

COUNTY OF MINBURN NO. 27

BYLAW NO. 1339-23

A BYLAW OF THE COUNTY OF MINBURN NO. 27, IN THE PROVINCE OF ALBERTA PURSUANT TO PART 17, DIVISION 4 OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26 R.S.A. 2000, TO ADOPT THE COUNTY OF MINBURN NO. 27 MUNICIPAL DEVELOPMENT PLAN.

WHEREAS Section 632 of the *Municipal Government Act*, R.S.A. 2000, ch. M-26, as amended, requires every municipality to adopt a Municipal Development Plan;

AND WHEREAS the purpose of the Municipal Development Plan, generally, is to describe the manner in which the future development of the County of Minburn No. 27 may best be undertaken;

AND WHEREAS the Municipal Development Plan specifically provides policy direction in relation to future residential, commercial, industrial and other land uses, transportation, infrastructure, recreation, open space, reserve lands, economic development, intermunicipal planning and plan implementation and review;

AND WHEREAS Council at its meeting of December 19, 2016 adopted the County of Minburn No. 27 Municipal Development Plan No. 1253-16;

AND WHEREAS Council deems it appropriate to review, update and revise the County of Minburn Municipal Development Plan, being Bylaw 1199-09, as amended, in order to keep it consistent with current planning policy;

AND WHEREAS notice of a public hearing for this bylaw held on June 19, 2023 has been given in accordance with Sections 606 and 692 of the *Municipal Government Act*, R.S.A. 2000, ch. M-26, as amended;

NOW THEREFORE Council of the County of Minburn No. 27 in the Province of Alberta, duly assembled hereby enacts as follows:

1. That this Bylaw may be cited as the County of Minburn No. 27 Municipal Development Plan.
2. That the County of Minburn No. 27 Municipal Development Plan attached hereto and forming part of this Bylaw is hereby adopted.
3. That this Bylaw shall come into force and effect upon the final passing thereof.
4. That Bylaw 1199-09, as amended, which adopted the former Municipal Development Plan is hereby repealed.
5. **SEVERABILITY**

If any Section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

FIRST READINGMarch 27, 2023

PUBLIC HEARING held on the 19th day of June, 2023

SECOND READING.....June 19, 2023

THIRD READINGJune 19, 2023

Original Signed

Reeve

Original Signed

Chief Administrative Officer

This Municipal Development Plan (MDP) is developed in compliance with Part 17 of the Municipal Government Act (the “Act”) Revised Statutes of Alberta 2000, Chapter M-26 of the Province of Alberta. More specifically, the MDP addresses all requirements with respect to Section 632(1) of the Act.

ACKNOWLEDGMENTS

We would like to thank the residents and community members who attended the public engagement sessions and participated in the preparation of this Municipal Development Plan. Your input on this project has been invaluable and is greatly appreciated.

Minburn County No. 27 Council

Joey Nafziger, Councillor, Division No. 1
Eric Anderson, Councillor, Division No. 2
Roger Konieczny, Councillor, Division No. 3 (Reeve)
Clifford Wowdzia, Councillor, Division No. 4
Tara Kuzio, Councillor, Division No. 5 (Deputy Reeve)
Carl Ogradnick, Councillor, Division No. 6
Kevin Bentley, Councillor, Division No. 7

Minburn County No. 27 Administration

Davin Gegolick, Director of Planning and Development

Image Credits

Davin Gegolick, Director of Planning and Development

Lead Consultant

Green Space Alliance



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01 PURPOSE & SCOPE

Mission Statement: It is the mission of the County to formulate policy to guide and to regulate the orderly economic growth and development of the municipality.



County of Minburn Administrative Building

1.1 Introduction

The County has a population of 3,014 (2021 Federal Census) and is located in east-central Alberta in the parkland area east of Edmonton. The County covers an area of approximately 88 kilometres (55 miles) east to west and 48 kilometres (30 miles) north to south, encompassing 37 townships. It is made up largely of rural areas, and also includes the Hamlets of Lavoy, Ranfurly and Minburn. Within the County's boundaries are the Town of Vegreville and the Villages of Innisfree and Mannville. The County is bounded by the Counties of Lamont, Beaver, Two Hills and Vermilion River and the Municipal District of Wainwright (see Map 1 Location & Context Plan).

1.2 Purpose of the Municipal Development Plan

The purpose of the Municipal Development Plan (MDP) is to outline the future land uses for the municipality and to provide guidelines for the form and type of developments in the County.

The MDP begins with a mission statement for the municipality. This mission statement sets the tone and direction for the land use policies and the accompanying Land Use Bylaw. The development of an MDP requires a delicate balance of agricultural conservation, economic development, environmental sensitivity and quality of life. The County Council believes that this document provides a balance for residents and ratepayers.

1.3 Legislative Authority

The Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 of the Province of Alberta provides the legislative authority for the preparation and adoption of an MDP.

Section 632(1) requires every council of a municipality must by bylaw adopt a municipal development plan.

Section 632(3) states that: "a Municipal Development Plan

- a. must address
 - i. the future land use within the municipality;
 - ii. the manner of and the proposals for future development in the municipality;
 - iii. the coordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no inter-municipal development plan with respect to those matters in those municipalities;
 - iv. the provision of the required transportation systems either generally or specifically; and
 - v. the provision of municipal services and facilities either generally or specifically.
- b. may address
 - i. proposals for the financing and programming of municipal infrastructure;
 - ii. the coordination of municipal programs relating to the physical, social and economic development of the municipality;
 - iii. environmental matters within the municipality;
 - iv. the financial resources of the municipality;
 - v. the economic development of the municipality; and
 - vi. any other matter relating to the physical, social or economic development of the municipality.
- c. may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies;
- d. must contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities;
- e. must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities;
- f. must contain policies respecting the protection of agricultural operations; and
- g. may contain policies respecting the provision of conservation reserve in accordance with section 664.2(1)(a) to (d)."

1.4 Broad Planning Goals

As representatives of the residents of the County, County Council wishes to articulate below the goals that have guided the preparation of this MDP and are to be followed in its implementation. The broad planning goals described below relate either directly to land use or to the indirect

impacts which stem from land use policies and their implementation.

Goals

1. Provide for orderly, economical, and beneficial development and use of land and patterns of human settlement through this MDP and other policy documents without infringing on the rights of individuals, except to the extent necessary for the greater public interest of the County residents.
2. Through responsible decision-making, conserve the County's agricultural roots and, where possible, expand and diversify its economic base.
3. Allow for the maximum number of land use options for future generations.
4. Support and recognize employment and entrepreneurial enterprise as being important to the local economy.
5. Minimize potential and anticipated land use conflicts through thoughtful and rational decision-making.
6. Clearly identify and support residential and non-residential growth areas within the County through policy.
7. Support responsible private development that is consistent with the County's plans and goals, particularly when development costs are borne by the developer.
8. Strive to maintain and enhance the natural environment's vigour, and recognize its significance to successful human environments.
9. Strive to provide land-related services in an efficient, effective and service-oriented manner.
10. Value providing community services to people; and, within the fiscal capacity of the County, develop and/or maintain services that contribute to improved quality of life. To this end, public/private partnerships are encouraged.
11. Cooperation, communication, and agreement are the most effective means to resolve disputes and inter-jurisdictional issues.

These goals are reflected or articulated as appropriate in the Maps, Objectives and Policies contained in the Sections that follow.

1.5 Specific Planning Initiatives

The County is committed to pursuing specific planning initiatives intended to capture and enhance current and future industrial, commercial and residential opportunities while identifying the municipal servicing and other infrastructure required. Planning ahead means the County will be 'development ready', providing the information and certainty upon which both public and private investment depends.

Key planning priorities include:

1. Preparing area structure plans for all hamlets within the County;
2. Preparing an area structure plan jointly with the Village of Innisfree for the lands within the

intermunicipal fringe;

3. Implementing joint planning initiatives identified in the County's existing intermunicipal development plans with the Town of Vegreville and the Village of Mannville; and
4. Reviewing and updating existing planning documents to reflect the County's current planning philosophies and goals.

All land in the County is designated for agricultural/rural land use and development unless and until further specified in an intermunicipal development plan or area structure plan. The agricultural/rural land use and development so designated and provided for in this Plan is implemented through the provisions of this Plan as well as those in the Land Use Bylaw.

In all areas noted, we recognize the importance of working closely with adjacent municipalities and provincial authorities. The County's planning initiatives will also involve consultation with residents, municipal partners and other stakeholders as appropriate. The purpose of these planning initiatives is to promote growth, prosperity, and quality of life in the County, which in turn will serve to support and develop the region's health, social service and education programs.

1.6 Vision

In the next 20 years, the County will...

Agriculture: Continue to support the prosperous agricultural community that serves as a strong foundation for future generations.

Sustainable rural lifestyle: Provide opportunities for various forms of sustainable rural lifestyles that offer enhanced quality of life.

Economic diversification: Offer infrastructure supportive of attracting and retaining new industries and businesses to create economic diversification.

Environmental stewardship: Protect and conserve natural areas for future generations to enjoy.

An aerial photograph of a rural landscape. In the upper portion, a freight train is visible on tracks, featuring a prominent blue car with the word 'Alberta' and a crown logo. Below the train, a road with a white SUV driving on it runs parallel to the tracks. The surrounding terrain is a mix of green grass and dry, yellowish-brown vegetation. The text '02 DEFINITIONS AND INTERPRETATION' is overlaid in large white font on the left side of the image.

02 DEFINITIONS AND INTERPRETATION



2.1 Definitions

The following definitions have been compiled simply to assist the reader in the interpretation of this Plan. Where a definition has not been provided for in this MDP, the Municipal Government Act and the County's Land Use Bylaw shall be used, where appropriate, for interpretative purposes.

Acreage Residential Subdivision means when subdivision would create more than three lots for residential use within the quarter section, not including the remnant of the quarter section.

Agricultural Operation means an agricultural operation as defined in the Agricultural Operation Practices Act (AOPA), and amendments thereto, but excluding the production of honey, fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops. Agricultural operation does not mean or include a confined feeding operation (CFO) as defined and regulated under AOPA.

