

MUNICIPAL DEVELOPMENT PLAN



Prepared by:

The County of Stettler No. 6 Council and Planning and Development Services

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TABLE OF CONTENTS

1.0 INTRODUCTION AND PURPOSE..... 1

2.0 VISION STATEMENT..... 2

3.0 DUTIES, FUNCTIONS AND POWERS OF THE SUBDIVISION AUTHORITY..... 5

4.0 AGRICULTURAL DEVELOPMENT 8

5.0 MULTI-LOT SUBDIVISION 17

6.0 RESIDENTIAL DEVELOPMENT 23

7.0 COMMERCIAL AND INDUSTRIAL DEVELOPMENT 25

8.0 NATURAL ENVIRONMENT 28

9.0 TRANSPORTATION AND UTILITIES..... 31

10.0 RECREATION 34

11.0 COMMUNITY FACILITIES AND SERVICES 36

12.0 NATURAL RESOURCE EXTRACTION 37

13.0 RESERVE LAND DEDICATION 39

14.0 INTERMUNICIPAL PLANNING 43

15.0 IMPLEMENTATION 45

16.0 DEFINITIONS..... 46

**SCHEDULE 'A': Sustainable Resource Development - Standard
Recommendations to Municipal Subdivision Referrals (includes recommended
minimum environmental reserve widths) 50**

INTRODUCTION AND PURPOSE STATEMENT

1.0 INTRODUCTION AND PURPOSE

The *Municipal Government Act*, RSA, 2000 (as amended) requires all municipalities with a population of 3,500 or more to prepare and adopt a municipal development plan. The role of a municipal development plan is to provide a policy framework for the long-term growth and development of a community. The *Act* states that a municipal development plan must address such issues as future land use and development in the municipality, the provision of municipal services and facilities, the provision of municipal and/or school reserves, the protection of agricultural operations, and intermunicipal issues such as future growth areas and the co-ordination of transportation systems and infrastructure.

The County of Stettler No. 6 Municipal Development Plan is a guiding document for Council, the Subdivision Authority, the Development Authority, County Administration, residents and developers when considering land use redesignation, subdivision, development and long term planning decisions. It helps the County evaluate the merit of immediate development proposals in context of the community's desired long term future. The Municipal Development Plan reflects the goals and aspirations of local residents and ensures that the County continues to grow in an orderly, economical, and sustainable manner. A thirty (30) year period is a typical planning horizon considered within a municipal development plan. Over the planning period the Municipal Development Plan is intended to enhance the quality of life of County residents by providing a clear framework to guide land use planning decisions.

The Municipal Development Plan provides a policy framework for more detailed decision making on site-specific development proposals as part of an area structure plan, area redevelopment plan, or outline plan process, which must be designed in accordance with the general policy guidance of the Municipal Development Plan.

The Municipal Development Plan does not change the land use designation of a specific property. The Land Use Bylaw is a regulatory mechanism for controlling land uses. While the Municipal Development Plan represents the community's vision for the future, the Land Use Bylaw helps govern the path towards achieving that vision.

Words in this Plan that are printed in blue font are defined in Chapter 16.

2.0 VISION STATEMENT

2.1 Vision

The proper stewardship of community assets, while managing the pressures of growth, is a balancing act that requires foresight, long-range planning, and sustained community involvement. Therefore, identifying a collective vision is an important component of community planning. The County of Stettler No. 6 (hereinafter called 'the County') in consultation with landowners and residents has defined a community vision based on its agricultural character, natural environment, the values held by its citizenry, and its aspirations for future generations.

The following statements combined outline the County's desired future and is the yardstick against which all approvals and activities are measured. In making decisions on all subdivision and development requests the County will endeavour to:

- a) Foster the traditional rural lifestyle, support the rural sense of community, and encourage a thriving rural-based agricultural economy.
- b) Preserve the rural qualities and agricultural characteristics of its landscape through growth management that balances the rural, historic, and natural areas that provide the community's unique identities.
- c) Preserve the rural character of community cohesiveness and strive to remain responsive to the needs of residents, businesses, and the agricultural community.
- d) Explore opportunities and invest in the means to enhance and diversify economic activity balancing local growth and providing increased employment and economic opportunities for all residents.
- e) Wisely manage its natural capital to preserve and promote agricultural productivity, conserve commercially viable resource lands and preserve the ecological functions of the ecosystem.

Periodically the County will review this vision to ensure it continues to focus in the desired direction.

2.2 Guiding Principles

Developing a set of principles that support the community vision is another important part of the framework of the Municipal Development Plan. Inevitably, the County will have to make decisions on community issues that are either not addressed in the Municipal Development Plan or that are inconsistent with the specific recommendations found in the plan. In such cases, the guiding principles can be a valuable reference in

determining if a specific proposal is consistent with the direction stated in the Municipal Development Plan. The guiding principles are as follows:

a) **Protect and Support Agricultural Uses**

Agriculture is a fundamentally important part of the County's identity as well as its economy. The approval of non-agricultural development must include considerations to limit its infringement upon and incompatibility with agricultural uses. If deemed necessary, buffers and separation requirements between residential and agricultural uses must be implemented to protect the integrity of agricultural operations.

b) **Identify and Protect Environmentally Sensitive Areas**

The County's environmentally sensitive areas are important components of the County's identity and vital to the environmental integrity of the County and region. As the County continues to grow increased pressures on environmental resources can be expected as development encroaches on sensitive natural areas.

c) **Land Use Compatibility**

The intensity, scale and design of new development must be compatible with adjacent land uses. Where necessary transitions and buffers must be provided to mitigate any adverse impacts on adjacent properties.

d) **Coordinate Infrastructure Expansion with Land Use**

It is important that future land use decisions are coordinated with the capacities of existing infrastructure. The expansion of supportive infrastructure networks (roads, stormwater, water, and sanitary sewer) must be undertaken in a manner that provides the most efficient and cost-effective use of public funds and the cost must be recovered from development proponents.

e) **Encourage and Promote the Diversification of the Local Economy**

Explore and develop opportunities to accommodate employment-generating land uses. These developments should be concentrated along existing and planned thoroughfares with access to existing or planned services. The County will continue to program appropriate infrastructure projects to expand and diversify the local economy.

f) **Promote Growth Within and Surrounding Existing Hamlets**

Enhance existing hamlets as community focal points by providing opportunities for small-scale, locally appropriate and compatible expansion.

g) **Provide a Range of Housing Opportunities**

Encourage housing opportunities that offer a range of rural and recreational lifestyles, minimize impacts on the natural environment and are locally appropriate in relation to the surrounding landscapes and existing land uses.

VISION STATEMENT

h) Maintain Cooperative Relationships with Neighbouring Municipalities

It is important that the County continue to work cooperatively with the neighbouring urban municipalities within the County as well as with adjacent rural municipalities to address issues of regional importance related to urban growth, infrastructure, servicing and land use.

3.0 DUTIES, FUNCTIONS AND POWERS OF THE SUBDIVISION AUTHORITY

- 3.1 The County's Subdivision Authority is established by Bylaw No. 857-95, pursuant to the *Municipal Government Act*, and its powers and duties of subdivision are thereby delegated to the County's Municipal Planning Commission.
- 3.2 Council hereby further delegates to the Director of Planning and Development (i.e. the Director) the duty to receive and process all subdivision applications on behalf of the Municipal Planning Commission and, in consultation with the Chief Administrative Officer, to make subdivision recommendations to the Municipal Planning Commission. Further, a subdivision application for:
- a) the separation of a farmstead parcel up to five acres; or
 - b) a bare parcel that complies with the criteria listed in Policy 4.6 of this Plan; or
 - c) a boundary adjustment, that does not affect more than one acre of land, to a parcel that has not been the subject of a boundary adjustment within the previous ten years;
- and against which no objections have been received and which is supported by the divisional Councillor ***may*** be approved by the Director, acting on behalf of and with delegation from the Municipal Planning Commission, in consultation with the Chief Administrative Officer and the Councillor for the relevant division. The Director ***shall*** refer any application that does not comply with the criteria in Policy 4.6 or that proposes a parcel in the Agricultural District in excess of five acres pursuant to Policy 4.7 to the Municipal Planning Commission for consideration, and ***may*** refer any other application, whether or not it complies with the criteria of Policy 4.6, to the Municipal Planning Commission.
- 3.3 A subdivision application must be made to the Director on the prescribed form and must be signed by the applicant or his agent.
- 3.4 In addition to the completed application form and application fee, the applicant must provide such information and in a format as may be required to the satisfaction of the Director, pursuant to the County's *Planning and Subdivision Guidelines*.
- 3.5 Pursuant to the Land Titles Act a bare land condominium requires approval from the Subdivision Authority.
- 3.6 Subject to the *Municipal Government Act*, this Plan, the Land Use Bylaw or any statutory plan the Subdivision Authority, or the Director acting on its behalf, may

impose conditions it considers appropriate to a subdivision approval, including but not limited to the following:

- a) that the developer enter into a subdivision agreement pursuant to Policy 3.7;
- b) legal and physical access to a public road;
- c) the registration of the subdivision and consolidation of parcels;
- d) the status of existing services and structures;
- e) payment of outstanding property taxes;
- f) payment of off-site levies;
- g) road widening;
- h) the registration of agreements and restrictive covenants on the title of land;
- i) municipal and/or school reserves and environmental reserve dedication; or
- j) any other matter that the Subdivision Authority considers necessary to ensure appropriate subdivision.

3.7 Pursuant to the *Municipal Government Act* a subdivision agreement may, in addition to other matters, require the applicant:

- a) to construct or pay for the upgrading of:
 - (i) any roads required to give access to the development;
 - (ii) a pedestrian walkway system to serve the development or to give access to an adjacent development, or both; and,
 - (iii) off-street or other parking facilities and loading and unloading facilities;
- b) to construct, install or pay for any local improvements and utilities which are needed to serve the development including, but not limited to, on-site storm water management facilities and any required easements, and joint drainage and access requirements;
- c) to pay an off-site levy or redevelopment levy;
- d) to repair or reinstate, to original condition, any ditch, municipal landscaping or trees which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
- e) to provide an irrevocable letter of credit, or other form of security acceptable to the County, to guarantee performance of the conditions of the Development Permit; and
- f) to attend to all other matters the County considers appropriate.

