake water quality.*"

Jackfish lake has more than 250 lots at present. Adding almost 60 lots is a substantial increase and cannot by any means be construed as low density.

According to the ASP the boat carrying capacity, impact on fish/wildlife, vegetation, shoreline and water quality would be adversely affected by high density developments.

**ASP Contravention #2: Disturbance of natural environments close to the lake affects shoreline, watershed, water quality, and fish/wildlife habitats.**

The ASP goals (ASP 4.2) include controlling anything that can "*contribute to environmental degradation of the watershed and Lake.*"

Two of the borders in the ASP that affect the proposed subdivision are Township Road 524 and Highway 770. The plan area (ASP 1.3) "*encompasses approximately 80% of the lake total drainage basin.*"

Therefore this area has a powerful impact on water quality. Shoreline development should be kept to a minimum to prevent water and fish/wildlife habitat issues (ASP 2.2.2 & 4.5).

### **ASP Contravention #3: Increased recreational use beyond lake capacity.**

- The boat carrying capacity of the lake was an issue when the ASP was first passed in 1997.
- Calculation of 1.86 boats per household showed the carrying capacity was already exceeded from 2 to 17 times capacity (ASP 2.2.3).
- That was 20 years ago and there has been extensive construction since then.
- It can be argued that the ASP severely underestimates the numbers for present day.

Overcapacity affects everybody's safety, accessibility, and satisfaction with the lake (ASP 4.1 & 4.2).

On a sunny weekend vehicles are illegally parked all along Township Road 522 and boats are lined up at the gate.

The proposal would add approximately 106 boats to the already overcapacity lake.

### **ASP Contravention #4: Shoreline overdevelopment affecting vegetation, watershed, fish/wildlife, and greatly impacting water quality.**

The ASP lists Jack Fish Lake as a "*relatively small and shallow lake.*" In 1997 "*the lake shoreline is at present approximately 36% developed.*" ... "*Jackfish Lake has no defined outlet streams and the outlet flows only periodically. As such, the flushing rates for the Lake is estimated to be in excess of 100 years.*

**I know this fact was in Jonathon's presentation but it bears repeating.**

*This means that what goes into the Lake, stays in the Lake.*" "*Cottage properties can release a very high concentrations of nutrients.*" ... "*Removal of natural vegetation on land surrounding the lake increases nutrient supply.*" (ASP 2.2.2) (ASP 4.2 & 4.5)

Simply put Jack Fish Lake requires prevention strategies because reversing damages would take generations to resolve.

This subdivision proposes to develop 30 lakeside lots, which would definitely affect watershed, water quality & fish habitat.

**My recommendation is to not allow lakeshore lots or to have only 10-14 lakeshore lots (as recommended by the JMLA). Each lakeshore lot should be situated so trees are minimally disturbed and the shallow areas need to be taken into consideration. Also 1 communal path & boat dock on the north side would be optimal.**

When we were considering buying lake property in 2013 we talked to residents and day use people we met. We were told that fishing was productive, swimming was great, and there had never been problems with blue-green algae.

In 2016 there was winterkill of numerous fish resulting in catch & release regulations. In 2015 and 2016 Jackfish Lake had the first incidence of algae in its history. These two factors show possible decline in water quality and fish habitat.

Approving zoning changes, numerous lakeside lots, or a large subdivision would be counter to any preventative goals.

**ASP Contravention #5: Increased traffic on Township Road 522 and Highway 770. (ASP 4.9)**

- Township Road 522 is a small gravel road with a few sharp corners in the middle.
- Traffic often cuts corners and speeds.
- The road is very busy especially in the summer.
- Highway 770 is a popular bypass route and large vehicles are often going to the Genesee Plant.
- It has extremely narrow shoulders and steep ditches/ravines in the area of the proposed subdivision.
- Both roads have high traffic since we have been here.
- I don't feel safe walking or biking on either of these roads.
- I can't imagine the impact of the proposed subdivision. It would take major road construction including passing lanes, turning lanes, and wide shoulders.

**E) The proposal increases the County workload and monitoring**

Many of the mitigation measures proposed by the Environmental Protection Plan (EPP) are not under the control of the developer. (Appendix A # 21, 22, 23)

Riparian setbacks, Resident Environmental Code of Conduct (RECC), septic holding tank proper maintenance, storm-water management would all need to be enforced by an already overtaxed County. The developer seems to be mainly choosing mitigation that cannot be controlled by the developer after the initial building and sale of lots.

Also the mitigation factors don't make common sense: Riparian setbacks are not effective if there are lakeshore lots. The only way to increase effectiveness would be to have one communal access to the lake and one boat dock. RECC would be difficult to enforce. Septic holding tanks are notorious for mismanagement.

**Conclusion**

I have given numerous reasons to oppose the Outline Plan and Land-use Bylaw Amendment for West Point Estates. I have also related these concerns to the Jackfish Lake ASP, which is an approved bylaw. As such it has legal weight.

Changing zoning or approving a large subdivision for this area would contravene the letter and spirit of the law in the Jackfish Lake ASP. Changing the zoning to allow large scale residential development would adversely affect the environment around Jackfish Lake.

The land was purchased as agricultural (AGR). The County does not have an obligation to the Developer. The likelihood of over capacity and declining water quality is very high with this proposed subdivision. This could be the tipping point for Jackfish Lake. The County has the authority to prevent the environmental impact of this proposal. There is no value to changing zoning in this case.

Jackfish Lake is a pristine lake that has been enjoyed by residents and nonresidents alike for decades. It would be a potentially irreversible tragedy if the fish/wildlife habitat and water quality became contaminated. Let's keep this beautiful Alberta lake for future generations to enjoy.

Thank you for listening