Arable Land means land having a Farmland Assessment Value (FAV) per acre of \$157.50 or higher based on the most recent Farmland Calculation Report.

Arable Quarter Section means, for the purposes of planning and subdivision, an area of land comprising 64.7 hectares (160 acres +), more or less, having a Farmland Assessment Value (FAV) of \$25,200.00 or higher based on the most recent Farmland Calculation Report.

Confined Feeding Operation (CFO) means a confined feeding operation as defined in the Agricultural Operations Practices Act (AOPA), and amendments thereto.

County means the short form of the County of Minburn No. 27.

Developer means the owner or entity on title that is requesting approval, either directly or by way of an agent, for the subdivision or development of the land that is subject to an application to the County.

Dryland Pasture means land having a Farmland Assessment Value (FAV) per acre of \$157.49 or less based on the most recent Farmland Calculation Report.

Dryland Pasture Quarter Section means, for the purposes of planning and subdivision, an area of land comprising 64.7 hectares (160 acres +), more or less, having a Farmland Assessment Value (FAV) of \$25,199.00 or less based on the most recent Farmland Calculation Report.

Environmentally Sensitive Areas means lands which cannot withstand intensive uses because of their fragility. Examples include steep slopes,

critical habitat areas, wetlands and lands which are unique natural environments.

Hamlet means the built-up areas of Lavoy, Ranfurly, Minburn and any future hamlet.

1:100 Year Floodplain means the area of land bordering a waterbody that would be inundated by a 1 in 100 (1:100) year flood (i.e. a flood that has a 1% chance every year of occurring).

Rural Residential Subdivision means when subdivision would create no more than three lots for residential use within the quarter section, not including the remnant.

Scenic, Recreation or Open Space Areas means areas that the County recognizes as having certain scenic, recreational and open space qualities that should be retained for public use and enjoyment wherever possible.

Specialty Agriculture means a commercial agricultural operation, other than a confined feeding operation, which requires smaller tracts of land due to the intensive nature of the operation for the production of honey, fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, mushroom farms, berry farms, market gardens and apiaries;

Top of Bank the upper valley break line or the line defining the uppermost or most obvious topographic discontinuity in slope distinguishing between the upper plateau and the valley wall, or as determined by the Subdivision or Development Authority in consultation with the appropriate Provincial Government department.

Unsubdivided Quarter Section means a titled area of 64.7 hectares (160.0 acres), more or less, but excluding previous subdivisions for water bodies, watercourses, road widening, school sites and other institutional and public uses.

Waterbody means any location where water flows or is present, whether or not the flow or the presence of water is continuous or intermittent or occurs only during a flood, any wetlands, or any other area as defined by the County or as determined by Alberta Environment and Protected Areas to be a waterbody.

2.2 Interpretation

Policies are written using 'shall', 'should' or 'may' statements. The interpretations of 'shall', 'should' and 'may' that follow are to provide the reader with a greater understanding of the intent of each policy statement:

'shall' – denotes compliance or adherence to a preferred course of action; action is obligatory.

'should' – denotes compliance is desired or strongly advised to achieve local goals and objectives, but may be impractical or premature because of valid planning principles or unique or extenuating circumstances.

'may' – denotes discretionary compliance or a choice in applying policy.

03 POLICY AREAS





INTRODUCTION

Part 3 offers policy context and direction for the main land use classifications, including Agricultural, Residential, Hamlets, Commercial and Industrial. The policies outlined in this part give guidance for making decisions about Natural Resource Development, Transportation and Utilities. The policy framework outlines opportunities and constraints to development, and the potential for protection and enhancement of natural, social and cultural capital within the context of Environment, Hazard Lands, Recreation and Open Spaces, and Historical Resources.

Finally, Part 3 sets the stage for Intermunicipal Planning to promote strong working relationships and partnerships with the County's neighbouring municipalities; and provides the tools for Plan implementation and review to ensure this MDP is useful and continues to serve the changing needs of the County over time.



3.1 AGRICULTURE AND RURAL RESIDENTIAL

CONTEXT

Agriculture is the County's single most important land use. It is not only an economic activity but a lifestyle that is considered valuable to the residents. The loss of arable land to non-agricultural uses threatens to erode this resource by reducing the amount of productive land available for farming.

The County recognizes how vitally important agriculture is to the region's economy and supports a wide variety of agricultural pursuits so that agricultural lands are used in a manner that best benefits the County and its residents.



OBJECTIVES

The policies below will help to meet the following objectives:

- To ensure that the “right to farm” inherent in the Agricultural Operation Practices Act, and amendments thereto, are respected in the provisions of this Plan.
- To ensure services to agriculture are maintained and enhanced so that it remains an integral and viable component of the County’s economy and social structure.
- To preserve arable land for agricultural use in the County.
- To support and encourage diversification of the agricultural industry.
- To minimize the negative impacts of agricultural activities by encouraging good stewardship of the land.
- To minimize conflicts in rural areas between agricultural operations and non-agricultural uses.
- To support agri-tourism businesses in rural areas as well as hamlets.
- To support rural residential lifestyle.

POLICIES

AGRICULTURAL

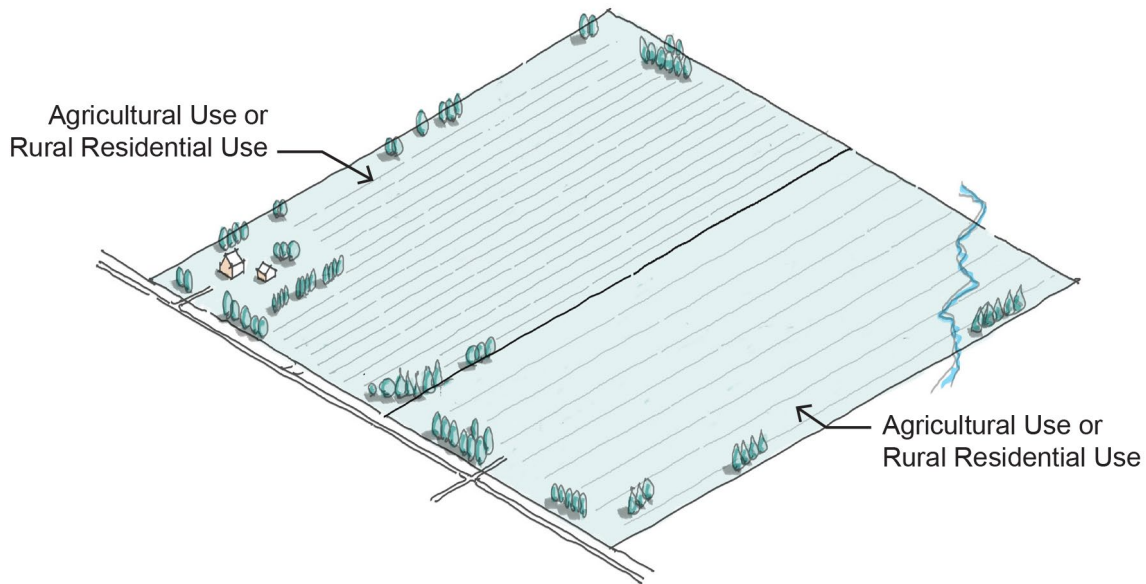
Conservation of Prime Agricultural Land for Agricultural Use

- 3.1.1 The County shall strive to conserve arable land for agricultural purposes. Uses not dependent on arable land should be directed to other areas.
- 3.1.2 The County shall direct all non-agricultural subdivisions and developments (i.e. residential, commercial, and industrial) to dryland pastures unless no reasonable alternative exists.

Parcels per Quarter Section

- 3.1.3 The maximum number of agricultural use parcels per quarter section for both arable and dryland pasture lands shall be two.

SCENERIO 1



Determination of arable and dryland pastures

3.1.4 The Subdivision or Development Authority, as the case may be, may seek clarification through referral to the County's Assessor and/or by referring to the Canada Land Inventory (CLI) in instances where it is difficult to determine if the land in question is arable or dryland pasture based on reference to Farmland Assessment Value (FAV) alone. In making the determination whether the land is arable or dryland pasture, the County will, in referring it to the County's Assessor, consider but not be limited to:

- a. the overall assessed value of the land in question without improvements;
- b. the presence of wasteland and inconveniences; and
- c. any other factors that affect the viability of the land as a farming unit.

3.1.5 The County, at its discretion, may require an applicant/landowner to submit a report prepared by a certified agrologist addressing the determination of whether the land in question is arable or dryland pasture.

Confined Feeding Operations

3.1.6 The County shall consider the following when preparing referral comments to the Natural Resource Conservation Board (NRCB) regarding Confined Feeding Operations (CFOs) and Manure Storage Facilities within the meaning of the Agricultural Operation Practices Act (AOPA).

- a. Confined feeding operations or manure storage facilities requiring approval under the Agricultural Operation Practices Act, shall abide by the following criteria:
 - i. the site is at least 0.8 km from any institutional, commercial, recreational or

- residential uses or lands designated for such uses;
 - ii. the site is at least 0.8 km from any natural feature, including any water body;
 - iii. the facility is located or proposed to be located on a site 64 hectares (160 acres) or greater;
 - iv. the site is designed to minimize the odour impacts on surrounding residences;
 - v. the cumulative impacts of the operation have been assessed in context with any other proposed or existing confined feeding operation in the area, in order to prevent an accumulation or concentration of confined feed operation uses in a single area; and
 - vi. no new or expanding CFO shall be located within the areas identified on Map 2: Future Land Use Concept.
- b. Confined feeding operations or manure storage facilities requiring authorization or registration under the Agricultural Operation Practices Act, shall abide by the following criteria:
- i. the site is at least 0.4 km from any institutional, commercial, recreational or residential uses or lands designated for such uses;
 - ii. the site is at least 0.4 km from any natural feature, including any waterbody;
 - iii. the facility is located or proposed to be located on a site 32 hectares (80 acres) or greater;
 - iv. the site is located to minimize the odour impacts on surrounding residences;
 - v. the cumulative impacts of the operation have been assessed in context with any other proposed or existing confined feeding operation in the area, in order to prevent an accumulation or concentration of confined feed operation uses in a single area; and
 - vi. no new or expanding CFO shall be located within confined feeding operation prohibited areas identified on Map 2: Future Land Use Concept.