3.8 Pursuant to the *Municipal Government Act* in order to ensure compliance with the conditions of preliminary subdivision approval the Subdivision Authority, or the Director acting on its behalf, may register a caveat or a restrictive covenant in favour of the County against the property being subdivided which shall be discharged upon the conditions or other terms being met.

- 3.9 Pursuant to the *Municipal Government Act* the Subdivision Authority must state a reason for refusing a subdivision application.
- 3.10 Pursuant to the *Municipal Government Act* a preliminary subdivision approval is void if:
- a) the applicant does not submit the plan of subdivision to the County within one year from the date on which the preliminary subdivision approval was given to the applicant;
- and a subdivision approval and an endorsement are void if:
- b) the applicant does not register the plan of subdivision in a land titles office within one year after the date on which it was endorsed.
- 3.11 Pursuant to the *Municipal Government Act* Council hereby designates the Subdivision Authority to extend a preliminary subdivision approval or plan registration deadline. In the event that a request to extend a deadline complies with the criteria listed below, the Director may extend the deadline:
- a) The original deadline has not been extended previously;
 - b) The original deadline has not expired more than one year ago, and
 - c) The extension is required for a further one year period or less.

4.0 AGRICULTURAL DEVELOPMENT

Goal

Recognize agriculture as a fundamentally important industry and agricultural lands as part of the natural capital in the County. Preserve the land base as the most significant and enduring resource that is irreplaceable and contributes immensely to the high quality of life enjoyed by the residents of the County. The use of natural capital must be carefully managed to retain its integrity and value for the benefit of future generations. The County is committed to preserving and protecting agricultural operations, promoting the viability and sustainability of farming and providing opportunities for a diverse range of rural lifestyle options.

Objectives

- a) Avoid or minimize conflict between agricultural and non-agricultural land uses
- b) Reduce the conversion of agricultural land to non-agricultural uses.
- c) Promote the diversification of agricultural operations.
- d) Encourage sustainable and environmentally responsible agricultural practices.
- e) Protect the agricultural based economy and rural lifestyle.
- f) The County will endeavour to promote the viability of the agricultural industry in its policies and regulations at all levels of administration.

Policies

Agricultural Land and Operations

- 4.1 All land within the Agricultural District of the Land Use Bylaw is considered farmable in one way or another and is considered a part of the natural capital in the County.
- 4.2 The use of agricultural lands is intended primarily for agricultural purposes. However, the use of agricultural lands by non-agricultural uses may be allowed in accordance with the provisions of this plan, as well as federal and provincial regulations.
- 4.3 The County will notify applicants proposing non-agricultural developments on or adjacent to agricultural land that agricultural operations in the Agricultural District have precedence over all other forms of land use. The County will develop and maintain a 'Rural Code' brochure to inform residents of these matters.

AGRICULTURAL DEVELOPMENT

- 4.4 In addition to the measures stipulated in Policy 4.3, the County will require non-agricultural land uses to respect, and will not allow them to limit, any existing or new agricultural operations within the Agricultural District to the County's satisfaction, including but not limited to hours of operation, noises and odours, and traffic movements.
- 4.5 The quarter-section in one private title (see definition in Chapter 16.0) as defined in this Plan is considered as the basis for agricultural operations and related activities within the Agricultural District. Additional private titles may be subdivided out of a quarter section and remain in the Agricultural District as viable agricultural operations pursuant to Policy 4.6.

Subdivision of Agricultural Land

(Refer to Chapter 16.0 for definitions of 'bare parcel', 'un-subdivided quarter section', 'private title', natural capital, and 'permanent bona-fide and viable buildings')

- 4.6 Notwithstanding Policy 4.5, in the Agricultural District the County generally supports the subdivision of either an existing farmstead(s) or a bare private title(s), or a combination of these, out of an un-subdivided quarter section for the creation of an additional private title(s) as an agricultural parcel(s) provided that the following criteria are complied with to the satisfaction of the Subdivision Authority:
- a) The subdivision of the parcel(s) will result in a maximum density of three private titles per quarter section, including existing titles and the remainder of the quarter section (see Policy 4.14);
 - b) Legal and physical access is available or can be provided by the applicant and meets or can be improved by the applicant to meet the County's minimum road standards;
 - c) The applicant can demonstrate that existing agricultural operations, other operations usually associated with the Agricultural District (e.g. aggregate extraction or processing) and natural capital such as significant ecological functions and systems will not be adversely impacted or that the impact can and will be minimized;
 - d) The parcel size(s) comply with the following criteria, further subject to Policies 4.7 and 4.8:
 - (i) The preferred maximum size of a bare parcel in the Agricultural District is five acres; or
 - (ii) the preferred maximum size of a farmstead parcel shall be determined by the size of the minimum area required to include the yard site with permanent bona-fide and viable buildings, shelter belt, access, power pole, gas connection, domestic water well and private sewage disposal system excluding the setback distances to property

AGRICULTURAL DEVELOPMENT

boundaries that are required under the Alberta Private Sewage Systems Standard of Practice issued by the Safety Codes Council under the Private Sewage Disposal Systems Regulation (Alberta Regulation 229/1997)]; and

- (iii) the minimum size of any parcel in the Agricultural District is three acres.
 - e) The applicant can demonstrate that the parcel can be serviced on-site in accordance with provincial regulations; and
 - f) Any other consideration deemed relevant by the County.
- 4.7 Notwithstanding Policy 4.6d)(ii), the Subdivision Authority may approve the subdivision of a private title in the Agricultural District that does not comply with a minimum or preferred maximum lot size for an agricultural parcel stated in this Plan or the Land Use Bylaw if the applicant can demonstrate to the satisfaction of the Subdivision Authority that the smaller or larger parcel size is justified for the following reasons:
- a) to comply with the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*. The applicant must submit the report of a qualified professional to demonstrate that the soils on the proposed parcel are not conducive to the installation and use of a disposal field private sewage disposal system and that additional land is required to accommodate an open discharge private sewage disposal system; or
 - b) to accommodate either:
 - (i) a Confined Feeding Operation that is licensed under the Agricultural Operations Practice Act; or
 - (ii) another type of agricultural operation that, in the sole discretion of the Subdivision Authority, requires the additional land; or
 - c) to prevent the fragmentation of farmland.

Rural Development Fund

- 4.8 Pursuant to Policies 4.6 (d) (i) and (ii) and 4.7 the County hereby establishes the 'Rural Development Fund', the purpose of which is generally to promote, develop and assist any rural or agricultural project that the Council deems to be in the interest of the rural community at large, and the County's Fee Bylaw shall require a contribution to the Fund from every 'one parcel' private title subdivision applicant, increasing on a sliding scale based on the size of the proposed parcel. The revenue raised in this Fund shall not be used for any purpose other than what is stated in this Policy.

AGRICULTURAL DEVELOPMENT

Road Dedication and Road Upgrading

- 4.9 Subject and pursuant to Administrative Policy 1.11 Road Dedication, Road Upgrades and Subdivision Registration the applicant/developer of a single-lot subdivision pursuant to Policy 4.6 is required to dedicate to the County, at no cost to the County except as otherwise provided for in policy, road widening by surveyed road plan along all road frontages of the quarter section where the road allowance is not already 30 metres (99 feet) wide.
- 4.10 The Subdivision Authority may require the applicant/developer of a single-lot subdivision pursuant to Policy 4.6 to upgrade the Township Road and/or Range Road pursuant to Administrative Policy 1.11 Road Dedication, Road Upgrades and Subdivision Registration to the County's satisfaction and at no cost to the County, except as otherwise provided for in policy.

Compliance with Subdivision Conditions

- 4.11 When the Subdivision Authority deems it reasonable to allow the delaying of the implementation of a condition of subdivision to a date that will occur after the endorsement of a subdivision plan for registration, it shall require a security deposit from the applicant to ensure that the condition will be satisfied.

Fragmented Land

- 4.12 Notwithstanding anything to the contrary in this Plan, the mere fact that an existing parcel of land in the Agricultural District may be fragmented by natural or man-made features does not in itself constitute an acceptable justification for the subdivision of the fragmented land.
- 4.13 Notwithstanding anything to the contrary in this Plan, a parcel in the Agricultural District that lies partially in the County and partially in an adjacent municipality shall be allowed to separate the title for that portion of the quarter section that lies within the County regardless of the size of the portion, and that portion shall be deemed to be an un-subdivided quarter section regardless of its size.

Subdivision of Additional Private Titles in the Agricultural District

- 4.14 If three or more private titles exist per quarter section, including the remainder of the quarter section, further subdivision of land in the Agricultural District that will result in the creation of a fourth or additional private title, and thereby increase the density to more than three private titles per quarter section, may be allowed at the discretion of the Subdivision Authority, subject to its determination of whether the proposed subdivision is based on sound planning principles when considering the context of the proposed subdivision in relation

AGRICULTURAL DEVELOPMENT

to the existing and future use and subdivision of the subject and adjacent land, such context including but not limited to the following:

- a) The possible impact of the proposed subdivision on adjacent lands and specifically agricultural operations, and the logical configuration of the proposed subdivision so as to minimize such impact and specifically avoid the fragmentation of agricultural land.
- b) Minimizing the possible impact on County services and operations (including existing and future maintenance and infrastructure).
- c) The intensification and/or logical completion of existing development and subdivisions.
- d) The existing and probable future uses and subdivision of the subject and adjacent land and the location and configuration of the proposed subdivision in that context, which may include requiring the applicant to prepare a conceptual scheme to describe this context. The result may be that the applicant is required to apply for a multi-lot subdivision in accordance with the provisions of Chapter 5.0 Multi-lot Subdivision instead of incrementally subdividing single parcels without a comprehensive plan.
- e) The current condition of access roads and the impact that the proposed subdivision may have on these roads, including traffic safety considerations, and the identification of remedies satisfactory to the County.
- f) The use of and impact on natural capital.
- g) The need to and desirability of dedicating municipal reserve (either as land or cash in-lieu-of land) and environmental reserve.
- h) The need to dedicate land for an internal subdivision road or a service road, or to arrange for joint accesses.
- i) The availability of adequate water sources and sewage disposal options for the proposed subdivision and possible future subdivisions on adjacent land, within the context of the Private Sewage Disposal Systems Regulation (AR 229/97).
- j) Stormwater management considerations.
- k) Any other matters that the Subdivision Authority considers necessary.

Confined Feeding Operations

Background: In the following policy statements reference to a proposed “CFO or CFO structure and/or manure handling and/or storage” shall include reference to the proposed expansion of an existing CFO or CFO structure and/or the expansion of existing manure handling and/or storage, except where it is expressly otherwise defined in a plan referenced in Policy 4.15(h) and 4.15(i) below.

The permitting and enforcement of a Confined Feeding Operation (CFO) and/or the management of manure handling and storage are a provincial jurisdiction and are regulated pursuant to the Agricultural Operation Practices Act (AOPA) under the direction of the Natural Resources Conservation Board (NRCB). As part of the approval process, an NRCB Approval Officer may consult with the County to determine if an application is consistent with the land use planning provisions of the County’s Municipal Development Plan. The Approval Officer must consider matters that would normally be considered if a development permit were being issued by the County (i.e. zoning compliance, front, side and rear yard setbacks, setbacks from water bodies, road improvements, etc.). The Approval Officer may request the County to submit a written statement of concern indicating whether or not an application is consistent with the County’s land use provisions and/or providing any requested interpretation of the land use provisions. Should the County disagree with a decision to grant or deny a permit under AOPA, they have the right to request a Board Review from the NRCB. The Board must have regard to, but is not bound by, the Municipal Development Plan, and must justify its decision if it decides not to follow the provisions thereof.

- 4.15 The County’s response to an AOPA application referral will be based on the following policy statements and regulatory considerations:
- a) In principle, pursuant to Policy 2.2(a) of this Plan, the County supports any application for CFO development and/or expansion if it complies with the AOPA regulations, specifically those provisions that are intended to protect riparian zones, groundwater and surface water quality and to address potential public nuisances. Therefore, the County does not expect greater minimum distance separation between CFO’s and existing residential development or areas for planned residential development than what the AOPA regulations provide for, except as provided for in Policy 4.15 (h) and 4.15 (i) below.
 - b) If the County can demonstrate that a proposed CFO or manure handling and/or storage poses a specific risk to a specific site and that the site requires additional protection, the County will provide the relevant information to the Approval Officer. This may apply to public and semi-public resorts, campgrounds, community halls and sports facilities.

AGRICULTURAL DEVELOPMENT

- c) The County will respond to any request for interpretation of the land use provisions and will answer any other questions asked by the Approval Officer.
- d) The subject property must be located in the Agricultural District of the Land Use Bylaw and if it is not, the County will request that the NRCB require as a condition of the permit that the applicant must successfully apply to the County for the rezoning of the property.
- e) The proposed location of any CFO structures must comply with the minimum front, side and rear yard setback requirements for farm buildings as described in the Land Use Bylaw.
- f) If the County deems that the approval of the proposed or expanded CFO by the NRCB would result in increased traffic that may impact County roads or residences along those roads, or if the County deems that the access roads do not comply with the County's minimum road specifications to safely carry the expected traffic (e.g. road width), the County will request that the NRCB impose a condition on the permit to require that the applicant enters into a road use agreement with the County and/or upgrades the affected roads at no cost to the County.
- g) If the proposed or expanded CFO forms part of any proposed residential development the County will advise that a development permit under the Land Use Bylaw is required under a separate application process to the County.

CFO Exclusion Zones identified in Intermunicipal Development Plans

- h) The County, in collaboration with adjacent municipalities, has identified CFO exclusion zones in a number of intermunicipal development plans. The County supports new CFO development and/or expansion of existing CFO's if the CFO structure and any manure handling or storage are located outside of these exclusion zones. As of January 1, 2013 these plans are the following:
 - (i) the Town of Stettler and County of Stettler No. 6 Intermunicipal Development Plan; and
 - (ii) the Buffalo Lake Intermunicipal Development Plan.

AGRICULTURAL DEVELOPMENT

Default CFO Exclusion Zone around undeveloped portions of future residential areas within approved Area Structure Plans, Concept Plans and Outline Plans

- i) The County has approved several area structure plans, concept plans and outline plans for future new residential development or future expansion of existing residential development that are located outside of any intermunicipal development plan in which a CFO exclusion zone is identified as referenced in Policy 4.15(h). The County is satisfied that existing multi-lot residential development in these area structure plans, concept plans and outline plans are protected under AOPA, and would prefer that future residential development is taken into consideration in the determination of CFO locations. Therefore, where the following area structure plans, outline plans and concept plans identify future residential development, the County supports new CFO development and/or expansion of existing CFO's that are proposed to be located outside of an 800 meter default CFO exclusion zone, measured perpendicularly to the boundary of any future undeveloped or future partially developed residential land use designation area identified within the boundaries of these plans. When a specific residential area in any of these plans has been fully built-out to the boundary of the residential land use designation area within the plan boundary, the 800 meter default CFO exclusion zone expires. As of January 1, 2013 these plans that contain future residential expansion areas are the following:
 - (i) the Pheasantback Estates Area Structure Plan (the NE 36-39-20 W4M);
 - (ii) the River Creek Area Structure Plan (Pt. of SW 34-38-22-W4M);
 - (iii) the Dickie-Ziegler Area Structure Plan (Lots 1 and 2, Block 1, Plan 0927839); and
 - (iv) the Hamlet of Erskine Concept Plan (the SW 6-39-20-W4M).
- j) Pursuant to Section 638 of the Municipal Government Act, the area structure plans, and also the concept plans and outline plans, identified in Policy 4.15 (i) above are deemed to include the CFO exclusion zone stated in that policy. As these plans may be amended from time to time they must be amended to include the stated CFO exclusion zone.

Reciprocal setback distances are advised but not required

- 4.16 In approving rezoning and/or subdivision applications for single parcel residential acreages and multi-lot residential subdivisions in locations that could be incompatible with an existing CFO, the County will recommend that the applicants familiarize themselves with existing CFO locations and the applicable minimum separation distances and consider the potential impact on their

AGRICULTURAL DEVELOPMENT

proposed subdivision however, the County will not require reciprocal setback distances. Further, the County will require that an area structure plan or outline plan for multi-lot residential development must incorporate the buffering techniques for non-agricultural development in the agricultural fringe as referenced in the relevant section of the County's Land Use Bylaw.

5.0 MULTI-LOT SUBDIVISION

(refer to Chapter 16.0 for definition of ‘multi-lot subdivision’)

Goal

The County recognizes that the process of multi-lot subdivision for residential, commercial and industrial development is complex and requires careful review within the municipal and provincial statutory and regulatory context. In order to ensure that these processes are not unnecessarily cumbersome, the County will endeavour to develop and maintain a clear policy framework.

Specific to the servicing of multi-lot subdivisions, the County recognizes that at this time a communal sewage disposal system is the only available option that meets current regulatory standards for development in proximity to a sensitive receptor (e.g. a lake) relative to groundwater and surface water quality. In consideration of the potential future importance of water as a non-renewable resource and the potential contribution that enhanced private sewage disposal systems may offer towards any efforts to manage and conserve potable water, and further in consideration of the potential that, out of this context, there may of necessity arise enhanced private sewage disposal system technologies that are capable of treating sewage effluent to the applicable regulatory standards (i.e. nutrient removal), the approach to multi-lot servicing should accommodate alternative technologies.

Objectives

- a) Endeavour to provide a clear, thorough and transparent process for the review of multi-lot subdivision.
- b) Establish a policy framework to effectively deal with the preparation of plans for multi-lot subdivision.
- c) Promote developer and public awareness of the County’s multi-lot subdivision planning and approval process requirements.
- d) Accommodate alternative servicing approaches for multi-lot subdivisions, subject to clearly defined criteria.

Policies

Context

- 5.1 The County will endeavour to identify areas where multi-lot development pressures are apparent and set priorities within the available resources to prepare relevant statutory plans (i.e. intermunicipal development plans and major area structure plans) in advance of multi-lot subdivision proposals.

MULTI-LOT SUBDIVISION

- 5.2 In addition to the broad policies of the Municipal Development Plan the County has established and maintains *Planning and Subdivision Guidelines* that outline in detail the requirements and review process and standards for multi-lot planning and subdivision applications within the provincial and municipal statutory and regulatory framework, incorporating current policy and sound planning practices. An application for an area structure plan or outline plan is required to incorporate these guidelines as described in Administrative Policy 1.27 Planning and Subdivision Guidelines.
- 5.3 The County encourages multi-lot subdivision proposals to conserve agricultural land and preserve natural capital through conservation design principles. Refer to Chapter 16.0 Definitions and Administrative Policy 1.27 Planning and Subdivision Guidelines for more information.

When is a Subdivision Application Deemed to be a Multi-lot Subdivision?

- 5.4 Subject to the exemptions provided for in Policy 5.5 below, the following types of subdivision application are deemed to be multi-lot subdivisions and must meet the requirements for multi-lot subdivision as outlined in Policy 5.6 and other policies in Chapter 5.0 of this Plan:
- a) An application for the subdivision of land that will result in a density of more than three private titles per quarter section, including existing parcels and the remainder of the quarter section.
 - b) A subdivision application for the simultaneous creation of two or more new titles (private title or other).
- 5.5 At the discretion of the Subdivision Authority, the following types of multi-lot subdivision may be exempted from the requirement in Policy 5.4:
- a) the simultaneous creation of two private titles from an un-subdivided quarter section that results in a density of not more than three private titles per quarter section (pursuant to Policy 4.6);
 - b) a subdivision for the purpose of any use other than a private title as defined in this Plan;
 - c) a subdivision pursuant to Policy 4.14;
 - d) the subdivision of an existing parcel (private title or otherwise) in an existing multi-lot subdivision into two titles including the remainder;
 - e) the consolidation of parcels;
 - f) a subdivision that is deemed by the County to be a boundary adjustment; and

MULTI-LOT SUBDIVISION

- g) at the sole discretion of the Subdivision Authority, based on the context and nature of the application, an application pursuant to Policy 5.7 (a), 5.7(b) or 5.7 (0).