3.1.7 The County shall encourage CFOs to be located on dryland pastures wherever possible when making comments to the NRCB with regard to CFOs.

Urban Expansion on Agricultural Land

3.1.8 The County encourages urban expansion to be directed away from arable land wherever possible (Refer to Section 3.3 Hamlets).

Location of Transportation Utility Lines and Gas Facilities

3.1.9 The County shall encourage transportation, utility lines, and oil and gas facilities to locate in a manner which minimizes their impact on agricultural operations (Refer to Section 3.6 Transportation and Utilities).

Agritourism

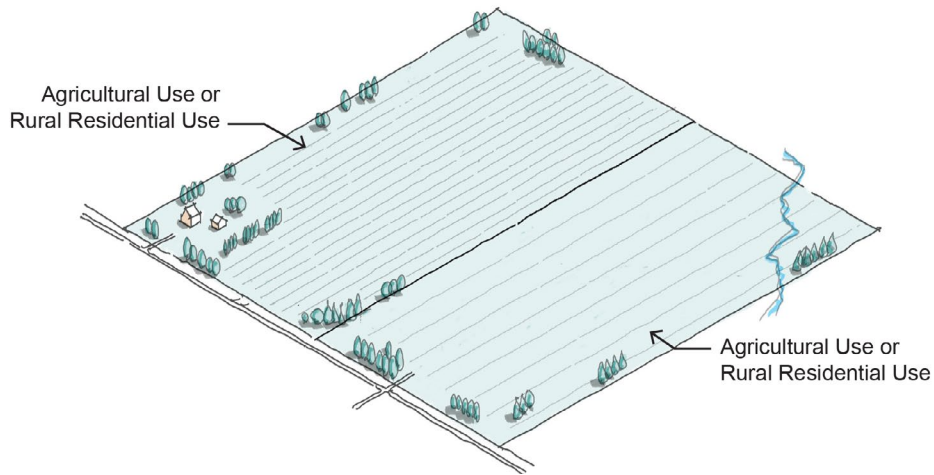
- 3.1.10** The County shall consider agritourism-related businesses within agricultural areas and hamlets subject to the following criteria:
- a. Appropriate mitigation measures are applied in accordance with County's policies to address impacts associated with privacy, noise, traffic and any other negative aspects associated with the agritourism business; and
 - b. Public engagement is undertaken by the developer in accordance with the County Public Participation policy CC 3008-01 .

RURAL RESIDENTIAL

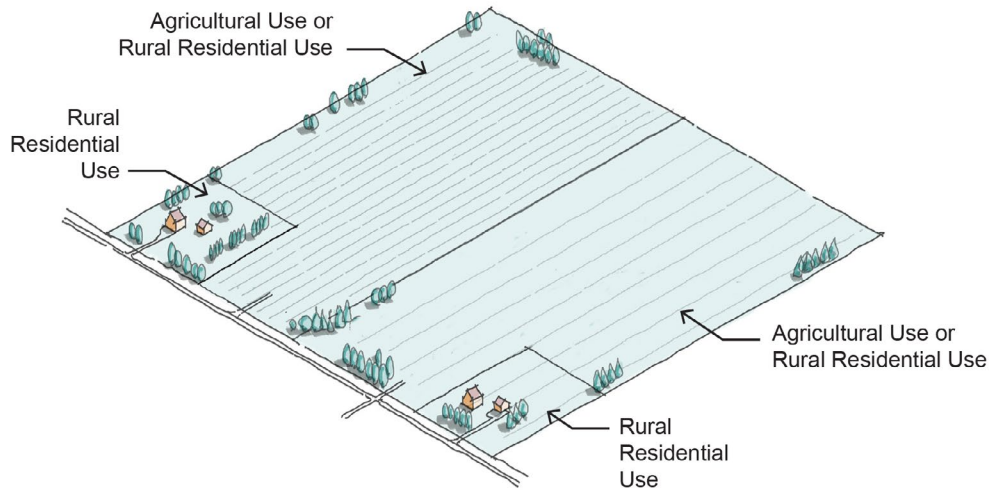
Number of parcels per quarter section

- 3.1.11** The subdivision of agricultural parcels for rural residential use may be considered subject to the following criteria and scenarios:
- a. The two 80-acre parcels may be used for agricultural or rural residential use as illustrated in scenario 1;
 - b. On dryland pasture or arable quarter sections, each 80-acre agricultural use parcel may be further subdivided to include one (1) additional Rural Residential use parcel as illustrated in scenario 2;
 - c. On arable quarter sections, a maximum of two (2) rural residential parcels may be subdivided from previously unsubdivided quarter sections as illustrated in scenario 3; and
 - d. The minimum area for rural residential parcels shall be 2.5 acres. The Development Authority may allow a parcel size less than 2.5 acres if it can be confirmed that there is a minimum one (1) acre contiguous developable area and the site can accommodate on-site sewage treatment in accordance with Alberta Private Sewage Systems Standard of Practice (SoP), as amended. The maximum area for such rural residential parcels shall be at the discretion of the Development Authority.

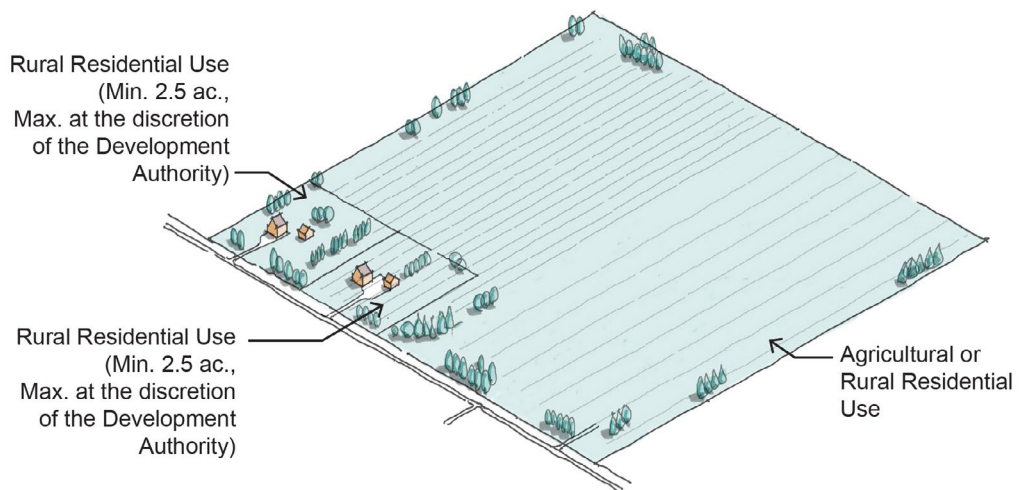
SCENARIO 1



SCENARIO 2

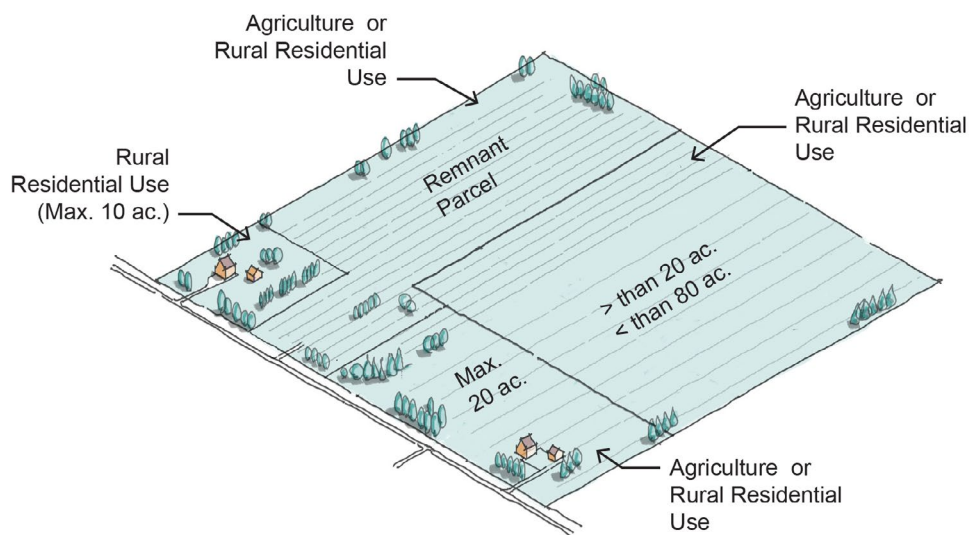


SCENARIO 3



- e. On dryland pasture quarters, the maximum number of rural residential parcels shall be three (3) as illustrated in scenario 4.
 - i. One of the three rural residential allowed lots shall not exceed 4.05 ha (10.0 ac).
 - ii. One of the three rural residential lots allowed shall exceed 4.05 ha (10.0 ac) but shall not be larger than 8.1 ha. (20.0 ac).
 - iii. One of the three rural residential lots allowed shall exceed 8.1 ha. (20.0 ac) but shall not be larger than 32.4 ha. (80.0 ac).

SCENERIO 4



Criteria for Rural Residential Lot Subdivision

3.1.12 The Subdivision Authority shall consider the following in determining the suitability of the subject parcel for rural residential use pursuant to Policy 3.1.11., and in accordance with Part 17, Division 7 - Subdivision of Land of the Municipal Government Act, Matters Related to Subdivision and Development Regulation, and specifically the direction established in Section 9 of those regulations:

- a. its topography;
- b. its soil characteristics;
- c. stormwater collection and disposal;
- d. any potential for the flooding, subsidence or erosion of the land;
- e. its accessibility to a road as defined in section 616(aa) of the Act;
- f. the availability and adequacy of a water supply, a sewage disposal system and solid waste disposal;

- g. in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the Private Sewage Disposal Systems Regulation established by the Province of Alberta, as amended, in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems;
- h. the use of land in the vicinity of the land that is the subject of the application; and
- i. any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

3.113 The County shall require, as necessary, that the developer prove suitability to satisfy the County's statutory obligations under Policy 3.111 and as specifically delineated under Policy 3.112. In determining site suitability as it relates to on-site sewage treatment, the County may refer to and utilize the Model Process Reference Document to guide their consideration of proposed subdivisions using private sewage treatment systems. In all cases, proposed on-site sewage treatment systems shall be in accordance with the Alberta Private Sewage Systems Standard of Practice, Province of Alberta, as amended, and all other Provincial standards as required. For the purposes of this Policy, the County shall not allow an easement or other similar legal instrument or agreement to be used in securing subdivision or development approval that would result in sewage being disposed of and/or treated on a lot other than the lot containing the residential development generating the sewage.