Minimum Number of New Titles required for Multi-lot Subdivision

- 5.6 Subject to Policy 5.7, an application for a private title multi-lot subdivision must create a minimum of five new private titles, excluding any existing private titles.
- 5.7 Notwithstanding Policy 5.6, the Subdivision Authority may deem it appropriate to approve a private title multi-lot subdivision of less than five new [private titles](#) under the following circumstances only:
 - a) the application is exempted under Policy 5.5; or
 - b) due to the existence of a natural feature, a railway, a road or an existing subdivided [private title](#) on the quarter section, the area proposed for a multi-lot subdivision cannot accommodate five [private titles](#) of a maximum of three acres each, with suitable building sites and an internal subdivision road.

Multi-lot Subdivision and Commercial or Industrial Subdivision may require Rezoning

- 5.8 Prior to the consideration of a multi-lot subdivision proposal for any use or the subdivision of a single parcel for commercial or industrial use the development proponent may be required to obtain land use rezoning out of the Agricultural District to an appropriate district or districts in the Land Use Bylaw. A subdivision pursuant to Section 5.5 (a) may be exempted from this requirement.

Multi-lot Subdivision may require a Plan Amendment

- 5.9 Notwithstanding Policies 5.1 and 5.8, prior to the County considering first reading of a rezoning bylaw the developer may be required to prepare a new or amend an existing local area structure plan or outline plan that complies with the County's *Planning and Subdivision Guidelines* and any relevant major statutory plans, and apply for the amendment of any relevant major statutory plans.

Multi-lot Subdivision Water and Sanitary Sewer Servicing Requirements

- 5.10 Subject to Policy 5.11 and in addition to Chapter 9.0, the County requires the following approach to the servicing of multi-lot subdivisions:
 - a) All multi-lot subdivisions must provide underground franchise utilities.
 - b) A public communal water supply system and/or a public communal sewage disposal system that complies with all provincial regulatory and licensing requirements:

MULTI-LOT SUBDIVISION

- (i) shall be required in all multi-lot subdivisions deemed by the County to be in proximity to an existing public communal system that has the capacity to accommodate the servicing of the proposed subdivision at a reasonable cost to the developer;
 - (ii) shall be required in all multi-lot subdivisions deemed by the County, in consultation with Alberta Municipal Affairs and/or Alberta Environment, to be in proximity to a sensitive receptor (e.g. a lake); and
 - (iii) may be encouraged in any other multi-lot subdivision.
- c) A new privately owned communal water supply and/or privately owned communal sewage disposal system shall not be accepted in any multi-lot subdivision (this policy grandfathers the expansion of existing privately owned communal systems). After the successful completion of any applicable warranty period, all communal water supply and/or sewage disposal systems must be transferred to the County, including ownership, operation and maintenance. The exception to this is a privately owned communal water supply and/or privately owned communal sewage disposal system in a bareland condominium subdivision or a multi-dwelling unit development that is designed for seasonal use only, in which case the County will not require or accept ownership of such a system.
 - d) Where a multi-lot subdivision is serviced by private individual water wells or private individual sewage disposal systems in a location where municipal services may become available in the future, the County may require that the developer agrees to the registration of a deferred servicing agreement by caveat to connect to public communal water supply and sewage disposal systems, at the cost of the landowners, if and when these become available in the future.
 - e) Private individual water well construction must comply with or exceed the installation and operational requirements of the *Nuisance and General Sanitation Regulation of the Public Health Act* and the licensing requirements of the *Water Act*.
 - f) Private individual sewage disposal systems must comply with or exceed the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*, as amended from time to time.
- 5.11 Notwithstanding Policy 5.10 (b) (i), (ii) and (iii), the following exceptions apply to the servicing approach for multi-lot subdivisions:

MULTI-LOT SUBDIVISION

- a) The County may waive the requirement for a communal sewage disposal system where it may be required in a multi-lot subdivision when a development proposal:
 - (i) proposes minimum lot sizes of two acres; and
 - (ii) can demonstrate to the satisfaction of the County, in consultation with Alberta Municipal Affairs and/or Alberta Environment, through the application of the 'Model Process for Subdivision Approval and Private Sewage – The Suitability and Viability of Subdivisions Relying on Private Sewage Systems' (February 1, 2011)' prepared by the Alberta Association of Municipal Districts and Counties in partnership with Alberta Municipal Affairs, that an alternative technology for enhanced private sewage disposal meets or exceeds the applicable regulatory standards required of such systems, including surface water and groundwater quality; and
 - (iii) the alternative technology affords the municipality the same level of maintenance and management as a public communal system would.

If the County is accredited to issue permits under the Safety Codes Act at the time of waiving the communal sewage disposal system requirement, then the requirement to install individual sewage disposal systems would be the responsibility of the individual property owner at the time of applying for a permit under the Safety Codes Act. If the County is not accredited, then the requirement to install individual sewage disposal systems is the responsibility of the developer under the development agreement.

- b) Any development with lots smaller than 0.45 acres (19,600 ft²) are required to be communally serviced for sewage disposal.

5.12 An application for a multi-lot subdivision must provide an internal subdivision roadway or roadways for access to individual lots. No parcel in a multi-lot subdivision is permitted to take direct access off a County road, except under circumstances pursuant to Policy 5.6 or other circumstances that the County deems appropriate.

Road Dedication, Road Upgrading and Hard Surfacing of Roads

5.13 Subject and pursuant to Administrative Policy 1.11 Road Dedication, Road Upgrades and Subdivision Registration the applicant/developer of a multi-lot subdivision is required to dedicate to the County, at no cost to the County except as otherwise provided for in policy, road widening by surveyed road plan along all road frontages of the quarter section where the road allowance is not already 30 metres (99 feet) wide.

MULTI-LOT SUBDIVISION

- 5.14 The Subdivision Authority may require the applicant/developer of a multi-lot subdivision to upgrade the Township Road and/or Range Road pursuant to Administrative Policy 1.11 Road Dedication, Road Upgrades and Subdivision Registration to the County's satisfaction and at no cost to the County, except as otherwise provided for in policy.
- 5.15 The Subdivision Authority may require the applicant/developer of a multi-lot subdivision to pave or apply another type of hard surfacing or provide dust control, or a combination of these measures, to the internal subdivision roads and/or to a Township Road and/or a Range Road that provides access to the subdivision, to the County's satisfaction and at no cost to the County, except as provided for in a cost sharing policy, when:
- a) a proposed multi-lot subdivision is deemed by the Subdivision Authority to contain lots of a depth that does not allow the placement of dwellings away from the road in order to avoid dust concerns;
 - b) the access to a multi-lot subdivision is proposed within one mile of existing pavement; and/or
 - c) the County has adopted another plan, a bylaw or a policy that proposes to bring pavement within one mile of the access to a proposed multi-lot subdivision.

Rural Development Fund

- 5.16 The County hereby establishes the 'Rural Development Fund', the purpose of which is generally to promote, develop and assist any rural or agricultural project that the Council deems to be in the interest of the rural community at large, and the County's Fee Bylaw shall require a contribution to the Fund from every multi-lot subdivision applicant. The revenue raised in this Fund shall not be used for any purpose other than what is stated in this Policy.

Reciprocal Setback Distances to CFOs are Recommended but not Required

- 5.17 In approving rezoning and subdivision applications for multi-lot subdivisions that could be incompatible with and impact an existing CFO, the County will not apply reciprocal setback distances (also refer to Policy 4.15 of this Plan).

6.0 RESIDENTIAL DEVELOPMENT

Goal

Support appropriately located rural and resort residential development as a means to provide opportunities to increase the population base, and provide a variety of housing opportunities that meet the needs of residents of various age groups, family types, lifestyles, and income levels.

Objectives

- a) Promote the development of a range of housing types and locations capable of meeting the variety of needs of County residents.
- b) Promote economically, socially, agriculturally and environmentally sustainable residential development patterns.
- c) Promote higher residential densities in, or in proximity to existing hamlets that are capable of providing amenity, service, and employment opportunities.
- d) Encourage residential development that incorporates sustainable building practices.

Policies

- 6.1 The County encourages residential development that provides opportunities for a range of rural lifestyles including agriculture, country living, hamlet living and resort living by establishing in its Land Use Bylaw land use districts and regulations appropriate to each type of residential development.
- 6.2 Where unique characteristics of a proposed residential development cannot be accommodated in an existing land use district the County may establish a Direct Control District to accommodate the proposal.
- 6.3 In the Agricultural District the County will consider the development of a second, third and additional dwellings on a single private title that contains at least 80 acres and on which farming, including a CFO, that requires the hiring of employees and requires their on-site presence is the principle use. If a private title contains less than 80 acres, the County may still consider the development of a second, third and additional dwellings on it subject to the same conditions.

RESIDENTIAL DEVELOPMENT

- 6.4 Through provisions in its Land Use Bylaw the County supports the development of one secondary suite in a detached dwelling, subject to the discretion of the Development Authority, in all residential and agricultural land use districts excluding any recreational oriented land use district.
- 6.5 Each of the existing hamlets is considered as a potential development node appropriate to accommodate urban-like development. The County encourages new residential development within and adjacent to existing hamlets based on the ability to accommodate the proposal with existing infrastructure and community facilities, provided the proposed uses are developed at a scale appropriate to the community.

7.0 COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Goal

The County recognizes commercial and industrial development as a vital part of the economic base, as a critical means to maintain a diversified lifestyle for County residents and as a particularly important component of the municipal assessment base. As such the County is “open for business” and encourages and invites appropriate new commercial and industrial developments that enhance and diversify the local economy and increase local employment activities.

Objectives

- a) Promote the establishment of a strong, diversified local economy.
- b) Explore and provide opportunities for appropriately located, serviced lands suitable for commercial and industrial development.
- c) Encourage the development of a variety of commercial and industrial land uses that contribute to a sustainable community.
- d) Promote commercial and industrial development that minimizes any potential adverse impacts on adjacent land uses.
- e) Support appropriate forms of home occupations as a type of economic development within the County.

Policies

- 7.1 New commercial and industrial development is encouraged to locate in existing or new business parks along major transportation corridors or within existing hamlets.
- 7.2 In considering a proposal for a new business park the County will review the proposal based on the following criteria:
 - a) Location in proximity to primary or secondary highway;
 - b) Direct access to a county roadway suitable to accommodate the projected traffic generation;
 - c) Location in a manner that optimizes the efficient utilization of municipal infrastructure and services
 - d) Location that promotes compatible land use patterns and avoids adverse impacts on adjacent land uses; and

COMMERCIAL AND INDUSTRIAL DEVELOPMENT

- e) A proven water supply and sewage disposal capacity that meet or exceed Provincial regulations exist to the satisfaction of the County.
- 7.3 Isolated commercial and industrial uses outside business parks may be considered, provided the proposed development can address the following characteristics to the satisfaction of the County:
- a) The proposed development requires an isolated location;
 - b) The type, scale, size, and site design of the proposed development are appropriate for the area and compatible with adjacent uses;
 - c) The site characteristics are suitable for the proposed development;
 - d) The proposed development would not adversely impact the municipal road network;
 - e) The site can be serviced with on-site water supply and private sewage disposal systems; and
 - f) Any other safety or environmental issues have been addressed.
- 7.4 Access to all business parks or individual commercial or industrial sites is restricted. If located on a Provincial highway Alberta Transportation will determine the access points and development standards. If located on a County road the County will determine access points and development standards.
- 7.5 The County will develop design guidelines for commercial and industrial development located along major roadways or outside urban centres to ensure the appearance of the development complements the surrounding and neighbouring communities.
- 7.6 Each of the existing hamlets is considered as a potential development node appropriate to accommodate urban-like development. The County encourages new commercial and industrial development within and adjacent to existing hamlets based on the ability to accommodate the proposal with existing infrastructure and community facilities, provided the proposed uses are developed at a scale appropriate to the community.
- 7.7 Home-based businesses are considered appropriate throughout the County provided the business is subordinate to the principal residential use of the parcel and does not change the character of the principal residential use of the parcel, and the business does not create an adverse impact on adjacent land uses.
- 7.8 Home-based contractor's businesses are considered appropriate throughout the County provided the business does not change the character of the immediate area and the business does not create an adverse impact on adjacent land uses.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT

- 7.9 The County will continue to cooperate with neighbouring municipalities and other stakeholders to promote regional economic development initiatives.
- 7.10 Any new industrial or commercial development or activity that is deemed by the County to be a nuisance or of a noxious nature must be located at a distance acceptable to the County from the nearest residence or place of public assembly, unless mitigating measures will be implemented to reduce adverse impacts on such uses.
- 7.11 Where possible the County will direct uses that are deemed by the County to be incompatible with proposed or existing commercial or industrial development to locations that do not encroach upon those commercial or industrial developments.

8.0 NATURAL ENVIRONMENT

Goal

The County's most significant and enduring resource is its natural capital, referring primarily to the agricultural and environmental lands present in the County. These lands are irreplaceable and contribute immensely to the high quality of life enjoyed by the residents of the County. The use of natural capital, therefore, must be carefully managed to retain their integrity and value for the benefit of future generations. The County aspires to establish and implement a land management philosophy that strives to balance the conservation of natural capital with long term growth needs. In doing so, the County supports the preservation and enhancement of environmentally significant areas, protect the ecological function and integrity of natural features and fish and wildlife habitats and promote environmentally sensitive development practices that minimize the impact of human activity on the natural environment.

Objectives

- a) Protect environmentally significant areas from incompatible land uses.
- b) Minimize the impacts of development on the natural environment.
- c) Raise community awareness of the impacts of human activity on the eco system.

Policies

- 8.1 Specifically with regard to multi-lot subdivisions, and pursuant to the *Planning and Subdivision Guidelines*, the County endeavours to protect lands that are deemed to be environmentally significant through a combination of process and design requirements and a variety of legislative and voluntary techniques. These may include but are not limited to conservation design principles, public communal water and sanitary sewer servicing, storm water management plans, and environmental reserve dedication or the placement of conservation easements on environmentally sensitive areas.
- 8.2 Lands specifically considered environmentally significant are illustrated in the *Environmentally Significant Areas of Lacombe and Stettler Counties, November 1988*. The exact boundaries of these lands must be determined at the time of subdivision or development by a qualified professional engineer at the developer's expense. In addition, lands not identified in the above referenced document but which are generally considered to be of environmental significance, include:
 - a) water related landscapes, especially major lakeshores and river valleys and also wetlands of Class 3 and higher based on the Stewart and Kantrud

NATURAL ENVIRONMENT

- Wetland Classification System and their associated riparian zones and major drainage courses and their associated riparian zones;
- b) hazard lands;
 - c) important groundwater aquifer and recharge areas;
 - d) the habitat of rare or endangered plant or animal species; and
 - e) other areas considered to be especially scenic or diverse.
- 8.3 Subdivision and development proposals involving hazard lands may be required to include a Phase 1 Environmental Site Assessment in accordance with the *Canadian Standards Association Z768-01* and/or a geotechnical assessment conducted by a qualified professional engineer, and to follow the recommendations of these studies regarding measures that could mitigate the hazardous conditions.
- 8.4 No permanent structures are permitted within the definable 1:100 year floodplain of any river, stream or other water body, unless proper flood proofing techniques recommended by a qualified professional are applied as part of a subdivision or development application.
- 8.5 To encourage the protection of riparian zones, the minimum width of an environmental reserve adjacent to a waterbody or, in the absence of an environmental reserve, the minimum width of a development setback from a waterbody shall be 30 metre (100 feet) measured from the bed and shore of the water body or from an associated water management right-of-way to the nearest boundary of private property, subject to the discretion of the County. Retention or new planting of natural vegetation is encouraged within the building setback as a means of enhancing water quality through sediment and contaminant removal and biodegradation.
- 8.6 The County encourages the use of conservation easements by landowners as a means of preserving significant natural features and areas that do not qualify for environmental reserve dedication pursuant to the *Municipal Government Act*. The use and control of these features and areas must be clearly stated in the easement agreement.
- 8.7 The County encourages raised awareness about environmental issues and supports actions and initiatives that increase individual and public environmental responsibility.
- 8.8 The County encourages developers to explore opportunities for alternative building methods that meet the Alberta Building Code and are compatible with the voluntary LEED™ green building rating system administered by the Canadian Green Building Council in order to encourage the development or more

NATURAL ENVIRONMENT

sustainable housing projects. Sustainable building practices include, but are not limited to the following:

- a) Minimizing storm water volumes through the installation of roof top gardens or on-site cisterns;
- b) Installing water saving plumbing fixtures;
- c) Using water efficient landscaping;
- d) Increasing energy performance through reduction in demand, harvesting site energy and efficient building design;
- e) Reducing waste by extending the life of existing buildings and using local and recycled building materials;
- f) Improving indoor environmental quality through efficient heating and ventilation; and
- g) Reducing light pollution and energy costs by installing outdoor lights that are designed to minimize escape of light to the sky or beyond the site.

9.0 TRANSPORTATION AND UTILITIES

Goal

Encourage and facilitate the development and maintenance of effective, economical, and efficient transportation and utility networks that meet the needs of residents, businesses, and industry and are supportive of planned growth and local economic development.

Objectives

- a) Plan and manage the transportation system in cooperation with Alberta Transportation and neighbouring municipalities that provides for the safe and accessible movement of people and goods.
- b) Promote public health and safety and environmental integrity in the approval of any transportation or utility infrastructure.
- c) Encourage alternative utilities such as innovative heating and energy systems.

Policies

General

- 9.1 The County will evaluate subdivision or development applications based on, amongst other considerations, the available and projected capacity of its transportation and utility systems, including those that are governed by agreements with other municipalities.
- 9.2 When considering subdivision and development applications the County may require an assessment of the transportation and utility infrastructure necessary to access and service the proposal and may require the developer to dedicate rights-of-way and/or upgrade or contribute towards future upgrading of required roads and utility infrastructure to meet the County's minimum standards.
- 9.3 Subject to any cost sharing policy of the County the provision and cost of all road and utility infrastructure required to service a new subdivision or development are the responsibility of the developer, and the County may require the developer to enter into a development or subdivision agreement to this effect.

TRANSPORTATION AND UTILITIES

- 9.4 All subdivision and development proposals with the potential for substantial road or utility infrastructure impact are encouraged to locate in areas that are serviced with roads and utility systems that have been designed and constructed to accommodate the development to the satisfaction of the County. In the event that none of the above-mentioned areas are available the County may impose off-site levy bylaws to recover part or all of the cost of constructing, upgrading, and/or maintaining the road network and utility systems.
- 9.5 The County will endeavour, through its input to the approving process of the Energy Resource Conservation Board, to require that rights-of-way for utilities (e.g. electric transmission lines or oil and gas pipelines) are located in such a manner as to minimize the visual or other impact on existing or proposed residential development and agricultural operations by paralleling existing rights-of-way or following property lines.