3.114 The County shall not approve an application for rural residential subdivision or development where the existing or proposed lot is not adjacent to an all-weather public road built to County standards unless the developer is prepared, at their sole expense, to provide the public road required to County standards.

3.115 The County shall not allow a License of Occupation (LOC), access easement or other such agreement to constitute public road or legal access for the purposes of securing subdivision or development approval as described in Policies 3.112(e) and 3.114.

3.116 The County may require adequate buffers (fencing, landscaping, distance separation, etc.) between a rural residential subdivision or development and adjacent incompatible uses in accordance with County policies and standards.

3.117 The County shall ensure that where applicable, subdivision or development for rural residential use within urban fringe areas of the urban municipalities surrounded by the County shall be in accordance with the relevant future uses identified in the applicable Intermunicipal Development Plan, and land use districts within the Land Use Bylaw.



3.2 ACREAGE RESIDENTIAL

CONTEXT

The County wants to ensure that residential development meets the existing and future housing needs of the community in an appropriate and compatible manner.

The County recognizes that a full range of residential development options must be available outside the hamlets ranging from rural residential parcels within the agricultural area to planned acreage residential subdivisions.

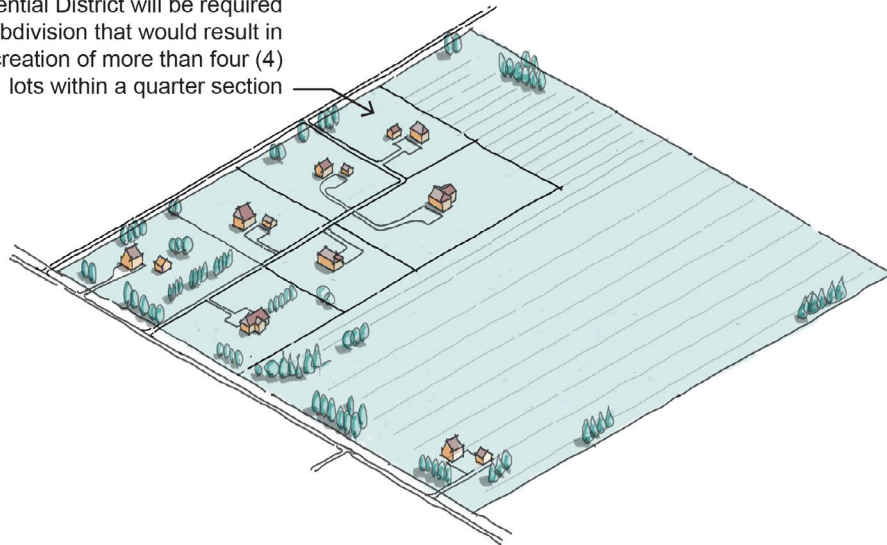


OBJECTIVES

The policies below will help to meet the following objectives:

- To ensure that residential subdivision and development occur in an orderly fashion so that services to rural residents can be provided in an efficient and effective manner.
- To establish locational criteria to relate residential subdivision and development to the land resource base, existing uses, County transportation system, employment locations, community facilities, and municipal services.
- To preserve arable land for agricultural use by directing acreage residential subdivision and development to dryland pasture.

Redistricting to AR - Acreage Residential District will be required for subdivision that would result in the creation of more than four (4) lots within a quarter section



ACREAGE RESIDENTIAL SUBDIVISION POLICIES

Requirement to Redistrict the Land for Acreage Residential Subdivision

- 3.2.1 The County shall require redistricting to the AR – Acreage Residential District in the Land Use Bylaw prior to any approval of a subdivision that would result in the creation of more than four (4) lots within a quarter section.

Potable Water Requirement

- 3.2.2 The County may not approve an application for redistricting to the AR – Acreage Residential District without proof of a reliable on-site supply of potable water. In instances where a well cannot be drilled in accordance with the Water Act, the County may require that potable water be provided through the use of cisterns whose water quality should be regularly tested at an accredited laboratory, to determine if it is safe to drink. Where the County accepts water provision through the use of cisterns, an appropriate notation

on each title within the subdivision shall be required alerting the prospective owner that a cistern will be required in perpetuity to provide the household with potable water and that no well shall be drilled unless approved in accordance with the Water Act.

On-site Sewage Treatment Requirement

- 3.2.3** The County may refer to and utilize the Model Process Reference Document to guide their consideration of proposed subdivisions using private sewage treatment systems in determining site suitability as it relates to on-site sewage treatment. In all cases, proposed on-site sewage treatment systems will be in accordance with the Alberta Private Sewage Systems Standard of Practice, as amended, and all other Provincial standards as required. For the purposes of this Policy, the County shall not allow an easement or other similar legal instrument or agreement to be used in securing subdivision or development approval that would result in sewage being disposed of and/or treated on a lot other than the lot containing the residential development generating the sewage.
- 3.2.4** The County shall not support acreage residential subdivisions which would require an increase in the types or levels of services beyond what would normally be provided by the County (e.g. public road maintenance, recreation and social services, and so forth).
- 3.2.5** The County shall not support acreage residential subdivision that would be dependent upon municipal water, sanitary and/or stormwater management systems unless it can be clearly demonstrated that the County would not incur any costs associated with the servicing required and that the proposed acreage residential subdivision over time would be able to sustain the County's cost in maintaining the systems.

Minimum and Maximum Lot Sizes

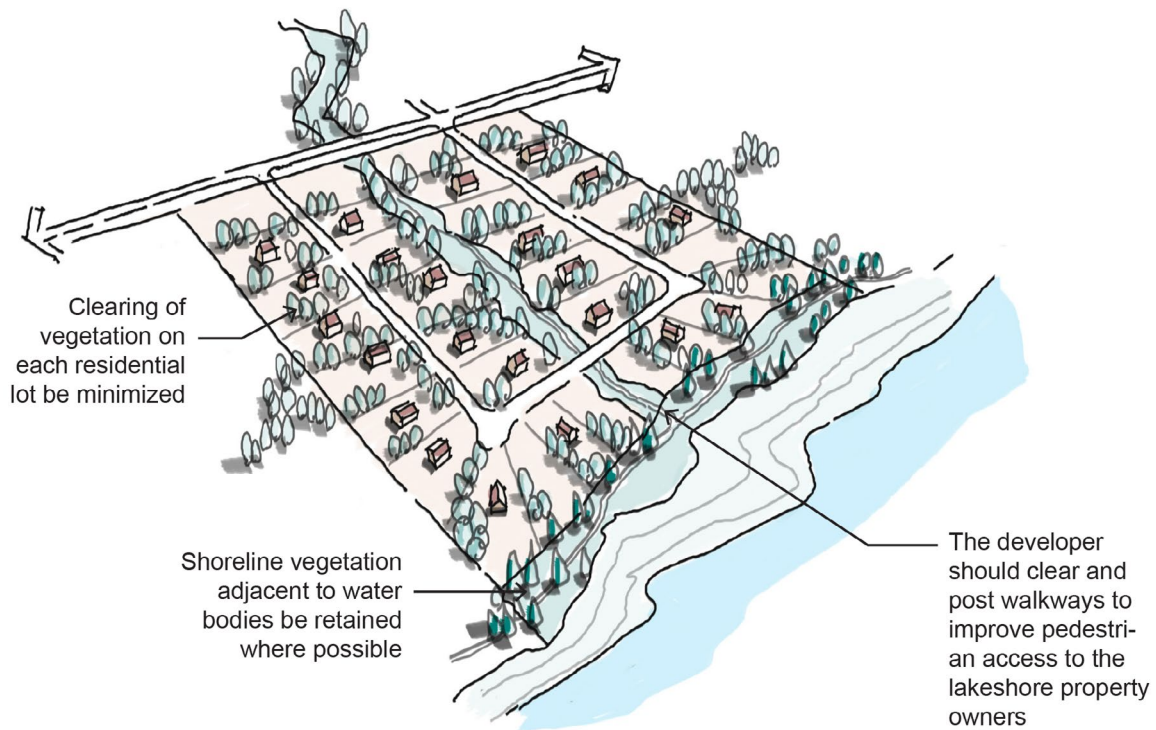
- 3.2.6** The County shall ensure that the minimum lot size in acreage residential subdivision is 1.0 ha. (2.5 acres), that every lot must contain 0.4 ha. (1 acre) contiguous developable area, and that the proposed subdivision meets all other requirements of this Plan and the Land Use Bylaw. The minimum lot width shall not be less than 70.0 m (229.7 ft). In the case of corner or pie-shaped lots, the minimum lot width must be achieved no farther into the yard than the front yard setback line.
- 3.2.7** The maximum lot size for acreage residential lots shall be 2.02 ha (5.0 acres).
- 3.2.8** Notwithstanding Sections 3.2.6 and 3.2.7, the Subdivision Authority or Development Authority may adjust these prescribed requirements in consideration of the physical capability of the area for construction and on-site servicing and improvements as well as compatibility with adjacent land uses.