Roads

- 9.6 The County strives to develop and requires development proponents to contribute to the development of an effective primary road network designed to accommodate traffic and maintain the integrity of the overall network to the satisfaction of the County.
- 9.7 The cost of providing legal and physical access, at the County's minimum road and culvert standards, to a proposed development or to each parcel in a proposed subdivision is the responsibility of the applicant.
- 9.8 Through the approval process the County will ensure that developers pay for the construction of access points and intersections from subdivisions or developments to public roadways in accordance with the County's minimum standard, or another standard if required by Alberta Transportation.
- 9.9 The County requires that the following criteria associated with roadway safety are satisfied in all subdivision and development applications:
- a) Limiting the number and type of access points onto provincial highways (in consultation with Alberta Transportation) and municipal roadways;
 - b) Requiring the proposed subdivision and/or development application to provide for service roads; shared access points; or access via a local road; and
 - c) Any other criteria deemed appropriate by the County or Alberta Transportation.
- 9.10 As part of the redesignation, subdivision, or development application processes the developer may be required to submit a Traffic Impact Assessment.

TRANSPORTATION AND UTILITIES

- 9.11 Setback, buffering and screening of roads or railway corridors from adjacent land uses may be required to the satisfaction of the County as part of a subdivision or development application as a means to enhance public safety or to mitigate noise or other annoyances caused by proximity to transportation infrastructure.
- 9.12 The County will continue to update its Transportation Plan every five years in consultation with the applicable provincial agencies and adjoining municipalities.

Water, Sanitary Sewer, Stormwater and Solid Waste

- 9.13 The County encourages the incorporation of water conservation measures into all new developments.
- 9.14 All water and sanitary sewer systems, including private on-site water wells and sewage disposal systems, must comply with provincial regulatory and licensing requirements in place at the time of the subdivision or development application.
- 9.15 The County requires the use of water and sanitary sewer systems that do not negatively impact the integrity of surface and groundwater availability or quality.
- 9.16 A development that is deemed to be a major development, at the sole discretion of the County, that proposes to utilize private, on-site water supply and sewage disposal systems may be required to obtain the approval of relevant Alberta Government agencies and, in addition, may be required to enter into a deferred servicing agreement to ensure that the development is connected to public water and/or sanitary sewer systems upon availability.
- 9.17 The County, in consultation with Alberta Environment, may require a stormwater management plan, prepared by a qualified professional engineer to the satisfaction of the County in consultation with Alberta Environment, for any subdivision or development application.
- 9.18 The County will continue to work with surrounding municipalities on an integrated regional solid waste management plan.

10.0 RECREATION

Goal

Recreation facilities will be directed to locations that facilitate rural settlement and improve the quality of rural life. Open space will be conserved for community facilities to serve the best interests of the community as a whole.

Objectives

- a) Integrate environmentally sensitive features into parks, recreation areas, and open spaces where appropriate.
- b) Continue to coordinate with urban municipalities in the provision of recreational services and opportunities that enhance the quality of life of County residents.
- c) Encourage an integrated park, recreation, and open space system that serves a variety of leisure interests.

Policies

- 10.1 The County encourages appropriate private recreation facilities to locate on lands that may include but are not limited to:
 - a) lake and river valley landscapes;
 - b) landscapes with interesting terrain, vegetation or other features; and
 - c) sites containing features with cultural or historical significance.
- 10.2 The County encourages low impact, low maintenance parks, recreation areas, and open spaces (for example, leaving a park in its natural state except for the land area required to install playground equipment and a parking lot).
- 10.3 The County requires that major parks and recreation facilities are designed in accordance with the following general criteria:
 - a) Minimize conflicts with adjacent land uses;
 - b) Provide reasonable privacy to residences;
 - c) Minimize the disturbance and/or removal of topsoil and vegetation;
 - d) Provide direct legal and physical access to a standard acceptable to the County;
 - e) Retain the natural features of the site to the extent feasible to assimilate the proposal into the rural landscape;
 - f) Conserve or enhance environmentally sensitive areas;
 - g) Provide connectivity within and between neighbourhoods;

- h) Provide opportunities for private or joint ventures; and
 - i) Incorporate Crime Prevention Through Environmental Design (CPTED) principles.
- 10.4 The County encourages a variety of private and public recreational opportunities as a means of:
- a) Bringing various segments of the community together through sports, arts, environmental, cultural, and family activities; and;
 - b) Strengthening complementary tourism initiatives, attractions, and services.
- 10.5 The County encourages the identification and protection of corridors to provide linkages among the open space network.
- 10.6 The County continues to support recreation agreements with all of its urban neighbours.
- 10.7 The County may consider partnership agreements with community organizations to jointly develop or support recreational facilities.
- 10.8 The County requires developers to provide at their cost, or contribute to the costs of providing, new or enhanced public lake or river access opportunities as a condition of subdivision or development approval.
- 10.9 The County encourages the development of recreation facilities in an effective and efficient manner through cooperative ventures with private and public sector groups.
- 10.10 The County, in consultation with Recreation Boards, will endeavour to develop standards for the development of indoor and outdoor leisure facilities and amenities that are equitably distributed throughout the County based on the population base and to meet the needs of its residents.
- 10.11 The location, planning, design and construction of a leisure facility or amenity must be undertaken in consultation with the relevant stakeholders (e.g. Recreation Boards, user groups, community association, etc.).

11.0 COMMUNITY FACILITIES AND SERVICES

Goal

Continue to support and provide effective and responsive community facilities and services that enhance the quality of life of all County residents.

Objectives

- a) Develop community facilities to support the needs of existing and future populations.
- b) Seek cooperative relationships with school authorities to meet community needs.
- c) Continue to improve public accessibility to community facilities and services.

Policies

- 11.1 The County encourages the development of community facilities and services in an effective and efficient manner through cooperative ventures with private and public sector groups.
- 11.2 The County will regularly review with the School Divisions future school projections and site needs as well as any potential opportunities to establish joint-use facilities to expand the availability of community facilities and services.
- 11.3 The County supports the joint-use of local schools for community programs for youth/families and continuing education.
- 11.4 The County will continue to work with adjacent municipalities and relevant government agencies to ensure that emergency and protective services provide new and existing development with appropriate levels of fire protection, ambulatory services, and police protection.
- 11.5 As part of the redesignation, subdivision, or development application processes the developer must accommodate design elements that consider safety factors and facilitate accessibility by fire, ambulance, and police services to the satisfaction of the County.

12.0 NATURAL RESOURCE EXTRACTION

Goal

Strive towards the orderly and well-managed extraction of natural resources in the County.

Objectives

- a) Ensure the responsible, timely, and economical extraction of Natural Resources.
- b) Minimize the impact of natural resource extraction on adjacent land uses and municipal infrastructure.
- c) Direct subdivision and development in a manner that conserves aggregate resources for eventual recovery.
- d) Minimize the negative impact of aggregate resource extraction on the environment as well as ensure effective reclamation practices.
- e) Ensure that new developments comply with the setback requirements as determined by the Energy and Resources Conservation Board (ERCB).

Policies

- 12.1 The County encourages the extraction of natural resources prior to the subdivision and/or development of the lands for other uses.
- 12.2 All applications for aggregate resource extraction are required to address potential impacts on adjacent land uses, including but not limited to dust, noise, hours of operation, and traffic generation, to the satisfaction of the County.
- 12.3 The County will work with natural resource industry representatives to coordinate planning, growth, and development in the County.
- 12.4 The County may require buffering and screening between the natural resource extraction industry and adjacent land uses during the development permit stage.
- 12.5 The County requires development permits for sand, gravel and surface mineral extraction and processing in accordance with the provisions set out in the Land Use Bylaw.

NATURAL RESOURCE EXTRACTION

- 12.6 The County will collaborate with provincial agencies to identify the location of aggregate resources to maintain an accurate and current database on resources that assist in making informed land use planning decisions and to protect these areas from surface development.
- 12.7 The County will consult with the ERCB with regards to subdivision and development applications to ensure that all appropriate setbacks are enforced adjacent wells and pipelines.
- 12.8 The County will consult with the ERCB to facilitate the coordination of proposed pipeline corridors in order to minimize the fragmentation of land or any other impact deemed by the County to be potentially adverse on existing or proposed development or infrastructure.

13.0 RESERVE LAND DEDICATION

Goal

The County strives to achieve an equitable balance between development and conservation while protecting public lands for the optimal benefit of all ratepayers.

Objectives

- a) Ensure that reserve lands are dedicated at the time of subdivision to provide public access to water bodies and open space for the benefit of the general public.
- b) Identify and require the reserve dedication of environmentally sensitive lands as natural open space for public use and enjoyment.

Policies

Municipal and/or School Reserves

- 13.1 The County requires the dedication of municipal and/or school reserve that meet the present and future needs of residents to the satisfaction of the County. The dedication of reserves must provide open space for the development of parks, the protection of culturally significant features, the preservation of environmentally significant or sensitive areas, and to provide setbacks from hazardous areas through consultation with:
 - a) the School Divisions;
 - b) recreation board;
 - c) the local community and other interest groups; and
 - d) government agencies.
- 13.2 The amount of land to be dedicated as municipal and/or school reserve must be determined during the preparation of an area structure plan or outline plan or, if the preparation of such a plan is not required, during the processing of a subdivision application.
- 13.3 Municipal and/or school reserves must be dedicated at a minimum of 10% of the developable subdivision area, which excludes land identified for environmental reserve dedication. The County will not waive the 10% municipal and/or school reserve dedication entitlement in whole or in part, except for parcels created for public or quasi-public uses such as churches/cemeteries, public recreational facilities, or public utilities, but at the County's discretion only.
- 13.4 The County will not defer the dedication of municipal and/or school reserves, and instead will accept cash-in-lieu of land, pursuant to Policy 13.5. Only in a phased multi-lot subdivision where municipal and/or school reserve are not

RESERVE LAND DEDICATION

- provided in a current phase and are planned for subsequent phases, the County may consider the deferment of municipal and/or school reserve, and then only if it is reasonably certain that all phases of the subdivision will be completed within a reasonable time frame to ensure residents of the subdivision enjoy the benefits of municipal and/or school reserve.
- 13.5 The County may accept cash-in-lieu of land for municipal and/or school reserve dedication, but only in the following circumstances:
- a) where the amount of land to be dedicated as reserve is too small to be useful;
 - b) the area is unlikely to benefit from municipal and/or school reserve land dedication in the foreseeable future;
 - c) in industrial or commercial areas; or
 - d) in back lot lake subdivisions.
- 13.6 The money generated from the acceptance of cash-in-lieu of land will be allocated to the municipal reserve fund and may be used for municipal and/or school reserve purposes in other locations to the benefit of the larger community in proximity to the subdivision site.
- 13.7 If the applicant and the County cannot agree on a land value to determine the amount of cash-in-lieu of land for municipal and/or school reserve dedication, the applicant is required to provide a market value appraisal certified by a qualified appraiser, pursuant to the *Municipal Government Act*, based on the market value of the land as of a specific date occurring within 35 days following the date on which the application for subdivision is made. The amount of money to be paid as cash-in-lieu of land must be agreed upon before subdivision approval is considered.
- 13.8 Municipal reserve lands must be located to optimize the benefit to the maximum number of residents and not necessarily to achieve a central location.
- 13.9 Municipal reserve may be considered as a buffer between incompatible land uses.
- 13.10 For new multi-lot residential subdivisions adjacent to lakeshores and river banks, municipal reserve must be linked with shoreline environmental reserve parcels to secure public access to the water body and protect riparian zones associated with the water body. The location, size and configuration of municipal reserve parcels must recognize its potential public access function.

RESERVE LAND DEDICATION

- 13.11 Municipal and/or school reserve requirements and the method of providing for the required reserve must be determined in an area structure plan or outline plan as part of a subdivision application.
- 13.12 The County encourages the development of parks and/or public facilities, by the developer, on municipal and/or school reserve parcels in compact country residential subdivisions or hamlets that are physically suited and/or of a size that accommodates such development to the satisfaction of the County.
- 13.13 The County may encourage resident groups to assume management of local park facilities through a variety of management strategies.
- 13.14 The County may give consideration to the disposition of municipal reserve lands either through sale or lease where lands no longer serve an existing or potential open space or school purpose. Moneys obtained from the sale of such lands will continue to be allocated to the municipal reserve fund to purchase or enhance parks, natural areas or school lands.
- 13.15 Municipal and/or school reserve lands and/or cash-in-lieu of land will be dedicated to the County. The County will consult with the School Divisions to disperse school reserves on an as needed basis.

Environmental Reserve Parcels and Environmental Reserve Easements

- 13.16 At the time of subdivision the dedication of an environmental reserve parcel or environmental reserve easement is required for those lands and natural features described in the Municipal Government Act, to the satisfaction of the County. The width of the environmental reserve parcel or environmental reserve easement shall be determined based on the guidelines contained in the *'Standard Recommendations to Municipal Subdivision Referrals'* issued by Alberta Sustainable Resource Development (September 2007) attached as Schedule 'A'. A variation in the recommended width of an environmental reserve parcel or environmental reserve easement may be accepted based on the recommendations of a qualified professional or for minor water features such as an unnamed creek or a Class 1 or Class 2 wetland based on the *Stewart and Kantrud Wetland Classification System*. Retention or new planting of natural vegetation is encouraged within the environmental reserve parcel or environmental reserve easement as a means of enhancing surface water runoff quality through sediment and contaminant removal and biodegradation.
- 13.17 Setback distances from areas containing hazard lands or undevelopable lands that meet the requirements of the *Municipal Government Act* must be dedicated as environmental reserve at the time of subdivision.

RESERVE LAND DEDICATION

- 13.18 The amount of land to be dedicated as environmental reserve must be determined during the preparation of an area structure plan or outline plan or, if the preparation of such a plan is not required, during the processing of a subdivision application.
- 13.19 An environmental reserve easement instead of an environmental reserve parcel may be considered only where public access is not desirable and where municipal enforcement and management is not required.
- 13.20 Pursuant to the *Municipal Government Act*, certain public developments may be allowed to exist on environmental reserve lands only if such development can be accessed and used by the public.
- 13.21 A conservation easement may be considered to preserve significant natural features and areas that do not qualify as environmental reserve under the *Municipal Government Act*. The use and control of these features and areas must be clearly stated in the easement agreement.
- 13.22 Environmental reserve must be maintained in its natural state or used as park.

14.0 INTERMUNICIPAL PLANNING

Goal

The County recognizes the importance of partnerships with neighboring municipalities in the provision of infrastructure, land use planning, economic development, and environmental conservation. The County will cooperate with adjacent urban and rural municipalities towards maintaining mutually beneficial relationships and accomplishing orderly, compatible land use patterns and infrastructure in the fringe areas.

Objectives

- a) Provide opportunities to engage in joint planning initiatives within urban fringe areas surrounding each of the County's urban municipalities.
- b) Facilitate discussions among adjacent rural municipalities on issues regarding regional servicing, border land use patterns, and other items of mutual interest.
- c) Maintain and enhance lines of communication among adjoining municipalities to resolve conflicts and identify opportunities for collaboration.
- d) To plan highways and bypass routes most appropriately in collaboration with Alberta Transportation, adjacent municipalities and affected landowners.

Policies

- 14.1 The County will update existing intermunicipal development plans in accordance with the defined timeframe within each of the individual plans and may seek to prepare new intermunicipal development plans guiding land use and development within the urban fringe areas where no plan currently exists.
- 14.2 Planning and development referrals in areas subject to an intermunicipal development plan shall be directed by that plan.
- 14.3 In those areas not subject to an adopted intermunicipal development plan the County will define a 1.6 kilometre (1-mile) urban fringe area around an urban municipality, and a ½ mile rural fringe area adjacent to the boundaries of neighbouring rural municipalities. In any of these fringe areas the following applications will be referred to the affected municipalities for their review and comment prior to the County making a decision:
 - a) Any proposed amendments to the Municipal Development Plan or textual amendments to the Land Use Bylaw;
 - b) Proposed area structure plans, area redevelopment plans or outline plans and plan amendments; and
 - c) Land use bylaw amendments and rezoning, subdivision and development applications located within the defined urban fringe area.

- 14.4 In considering the long term planning and annexation needs of urban neighbours the County will promote the following principles:
- a) The County supports, in principle, annexation proposals that recognize and respect the value of its agricultural land base and the viability of its existing and planned non-agricultural tax base;
 - b) The County supports, in principle, annexation proposals that incorporate 'Smart Growth' principles to promote compact urban form and reduce the sprawl of development onto agricultural lands; and
 - c) The County supports, in principle, annexation proposals that provide enough land to meet the growth needs of urban neighbours for a minimum period of thirty years at a time, based on an analysis of the long term historical growth rate of the urban municipality.

15.0 IMPLEMENTATION

Goal

Effectively implement the goals, objectives, and policies of the Municipal Development Plan in all future development related decisions as a means to achieve the long-term vision for the County.

Objectives

- a) Ensure consistency between the Municipal Development Plan and all other statutory and non-statutory plans.
- b) Monitor the effectiveness of the goals, objectives, and policies of the Municipal Development Plan.
- c) Implement the goals, objectives, and policies of the Municipal Development Plan in all aspects of the County's planning and development actions.

Policies

- 15.1 This Plan will be implemented through the Land Use Bylaw, other statutory and non-statutory plans, administrative policies, and the subdivision and development review process.
- 15.2 The policies of this plan will be utilized as a guide to the preparation and review of all new planning documents, or amendments to existing planning documents.
- 15.3 Amendments to this Plan will be undertaken in accordance with the provisions of the *Municipal Government Act*.
- 15.4 The County will conduct a formal review of this Plan within five to eight years of its adoption to ensure the validity and effectiveness of the vision, goals, objectives, and policies. The review will be timed so that a new Council does not have to undertake the review within the first year after their election.
- 15.5 In the interim years between each formal review the County may undertake an informal annual review at an administrative and committee level, including community input through creative and compact public consultation methods.

DEFINITIONS

16.0 DEFINITIONS

The following definitions shall apply for the purpose of this Municipal Development Plan. Where a word or a term is not defined here, the definition shall be found in the County's Land Use Bylaw and failing that, the general meaning of the word shall apply.

Area Redevelopment Plan means a statutory plan prepared pursuant to the Municipal Government Act. The timeline for build-out may be related to an implementation program or be general. It provides a framework for the preservation, rehabilitation, removal and replacement of buildings and for the construction of new buildings, and for the rezoning and subdivision of land to facilitate this process.

Area Structure Plan means a statutory plan prepared pursuant to Section 633 of the Municipal Government Act. It can be a local, short-range plan for a small land base, typically with a shorter than five-year anticipated build out and covering two quarter sections of land or less. It provides a site-specific, detailed framework for rezoning, subdivision and development. Staging of development, land use, density and infrastructure matters are considered. An area structure plan can also be a long-range plan for a large land base, typically with a longer than five-year anticipated build out and covering more than two quarter sections of land. It provides a high-level framework for future land use patterns and infrastructure provision.

Back Lot or Back Lot Lake Subdivision means a lot or a subdivision adjacent to a lake where no part of any parcel boundary is physically connected to a lake or to an Environmental Reserve or a Municipal Reserve adjacent to a lake.

Bare Parcel means a parcel that is undeveloped. For the purpose of this Plan the remains of a former farmstead is deemed to be a bare parcel.

Boundary Adjustment means a subdivision that changes the boundaries of one or more existing parcels without creating a new parcel.

Confined Feeding Operation (CFO) means a confined feeding operation as defined in the Agricultural Operation Practices Act. The County does not regulate confined feeding operations but maintains relevant policies in the Municipal Development Plan

Conservation Design Principles, in its classic format, means a design approach based on first identifying the primary and secondary conservation areas, setting these areas aside for conservation, then locating building sites on the lands that are best suited for development, then connecting the building sites through a road system and finally drawing lot lines to delineate the extent of private or public ownership of parcels. It is further defined in the *Planning and Subdivision Guidelines*.