Additional Conditions

- 3.2.9** The County may require controls on subdivision and development related to architecture, landscaping, the keeping of animals, upholding FireSmart principles and so forth to be placed on acreage residential subdivisions by a restrictive covenant, which shall be prepared and enforced by the developer and future landowners.
- 3.2.10** The County should require that all internal roadways be designed to minimize detrimental impacts on adjacent water features (e.g. collect surface runoff and divert it in such a manner to reduce the potential for sedimentation, nutrient loading and erosion).
- 3.2.11** The County shall ensure that re-subdivision of lots within an existing acreage residential subdivision shall not result in a lot smaller in area than the smallest lot within the subdivision unless an area structure plan encompassing the original acreage subdivision is prepared in accordance with the Generic Terms of Reference for the Preparation of a Conceptual Scheme or an Area Structure Plan in the County. In addition, consideration shall be given in accordance with policy 3.2.12 below to impacts on existing adjacent lots and the adequacy of existing public roads and other services to accommodate additional development.
- 3.2.12** The County shall consider the following additional criteria to access a re-subdivision application in existing subdivisions:
- a. Access to the proposed lot must be from the internal public road; and
 - b. The Subdivision or Development Authority may require, as part of the subdivision/ Development Permit application, that testing be conducted, the results of which bearing the seal and signature of a qualified person if required, to verify that sufficient quality and quantity of groundwater is available to service the additional lot(s) and that soil conditions are suitable for on-site sewage disposal and the placement of a below grade foundation(s).
- 3.2.13** The County shall encourage the developer of the Acreage Residential subdivision to explore the feasibility and provision of fibre optic internet network connections.

Resubdivision of Lots in Brookwood

- 3.2.14** Re-subdivision of lots in Brookwood Estates existing at the passing of this Bylaw shall be considered subject to the minimum lot size stipulated in Policy 3.2.6.



Acreage Subdivision Development Adjacent to Lakes, Ravines, Water Bodies, and Environmentally Sensitive Lands

3.2.15 The County may require the following where an acreage residential subdivision is adjacent to a lake:

- a. that the clearing of vegetation on each residential lot be minimized in order to maintain aesthetic and visual buffers;
- b. that shoreline vegetation adjacent to water bodies be retained where possible to maintain water quality and riparian habitat; and
- c. that the developer clear and post walkways to improve pedestrian access to the lakeshore property owners.

3.2.16 The County shall not support acreage residential subdivision on the following types of land in order to optimize the use of land resources in the County for the greater public good:

- a. arable land unless the proponent justifies through the provision of a conceptual scheme or area structure plan, that the impacts of locating the acreage residential subdivision on arable land are minimized and that no reasonable alternative exists supported by planning, engineering and financial analysis;
- b. critical wildlife habitat; or
- c. environmentally sensitive or hazardous lands.

3.2.17 The County may require acreage residential subdivisions to be separated from the edge of ravines, tributaries of rivers and creeks, or along lakeshores by an area

adequate to allow continuous public access, avoid natural hazards and protect environmental quality and significant wildlife habitat prior to the redesignation of land. At the time of subdivision, the County may require the dedication of these areas as environmental reserves or municipal reserves as appropriate.

Manufactured/Modular Dwelling Community Policies

- 3.2.18** The County shall only permit rural manufactured dwelling communities upon application to redistrict the land in question to the RM/MDC - Rural Manufactured/Modular Dwelling Community District in the Land Use Bylaw.
- 3.2.19** The County shall not support a rural manufactured/modular dwelling community on the following types of land in order to optimize the use of land resources in the County for the greater public good:
- a. arable land unless, the proponent justifies, through a Conceptual Scheme, that locating the rural manufactured/modular dwelling community on arable land is warranted and that no reasonable alternative exists;
 - b. critical wildlife habitat;
 - c. within the boundary of the Town of Vegreville IDP; or
 - d. environmentally sensitive or hazardous lands.
- 3.2.20** The County shall encourage developers of rural manufactured/modular dwelling communities to locate them within easy access to employment opportunities, and commercial and community facilities normally required for residential areas.



3.3 HAMLETS

CONTEXT

The County realizes the importance of carefully planning and guiding the future of its existing and future hamlets. Long range plans shall be developed to guide the future development of these areas to ensure that current and future services are used in an efficient and economic manner.



Map 5: Hamlets identifies the existing boundaries of all three hamlets within the County.

THE COUNTY'S LONG-TERM VISION FOR EACH OF THE HAMLETS IS AS FOLLOWS:

Lavoy:

The Hamlet of Lavoy benefits from its proximity to the Town of Vegreville, access to municipal servicing and an active agricultural community in the surrounding areas. Opportunities exist to promote new infill developments in the hamlet as well as the provision of affordable housing units for the existing and future population.

Ranfurly:

Opportunities exist to attract new investments to Ranfurly and ensure the long-term sustainability of this hamlet. Specific opportunities include the development of a main street, and attracting alternative land uses such as tiny homes, hobby farms, and industrial uses that may not need municipal servicing. Such approaches may help sustain the existing population and also help attract new residents who may decide to make Ranfurly their home due to the availability of new economic opportunities and alternate lifestyles.

Minburn:

The Hamlet of Minburn benefits from access to sanitary servicing and an active agricultural community in the surrounding areas. Opportunities exist to attract new storefront businesses, tiny home communities and new residential developments to provide a wide range of lifestyle options for the surrounding agricultural community.

OBJECTIVES

The policies below will help to meet the following objectives:

- To encourage the orderly, economic and efficient planning and management of the Hamlets of Lavoy, Minburn and Ranfurly.
- To consider, where appropriate, developing existing or future hamlets such that they provide a level of service comparable to existing urban municipalities within the County.

POLICIES

GENERAL POLICIES APPLICABLE TO ALL HAMLETS

County Support for developments in hamlets

- 3.3.1 The County shall support orderly and economic development in all existing and future hamlet(s).
- 3.3.2 The County shall support the provision or extension of infrastructure including roads, sanitary sewer systems, water systems or stormwater management systems in any existing or future hamlet(s) where there is sufficient justification for such infrastructure supported by planning, engineering and fiscal analysis.
- 3.3.3 The County shall consider developing and adopting an off-site levy bylaw to require payment of a levy on lands to be subdivided or developed to pay for all or part of the capital cost of upgrading and/or expanding off-site infrastructure in accordance with the Municipal Government Act.

Development sequence in hamlets

- 3.3.4 The County should ensure that hamlet development occurs in general order of 1) in-filling of vacant lots, 2) rehabilitation, restoration or redevelopment of deteriorating buildings, 3) relocation and redevelopment of inappropriate uses, 4) expansion into the unsubdivided and undeveloped areas within the hamlet and, 5) lastly, expansion of the hamlet.

Expansion of existing hamlets

- 3.3.5 The Hamlets of Lavoy, Ranfurly and Minburn, or any future hamlet(s), shall not expand onto arable land unless no alternative exists.
- 3.3.6 The County shall not permit growth that may jeopardize groundwater supplies or quality in hamlets not serviced by regional water. Further, developers shall bear the costs to expand or improve the water supply to support growth.

General municipal servicing requirements

- 3.3.7 The County shall encourage new and existing developments that have on-site servicing needing to be replaced and that are in proximity to the servicing available to new developments, to connect and contribute to the support of municipal servicing where municipal servicing is available to new developments.
- 3.3.8 The County shall not permit development in hamlets dependent on on-site water supply and/or sewage treatment in areas with soil limitations for effluent disposal in situations where municipal servicing is not available.

INDUSTRIAL AND COMMERCIAL DEVELOPMENT

- 3.3.9** The County shall consider commercial and industrial activities in the Hamlets of Lavoy, Ranfurly, and Minburn, or any future hamlet(s), where the development(s) will serve to provide basic commercial and industrial services to the residents and the surrounding agricultural area.

HAMLET OF RANFURLY

- 3.3.10** The County shall, in the Hamlet of Ranfurly, consider any dwellings lawfully in existence as of February 16, 2010, as a “permitted use” for the purposes of the direct control land use districting applied to the Hamlet of Ranfurly insofar as authorizing minor renovations, additions, and so forth. In authorizing major renovations and additions to such dwellings, or where such dwellings are proposed to be rebuilt or replaced with a new dwelling, or in the case of a proposed subdivision, the County must be satisfied by means it considers necessary (e.g. sewage treatment system inspection, water well capacity/quality testing, etc.), that the subject dwelling is or can be serviced with an on-site supply of potable water and that sewage effluent is or can be properly treated on-site. The foregoing does not allow the development of a new dwelling on a lot where a dwelling did not lawfully exist at the time this Plan came into effect.
- 3.3.11** The County shall consider the development of alternative land uses such as tiny home communities and hobby farms within the hamlet to promote alternative lifestyles. On-site water and sanitary servicing for tiny home communities may be considered.
- 3.3.12** The County shall consider unserviced industrial developments within the Hamlet of Ranfurly provided such uses:
- a. are located on larger lots;
 - b. provide appropriate buffer from residential uses; and
 - c. mitigate negative impacts such as noise, dust and privacy associated with future industrial developments.
- 3.3.13** The County shall encourage the enlargement of existing residential lots via lot consolidation, reconfiguration, replotting and so forth, for the purposes of providing increased opportunities to improve on-site servicing wherever and whenever possible.
- 3.3.14** Where enlargement of existing residential lots via consolidation, reconfiguration, replotting and so forth, has taken place, and/or where existing lots are large enough to accommodate private servicing, consideration for granting approval for a new residence may be given if access to private on-site water and sanitary servicing can be proven, in accordance with the County policies and standards.
- 3.3.15** The County shall consider developing Ranfurly-specific Land Use District or Direct Control District to provide direction on the County’s specific expectations for future developments in Ranfurly.



3.4 COMMERCIAL & INDUSTRIAL

CONTEXT

The County strongly encourages industrial and commercial development suitable for a rural community to support its tax base and generate employment opportunities for residents. Industrial and commercial development, however, may result in land use conflicts and impacts that must be addressed. The County will provide for appropriate and properly planned industrial and commercial developments.



OBJECTIVES

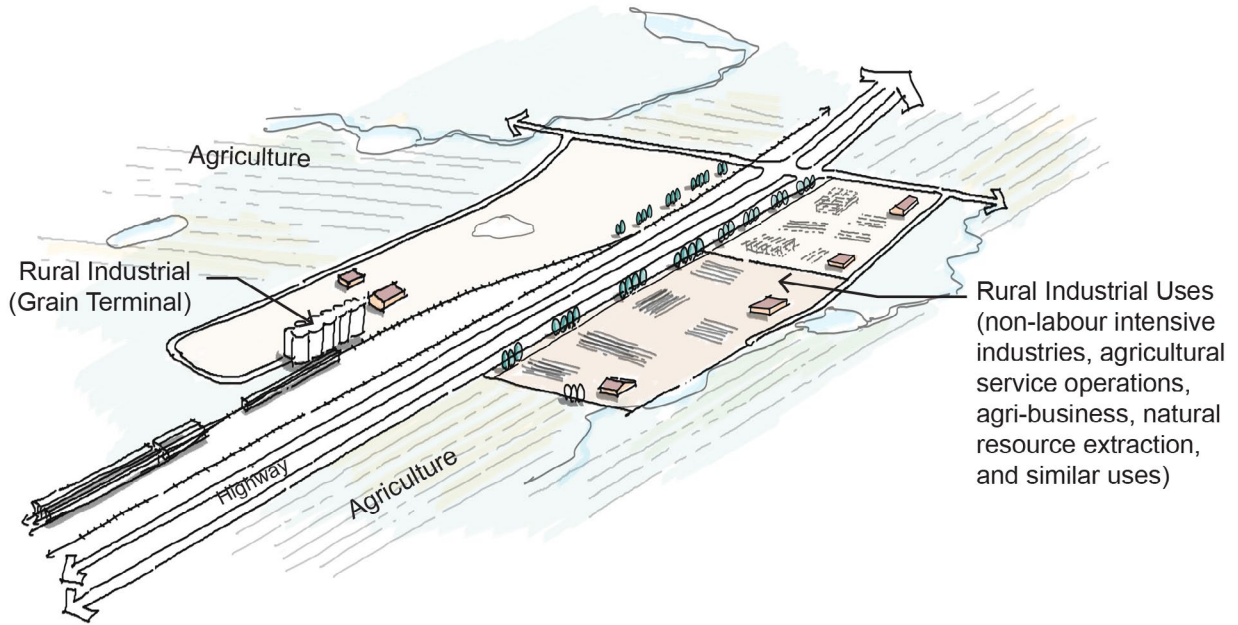
The policies below will help to meet the following objectives:

- To expand and diversify the economic base of the County.
- To maximize the economic development potential of the lands surrounding the intersection of Highways 16 and 36 (Crossroads ASP), East Industrial Park ASP near Mannville, and West Industrial Park ASP near Vegreville.
- To encourage the development of appropriate industrial and commercial land uses which provide increased tax assessment and employment opportunities for residents.
- To ensure the proper planning and development of industrial and commercial uses through the setting of locational and development criteria.
- To minimize conflicts between industrial/commercial uses and adjacent land uses.
- To minimize County costs associated with industrial and commercial development.
- To preserve, where possible, arable land for agricultural use by directing industrial and commercial development to dryland pasture.
- To ensure that industrial and commercial developments do not interfere with the functional integrity of highways and County roads.
- To provide for commercial developments appropriate for rural areas, providing goods and services required by County residents and the traveling public.
- To support the development of new area structure plans in collaboration with urban municipalities.

INDUSTRIAL POLICIES

Types of rural industrial uses

- 3.4.1** The County should attract industrial developments for which it is well-suited and offers a locational advantage. Specifically, the County wishes to target industry, which due to land requirements, available inputs, infrastructure requirements, or operating characteristics are legitimate rural land uses which should be accommodated in the rural areas. The following types of industrial uses can be considered appropriate in the County:
- a. agricultural service operations;
 - b. agribusiness;
 - c. biofuels production;
 - d. natural resource extractive industries and related processing and refining industries;
 - e. non-labour intensive industries requiring large areas of land, but having only minimal requirements for on-site improvements, municipal services and public amenities. This includes, but is not restricted to:
 - i. outdoor storage and handling of pipe and drilling equipment;
 - ii. outdoor storage and handling of heavy vehicles and construction equipment;
 - iii. outdoor storage and handling of bulk building materials; and
 - iv. ready-mix concrete plants and yards.
 - v. any servicing, maintenance and repair operations reasonably incidental to the dominant use, or
 - vi. any on-site residential accommodation reasonably necessary for the surveillance of the primary operation.
 - vii. industrial development in hamlets, where it is compatible with the surrounding community.



Note: This sketch provides a conceptual illustration of typical rural industrial lots along the highway corridor. Other locations may also be considered in accordance with policies of this Municipal Development Plan and County's Land Use Bylaw.

Preferred location for rural industrial uses

3.4.2 The County shall direct, whenever possible, rural industry away from arable lands.

3.4.3 The County shall use the following site criteria in determining rural industrial site suitability for the intended use:

- a. has stable, well drained soils;
- b. has (or will have) safe and convenient access to public roads built to County standards;
- c. located where rail access exists or could be provided if required;
- d. has necessary services and utilities available if required;
- e. has suitable local climate conditions, especially for noxious industries;
- f. has an appropriate buffer from land designated for AR - Acreage Residential District when considering a subdivision or development application for rural industry;
- g. is suitably located in relation to water bodies; and
- h. is not located within significant scenic, recreational or open space areas.

Redistricting to Rural Industrial district

3.4.4 The County shall require redistricting to the RI – Rural Industrial District in the Land Use Bylaw prior to approving a subdivision and/or development that would result in the creation of more than two (2) non-rural-residential or non-commercial lots within a quarter section or where more than 25% of the quarter section would be utilized for

rural industry.

- 3.4.5** The County may allow approval of a subdivision and/or development that would result in the creation of more than two (2) non-rural-residential or non-commercial lots within a quarter section or where more than 25% of the quarter section would be utilized for rural industry without redistricting to RI – Rural Industrial if the quarter section is already districted DC – Direct Control District.

Industrial parks

- 3.4.6** The County shall encourage the creation of industrial parks in order to provide industrial development opportunities in a manner that concentrates industrial development, rather than scatters it, minimizes conflicts with adjacent land uses and facilitates the economic provision of services (including roads). The County shall encourage new industrial developments to locate in one of the following industrial parks and locations:

- a. East Industrial Park;
- b. West Industrial Park;
- c. Crossroads Industrial Park;
- d. Within existing hamlets in accordance with the existing ASPs; and
- e. Within intermunicipal fringe areas in accordance with the IDPs.

- 3.4.7** Industrial Parks shall only be permitted where the land has been redistricted to RI – Rural Industrial land use districts or the DC – Direct Control District in the Land Use Bylaw.

Hamlet Industrial

- 3.4.8** The County should endeavour that hamlet industrial development is of a scale and type so as not to negatively affect adjacent residential uses, and be screened from residential uses to the satisfaction of the County.
- 3.4.9** The County shall not allow industrial development dependent on water supply and/or sewage treatment in areas with soil limitations for effluent disposal or in areas of inadequate water supply or quality within hamlets.
- 3.4.10** Notwithstanding 3.4.9, in the hamlet of Ranfurly, the County may consider industrial uses that may not require municipal servicing, if it is located on larger lots and negative impacts of such development as per the County policies and standards.
- 3.4.11** The Developer of rural industry development shall be required to enter into a development agreement and/or road use agreement with the County to address the infrastructure upgrades necessary to serve the development.

- 3.4.12 The County shall encourage rural industry development to locate with regard to existing developed roads and may require the developer to upgrade and construct access roads to year-round industrial standards to serve the development. The County may require a two (2) year road warranty period or securities prior to accepting responsibility for upgraded or newly constructed roads.
- 3.4.13 The County should require rural industry developments to mitigate negative visual and other aesthetic impacts in relation to adjacent lands through screening and setbacks.
- 3.4.14 In accordance with the provisions of the Municipal Government Act, a license, permit, approval or other authorization granted by the Natural Resources Conservation Board (NRCB) or Alberta Energy Regulator (AER) prevails over this Plan, the Land Use Bylaw and decisions made by the Subdivision Authority, the Development Authority and appropriate appeal boards. In addition, the County is required to approve applications when consistent and authorized by the NRCB or AER.

GENERAL COMMERCIAL POLICIES

Preferred location and development considerations for commercial sites

- 3.4.15 The County may consider major retail commercial developments along highways within the County on a case-by-case basis subject to the individual merits of the proposal.
- 3.4.16 The County may allow convenience retail services to locate in industrial parks, acreage residential developments or manufactured home communities where adequate services do not exist nearby. The size of commercial outlets shall be relative to the immediate population being served.
- 3.4.17 The County may allow commercial activities in industrial parks where the development is ancillary to the industrial use on that parcel.
- 3.4.18 The County should require commercial developments in hamlets to be of a type and scale such that they are compatible with adjacent residential uses and serve the local rural and hamlet residents as well as the travelling public.
- 3.4.19 The County shall not support highway commercial subdivision or development on:
 - a. arable land, unless the proponent justifies through the provision of a Conceptual Scheme, that the impacts of locating the highway commercial subdivision or development on arable land are minimized and that no reasonable alternative exists supported by planning, engineering and financial analysis;
 - b. critical wildlife habitat; or

- c. environmentally sensitive or hazardous lands.

Recreational and tourism uses


3.4.20 The County should require that recreational and tourism developments:

- a. be compatible with and complement the natural characteristics of the area or site;
- b. if large scale or facility-based in nature, not be located on arable land. Small-scale developments (e.g. bed and breakfast, country vacation and guest ranches) that do not interfere with the primary agricultural use may be allowed on arable land;
- c. if located in or near sensitive wildlife areas, environmentally sensitive areas, hazardous lands and/or historically significant sites, provide a strategy to mitigate impacts;
- d. be compatible with and complement any other existing land uses or development; and
- e. provide access and services at the developer's costs in accordance with County policies and standards.

Servicing requirements

3.4.21 The County shall not allow commercial development dependent on water supply and/or sewage treatment in areas with soil limitations for effluent disposal or in areas of inadequate water supply or quality, or in areas of hamlets where municipal servicing is not available.

Requirement for redistricting to Rural Commercial district

 **3.4.22** The County shall allow rural commercial subdivision and development (excluding home occupations and bed and breakfasts) only where the land has been redistricted to the RC – Rural Commercial District in the Land Use Bylaw.

3.4.23 The County should encourage the preservation and enhancement of provincially designated historical areas, as well as locally significant historic areas and sites, within the County.

3.4.24 The Developer is responsible, where applicable, for the design and installation of water treatment and distribution, sanitary collection and treatment and stormwater management systems to standards specified by the County.