Conservation Easement means a voluntary legal agreement defined in the Environmental Protection and Enhancement Act between a landowner

DEFINITIONS

and government or conservation agency. The easement agreement is intended to protect the natural values of the land by giving up all or some of the rights to develop the land.

Ecological Function means the broader regional roles and interrelationships provided by natural features. Examples include the water purification performed by wetland and riparian zone vegetation, the use of natural vegetation and terrain features by wildlife, aquatic species, and plants (through seed) to access new habitat, or the recharge and discharge of groundwater through wetlands.

Environmental Reserve means land considered, in accordance with Section 664 of the Municipal Government Act, to be undevelopable because of its natural features or location (e.g. unstable slopes or flood prone); environmentally sensitive (e.g. gully ravine or coulee); or, a minimum six metre wide strip of land abutting the bed and shore of a body of water or water course, that a developer may be required to dedicate at the time of subdivision.

Hamlet as defined by the Municipal Government Act, means an unincorporated community consisting of five or more buildings as dwellings, a majority of which are on parcels of land smaller than 1,850 square metres, has a generally accepted boundary and name, and contains parcels of land that are used for non-residential purposes.

Hazard lands means lands that are considered to be undevelopable due to its physical features, including 15% or greater slopes, areas susceptible to flooding, erosion or subsidence and lands that may otherwise qualify for environmental reserve dedication pursuant to the Municipal Government Act.

Intermunicipal Development Plan means a statutory plan that may be prepared for the fringe area with any adjacent municipality pursuant to the Municipal Government Act and the policy direction of the Municipal Development Plan.

Land Use Bylaw means a statutory document pursuant to the Municipal Government Act. It provides for matters such as land use districts, permitted and discretionary uses, site development regulations, landscaping and parking standards, signage, and the development application process.

Lake Front Lot or Lake Front Lot Subdivision means a lot or a subdivision adjacent to a lake where some part of any parcel boundary is physically connected to a lake or to an Environmental Reserve or a Municipal Reserve adjacent to a lake.

LEED™ green building rating system is the recognized standard for measuring building sustainability. Achieving LEED certification is a way to demonstrate that a building project is truly "green." The LEED green building rating system is designed to promote design and construction practices that increase

DEFINITIONS

profitability while reducing the negative environmental impacts of buildings and improving occupant health and well-being. Definition extracted from <http://www.nrdc.org/buildinggreen/lead.asp>.

“Multi-lot Subdivision” means any group of two (2) or more parcels (private title or otherwise) located adjacent to each other and within the same subdivision plan registered at the Land Titles Office, and having an internal public access road other than a Township Road, Range Road or provincial highway. It includes a hamlet, village or town. A row of adjacent lots, whether or not they are within the same subdivision plan, that each takes access directly off of a Township Road, Range Road or provincial highway without a service road, is deemed not to be a multi-lot subdivision.

Municipal and/or School Reserve means reserves required in accordance with Section 666 of the Municipal Government Act at the time of subdivision for park and/or school purposes.

Natural Capital means the renewable and non-renewable resources present in the County including agricultural lands, environmentally significant lands and water but also the many other environmental goods and services that anchor the County's quality of life and support economic activity.

Nuisance or Noxious Activity means means any activity that, due to visual appearance, noise, dust, smoke, odour,

glare, vibration, radiation, heat, electrical or radio disturbance, explosive hazards or the risk of toxic emissions or fire detectable beyond the property boundary, or excessive traffic generation or anything dangerous, may be deemed to be of an objectionable nature in the opinion of the Development Authority.

Outline Plan means a plan similar in process and content to a short-range area structure plan and is adopted by a resolution of Council instead of by a bylaw. As such it is a non-statutory plan.

Permanent bona-fide and viable building for the purpose of Policy 4.6 d) (ii) means a usable building in a good state of repair that has unmovable footings, and may include a pole shed but does not include a building or structure located on skids.

Private title means a land title held by any party for any purpose, but does not include a title held by:

- a) the Crown, a government agency, a municipality or a not-for-profit society for the purpose of public facilities, public institutions, roads, railway lines and/or nature conservation, or
- b) a private corporation for the purpose of commercial or industrial enterprise, pipelines, rights-of-way, oil and gas wells or other installations associated with the oil and gas industry or other energy infrastructure, or

DEFINITIONS

and further to all of the above, a private title specifically includes any title to land that is used for residential purposes of any kind and/or for the purpose of an agricultural operation that includes a dwelling unit of any kind.

Smart Growth means an urban planning and transportation theory that concentrates growth in the center of a city to avoid urban sprawl; and advocates compact, transit-oriented, walkable, bicycle-friendly land use, including neighborhood schools, complete streets, mixed-use development with a range of housing choices. Smart growth values long-range, regional considerations of sustainability over a short-term focus. Its goals are to achieve a unique sense of community and place; expand the range of transportation, employment, and housing choices; equitably distribute the costs and benefits of development; preserve and enhance natural and cultural resources; and promote public health. http://en.wikipedia.org/wiki/Smart_growth

Sustainable or Sustainability means, in a broad sense, the capacity to maintain a certain process or state. It is now most frequently used in connection with biological and human systems. In an ecological context, sustainability can be defined as the ability of an ecosystem to maintain ecological processes, functions, biodiversity and productivity into the future. Sustainability has become a complex term that can be applied to almost every facet of life, particularly the many different levels of

biological and human organization concepts and human activities and disciplines. Definition extracted from http://en.wikipedia.org/wiki/Sustainable_development.

Un-subdivided Quarter Section means:

- a) a parcel of land pursuant to the definition of un-subdivided quarter section provided in the Subdivision and Development Regulation (AR 43/2002); or
- b) a quarter section that contains approximately 160 acres in one title from which no subdivision has occurred for purposes of a private title; or
- c) if additional private titles exist on the date this Plan is originally adopted by bylaw (August 12, 2009) due only to fragmentation by a natural feature, a road or a railway line, then the remainder of the quarter section that contains at least 100 acres in one title shall be deemed to be an un-subdivided quarter section; or
- d) that portion inside the County of Stettler No. 6 of a parcel of land that lies partially in the County and partially in an adjacent municipality shall be deemed to be an un-subdivided quarter section regardless of its size.



Guidelines

**Sustainable Resource Development Standard
Recommendations to
Municipal Subdivision Referrals
(Includes Recommended Minimum
Environmental Reserve Widths)**

Background

Land-use planning in Alberta is governed by several pieces of legislation including the *Public Lands Act (PLA)* and the *Municipal Government Act (MGA)*. The *PLA* is administered by the Province and provides for the use and allocation of provincially owned lands. The *MGA* assigns municipalities with the responsibility of planning and regulating the subdivision and development of land within a municipality. The co-ordination of planning activities is a key factor in sustainable development and long-term use of provincial lands as well as achieving local economic development and land-use objectives.

Alberta Sustainable Resource Development (SRD) shares common interests with municipalities related to the conservation of the natural environment. Because conservation may be affected by the processes of land-use zoning, and subdividing and developing land, it is important for municipal and provincial planning efforts to use consistent approaches and pursue a high level of cooperation and coordination.

The provincial *Land Use Policies*, approved by Order in Council 522/96 supplement the planning provisions of the *MGA* and the Subdivision and Development Regulations and help municipalities with harmonizing provincial and municipal policy initiatives at the local land-use planning level.

A number of key resource management areas are recognized in Sections 5 and 6.3 of the provincial *Land Use Policies*, specifically:

- landscapes with ravines, valleys, stream corridors, lakeshores, wetlands and areas of wildlife habitat;
- areas prone to flooding, erosion, landslides and subsidence;
- water resources, including sensitive fisheries habitat and aquatic resources; and
- areas that allow public access to these public resources.

To meet the intent of the provincial *Land Use Policies* and to assist municipalities to establish land use patterns and mitigative measures to minimize negative impacts on natural resources, SRD provides municipal authorities the following considerations and guidelines for minimum environmental reserve/easement widths.

Goal

SRD's goal is to have adequate riparian buffers established between a proposed development and a lake, river, watercourse, or wetland. SRD strongly supports the use of Environmental Reserve lands that support a reserve's protective functions. Activities such as clearing of vegetation, infilling, slope re-grading or excavation, drainage into or out of, discharge of effluents, or disposal of debris or other waste can impair those protective functions. SRD strongly supports municipalities in using all available tools and best management practices available to them to ensure that the long-term integrity and functionality of Environmental Reserve lands are maintained. These tools include, but are not limited to, by-laws and conditions on development permits that:

- reflect the sensitivity of the lands and which are likely to continue to preserve the functions that a healthy riparian area provides;
- ensure Environmental Reserves are not affected by grading of adjacent lots prior to construction and development arising out of the subdivision and development process. For example, the use of Grading Permits would provide a mechanism where erosion and sediment control measures can be directed to prevent pollution of aquatic environments;
- ensure the protection of tree cover in areas deemed to be environmentally sensitive, especially in areas adjoining water bodies and watercourses, or where lands are subject to erosion or slope failure; avoid, wherever possible, the enclosure of long stretches of a natural watercourse so that they continue to remain above ground. SRD encourages municipalities to utilize bridges at larger or more sensitive streams rather than culverts; and
- incorporate natural wetland areas into green space and park systems wherever possible with sufficient buffer areas to facilitate their long-term sustainability.

To assist municipalities in incorporating the *Land Use Policies* into municipal planning and orderly development responsibilities, SRD provides the following Environmental Reserve recommendations in Tables 1 and 2 (attached). These recommendations were developed based on:

- past recommendations provided to municipalities;
- knowledge of approaches or enhanced provisions some municipalities are currently implementing within their own policies; and
- a synthesis of approaches currently being adopted by other Canadian municipalities to deal with development involving hazard lands or development near water bodies.

Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.

Water Feature	Minimum ER Width ²	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland ¹	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River \geq 15m width	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream \leq 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

¹ Sustainable Resource Development views the term "swamp" to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).

² In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less. The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley. 	<ul style="list-style-type: none"> Residential development within a floodplain is discouraged. Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines). The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes (\geq 15%)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	