3.4.25 The County may require new commercial development to connect to existing municipal servicing where there is capacity to service new development, and may require the Developer to pay off-site levies to offset capital costs to keep the capacity levels for future developments.

Highway-Related Commercial Policies

- 3.4.26** The County shall ensure highway commercial uses maintain the functional integrity of adjacent highways through the use of service road systems or controlled highway access points that are approved by Alberta Transportation, or the County Operations Department.

Home Based Businesses

- 3.4.27** The County shall encourage economic diversification through the establishment of home occupations, home offices and cottage industries which are compatible with the residential and agricultural character of the lot and the surrounding area.



3.5 NATURAL RESOURCE DEVELOPMENT

CONTEXT

Sand and gravel, oil and gas are recognized as valuable non-renewable resources in the County and must be protected and extracted efficiently. Renewable energy is also a growing sector in the County, which includes wind and solar resources for power generation. The County recognizes that many of these natural resource developments are beyond their control due to exemptions from the Municipal Government Act, placing them under Provincial jurisdiction. Further, Resource extraction can result in the loss of agricultural land, groundwater contamination and soil damage. All of these resources are a great benefit to the community, bringing economic development and jobs, and must be managed responsibly.



OBJECTIVES

The policies below will help to meet the following objectives:

- To conserve sand and gravel resources.
- To minimize conflicts with adjacent land uses.
- To ensure natural resources are managed safely and effectively, and that extraction activities are respectful of surrounding land uses.
- To require effective reclamation of spent natural resource development sites.
- To preserve arable land for agricultural use by directing resource extraction activities to dryland pastures where feasible.
- To preserve the quality and quantity of groundwater resources affected by extractive industries through setbacks and industry best-practices for operations.
- To minimize the negative impact on the quality and quantity of groundwater resources caused by resource extraction activities.
- To encourage cooperation between the County and the oil and gas industry to help ensure that the impacts associated with oil and gas extraction are minimized.
- To cooperate effectively with all provincial and federal agencies responsible for applicable governing legislation related to natural resource development.

POLICIES

- 3.5.1** The County shall encourage the development of extractive resources provided all necessary steps are taken to ensure that the environmental integrity of the area is maintained.
- 3.5.2** As per the provisions of the Municipal Government Act, a license, permit, approval or other authorization granted by the provincial boards responsible for energy, utilities and natural resources prevails over this Plan, the Land Use Bylaw and decisions made by the Subdivision Authority, the Development Authority and appropriate appeal boards.

Location Considerations

- 3.5.3** The County shall encourage landowners and industry to cluster oil and gas facilities and locate rights-of-way along quarter section lines, property boundaries or existing easements to avoid unnecessary fragmentation of land. The County shall discourage diagonal routes for rights-of-way except where such routes follow man-made or topographical features.
- 3.5.4** A minimum separation distance of 1.6 km shall be required between existing acreage residential to new natural resource processing uses. This 1.6 km setback may be waived or adjusted if the developer can demonstrate that

the surrounding property owners and affected persons have been consulted and have agreed to the location of the resource extraction use.

Data management

- 3.5.5 The County shall maintain information indicating the location of sour gas facilities as supplied by the Alberta Energy Regulator (AER).

Setback requirements

- 3.5.6 The County shall apply AER setback regulations and guidelines respecting sour gas and other oil and gas facilities, including pipelines, when considering land use, subdivision and development applications.
- 3.5.7 The County shall not support any non-agricultural subdivision or development in areas of known commercial deposits of extractive resources where the proposal would prevent subsequent resource extraction.

Mitigation measures, studies, and agreements

- 3.5.8 The Developer shall indicate measures to mitigate impact where a resource extractive operation may have negative impacts on the surface or subsurface water, historical or archaeological resources, critical wildlife habitat, or environmentally sensitive areas in accordance with the County and all authorities' standards having jurisdiction.
- 3.5.9 The County shall require all extractive operations and related developments to retain a valid development permit for the duration of the operation in situations where the extracted material is being removed from the property unless otherwise exempted by the Municipal Government Act or Land Use Bylaw. Access to such developments shall also require County approval.
- 3.5.10 The County may require the Developer of a resource extraction operation to post a performance bond or similar security to ensure reclamation is completed before issuing a development permit where no similar requirement is made by another authority having jurisdiction.
- 3.5.11 The County may require the developer of a resource extractive operation to enter into an agreement with the County to:
- a. upgrade or maintain roads;
 - b. designate specific truck routes to promote safety and avoid noise and dust problems;
 - c. control noise, dust and weeds;
 - d. provide buffering as required to minimize impacts on adjacent land uses;

- e. provide for storage of topsoil; and/or
- f. specify other requirements to minimize conflicts between extractive industries and adjacent land uses.



3.6 TRANSPORTATION AND UTILITIES

CONTEXT

Transportation facilities have a significant impact on land use in the County. Hazardous material as well as overweight and over-dimensional loads must be moved within and through the County in a safe and efficient manner.

Similarly, utility facilities significantly impact land use in the County, the most significant being fragmentation and loss of agricultural land. The County does not provide most utilities which are provided by the private sector.



Map 3: Transportation and Utilities provides an overview of existing transportation networks and utilities in the County.

OBJECTIVES

- To encourage the development and maintenance of safe, efficient, convenient and environmentally compatible transportation systems.
- To coordinate the construction of all local roads within a long range capital improvement program.
- To ensure that all local roads are constructed to municipal standards.
- To minimize the fragmentation and loss of agricultural land and disturbance of agricultural practices.
- To ensure that developers provide for and establish utility systems to provincial and County standards.

POLICIES

Roads

- 3.6.1** The County is sensitive to the impacts which transportation routes and facilities may have on the agricultural community and shall encourage their location in a manner that minimizes the impact on farming operations. The County shall:
- a. encourage locations which minimize consumption of agricultural land;
 - b. encourage rights-of-way to follow quarter section lines, property boundaries, or existing easements to avoid unnecessary fragmentation of land, and shall discourage diagonal routes except where such routes follow man-made or topographical features and discourage the creation of fragmented land parcels between rights of way; and
 - c. encourage the integration of transportation routes within defined corridors.
- 3.6.2** The County shall encourage the design and location of transportation routes and facilities to minimize the impacts on significant recreational, historical, environmental or ecologically sensitive areas.
- 3.6.3** The County may recommend buffering such as fencing or landscaping to minimize the impact where proposed transportation routes and facilities may adversely affect adjacent lands.
- 3.6.4** The County may recommend new subdivisions or require new developments adjacent to transportation routes and facilities to provide adequate

fencing and/or buffering to maximize safety and minimize impacts such as noise, smoke, vibration or hazards on any proposed development. The type and amount of buffering shall be determined by the County and/or Alberta Transportation based on the proximity, type and frequency of use of the route and the form of the proposed development.

- 3.6.5** The County shall work with Alberta Transportation on the realignment of any highway and identification of any future interchange locations.
- 3.6.6** The County, in cooperation with Alberta Transportation, shall promote safe and efficient intersections for highways and County roads to improve the movement of local traffic to the highway system.
- 3.6.7** The County shall encourage those involved in the exploration and development of natural resources to construct their access roads on road allowances wherever possible.
- 3.6.8** The County Operations Department shall endeavour to cooperate with other municipalities in the planning and development of intermunicipal roadways. This includes both urban municipalities within the County and rural municipalities adjacent to the County.
- 3.6.9** The County shall encourage intermunicipal agreements where roads serve as a boundary between the County and an adjacent urban or rural municipality to address new accesses, maintenance and standards.
- 3.6.10** The County's Operations Department shall consult with the appropriate provincial and federal government agencies to ensure all necessary approvals are issued before construction begins where a new road will require crossing a permanent and naturally occurring waterbody.
- 3.6.11** The Developer shall be responsible for the construction of those roads not identified by the long range capital improvement program or if an accelerated timeline is required as a consequence of the Developer's proposed development.
- 3.6.12** The Developers shall be responsible for the construction of public roads to County standards if the timing of the proposed development does not correspond to the established road construction priorities of the County in order to access a proposed development,
- 3.6.13** The County or Alberta Transportation may require that a traffic impact assessment (TIA) be prepared in accordance with the County's or Alberta Transportation requirements in support of an application for subdivision, development or redistricting,

or as part of a conceptual scheme or area structure plan accompanying such an application. The Developer shall bear the responsibility and the costs of preparing the TIA as well as any undertakings and improvements specified in the TIA.

- 3.6.14 The developer shall be required to pay the costs of the upgrade in coordination with Alberta Transportation requirements where development or subdivision requires upgrades to highways.
- 3.6.15 The County may require a non-negotiable form of security to be provided by the developer to ensure that road construction is to the County Road Standards.
- 3.6.16 The County shall ensure that all public and private road construction is in accordance with County Road Standards.
- 3.6.17 The County shall not accept a License of Occupation (LOC), access easement or other similar agreements as constituting legal access to secure development and subdivision approvals.
- 3.6.18 The County should ensure that new road construction should be sensitive to the natural topography and adjacent land uses, and that cut/fill, tree clearing and visible scarring of the landscape for access road construction are minimized.
- 3.6.19 The County may require setbacks, noise attenuation or noise abatement methods for residential development and subdivision along major public roads.
- 3.6.20 The County shall require that privately constructed and owned roads in a bareland condominium consist of a right-of-way and driving surface width as is normally required by the County's standards for public roadways.
- 3.6.21 Pursuant to Section 618.3(1) of the Municipal Government Act, the County shall comply with any applicable items related to provincial highways in an Alberta Land Stewardship Act (ALSA) plan, if applicable.
- 3.6.22 Pursuant to 618.4(1) of the Municipal Government Act, the County should mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.
- 3.6.23 The County should continue to work with Alberta Transportation to potentially establish Highway Vicinity Management Agreements, where applicable.

Rail Lines

- 3.6.24 The County recognizes that rail lines are an important rural industrial location factor,

and shall encourage rail service to rural industrial areas in the County wherever feasible.

- 3.6.25 The County shall encourage railway companies and land developers, in cooperation with the County and Alberta Transportation where applicable, to make provisions for convenient and safe rail crossings to facilitate vehicular and pedestrian movement.
- 3.6.26 The County shall encourage the sale or lease of abandoned rail rights of way to adjacent farmers whenever feasible.
- 3.6.27 The County may apply The Railway Association of Canada's and The Federation of Canadian Municipalities' Guidelines for New Development in Proximity to Railway Operations, as amended; and, consider the Canadian National Railway's suggested municipal policy statements and standard development guidelines to new development adjacent to a railway line.

Air Transportation

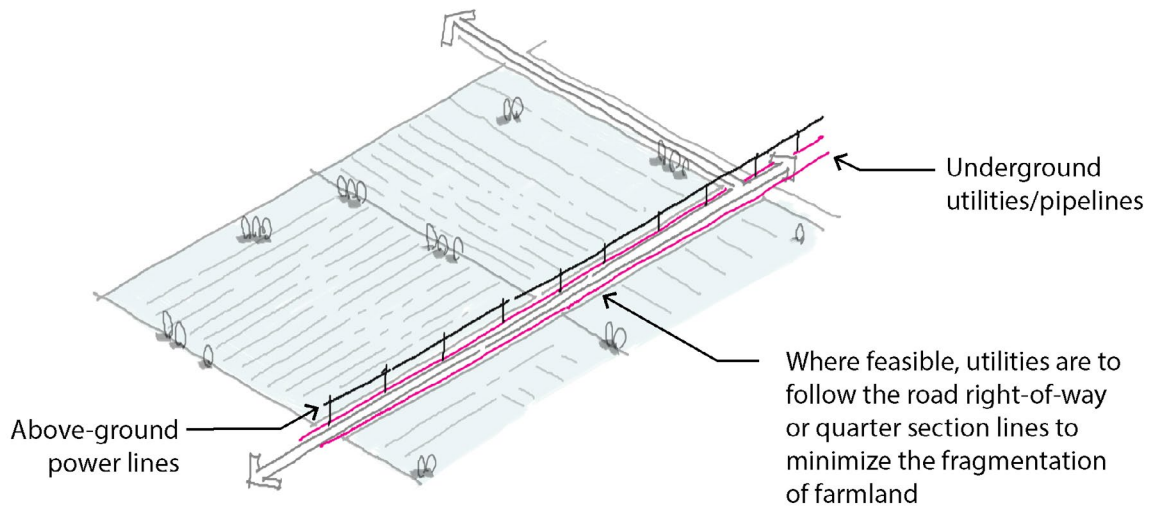
- 3.6.28 The County shall encourage the regulation of building heights in the areas around all publicly licensed (e.g. Vegreville Airport) and paved airports in the County to minimize safety hazards and land use conflicts around airports.

Hazardous Materials

- 3.6.29 The County recognizes that although this area of the Province is not a significant producer of hazardous materials, a large volume of hazardous goods and materials are transported through the County, primarily through pipelines and along Highways 16 and 36.
- 3.6.30 The County may consider designating permanent herbicide and pesticide container collection sites.

Utilities

- 3.6.31 The County shall encourage the location of utility routes and facilities in a manner that minimizes the impact on farming operations to reduce the impacts they may have on the agricultural community and specifically:
 - a. encourage locations which minimize consumption of agricultural land;
 - b. encourage rights of way to follow quarter section lines, property boundaries, or existing easements to avoid unnecessary fragmentation of land, shall discourage diagonal routes except where such routes follow man-made or topographical features, and discourage the creation of fragmented land parcels between rights-of-way; and
 - c. encourage the integration of utility lines within defined corridors.



- 3.6.32 The County shall encourage the design and location of utility lines and facilities in a manner which minimizes the impacts on significant recreational, historical, environmental or ecologically sensitive areas.
- 3.6.33 The County may recommend buffering such as fencing and/or landscaping to minimize the impact where proposed utility lines and facilities may adversely affect adjacent lands.
- 3.6.34 The County may recommend new subdivisions or require new developments adjacent to utility lines and facilities to provide adequate fencing and/or buffering to maximize safety, and minimize impacts such as noise, smoke, vibration or hazards on any proposed development. The type and amount of buffering shall be determined by the County based on the proximity, type and frequency of use of the line/facility and the form of the proposed development.
- 3.6.35 The County shall require that where a utility line or facility will require crossing a permanent and naturally occurring waterbody, appropriate provincial and federal government agencies be consulted and all necessary approvals are issued before construction begins.
- 3.6.36 The County shall endeavour to ensure that utility line and facility construction is sensitive to the natural topography and adjacent land uses; and, that cut/fill, tree clearing and visible scarring of the landscape for access construction is minimized.
- 3.6.37 The County may request that utility companies provide their existing and future service requirements for the area of the development proposal when reviewing development proposals.

- 3.6.38 The County shall endeavour to ensure that utility facilities, systems and rights-of-way are protected from incompatible land uses and that new utilities are located so that there is minimal obstruction to adjacent and surrounding land uses.
- 3.6.39 The County shall establish an inventory of all pipeline rights-of-way within the County and make this information available to citizens.
- 3.6.40 Development Permit and Subdivision applications for developments in proximity to pipeline rights-of-way shall be referred to the applicable pipeline companies for their review and input. The County shall require the development in proximity to pipeline rights-of-way to comply with the recommended standards and guidelines established by the applicable pipeline companies and industry standards.
- 3.6.41 The County shall require that new waste management facilities, sewage lagoons and water systems are sited in accordance with provincial regulations.
- 3.6.42 The County may enter into an endeavour to assist agreement for a term of up to ten (10) years with the Developer if a communal water or sewer system is constructed by a Developer and the County requires it to be oversized to accommodate future growth and expansion.
- 3.6.43 The County should encourage new major utility rights of way to avoid urban areas and areas designated for urban expansion. Where such lines must be located close to urban centres, they should be designed to be compatible with future urban growth.
- 3.6.44 The County shall support the provision of regional servicing systems, including water.
- 3.6.45 The County shall continue to cooperate with the Province and other municipalities in the planning of solid waste disposal facilities to ensure that adverse environmental and social impacts are minimized.
- 3.6.46 The County shall maintain a close liaison with Alberta Transportation to avoid conflicts with utility networks and highway improvements.

Communication Towers

- 3.6.47 The County shall liaise with Industry Canada and Transport Canada to provide regulations for locating communication towers and related facilities, as requested.
- 3.6.48 The County shall encourage the co-location of communication towers.
- 3.6.49 The County shall require that communication towers are located in a manner that minimizes the impact on the natural environment and residential communities while

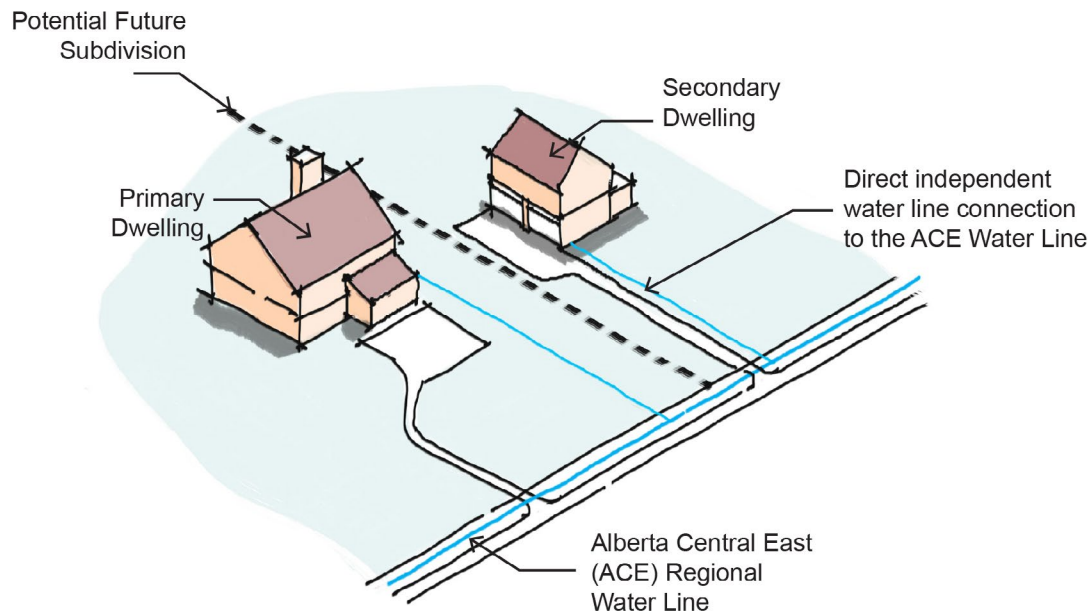
recognizing the unique locational requirement for siting communication towers.

Wind Energy Conversion Systems (WECS)

- 3.6.50 The County shall ensure that wind turbines are located in a manner that minimizes the impact on the natural environment and any residences while recognizing the unique locational requirement for siting wind turbines.
- 3.6.51 The Developer of a Wind Energy Conversion System, Commercial shall enter into a development agreement and/or road use agreement to the satisfaction of the County.
- 3.6.52 The Developer of a Wind Energy Conversion System, On-Site may enter into a development agreement at the discretion of the County.

ACE Regional Waterline Connection

- 3.6.53 The County shall require that secondary dwellings connected indirectly to the Alberta Central East (ACE) Regional Waterline through the primary dwelling acquire a direct and independent connection to the ACE Regional Waterline before subdivision from the parent parcel.



Broadband Strategy

- 3.6.54 The County shall continue to support broadband infrastructure in accordance with the County's Rural Broadband Policy and Broadband Strategy.



3.7 ENVIRONMENT, HAZARD LANDS, RECREATION AND OPEN SPACE

CONTEXT

The County strives to identify hazardous lands, sour gas facilities and environmentally sensitive areas, and to work towards ensuring those lands are protected and mitigated as appropriate.

The County recognizes that there are limited recreational resources within the County, and all private and public recreational lands and facilities must be managed in a fashion to maximize benefits for all County residents and visitors to the County.

The County remains concerned about the encroachment of incompatible land uses adjacent to fish and wildlife habitats.



OBJECTIVES

The policies below will help to meet the following objectives:

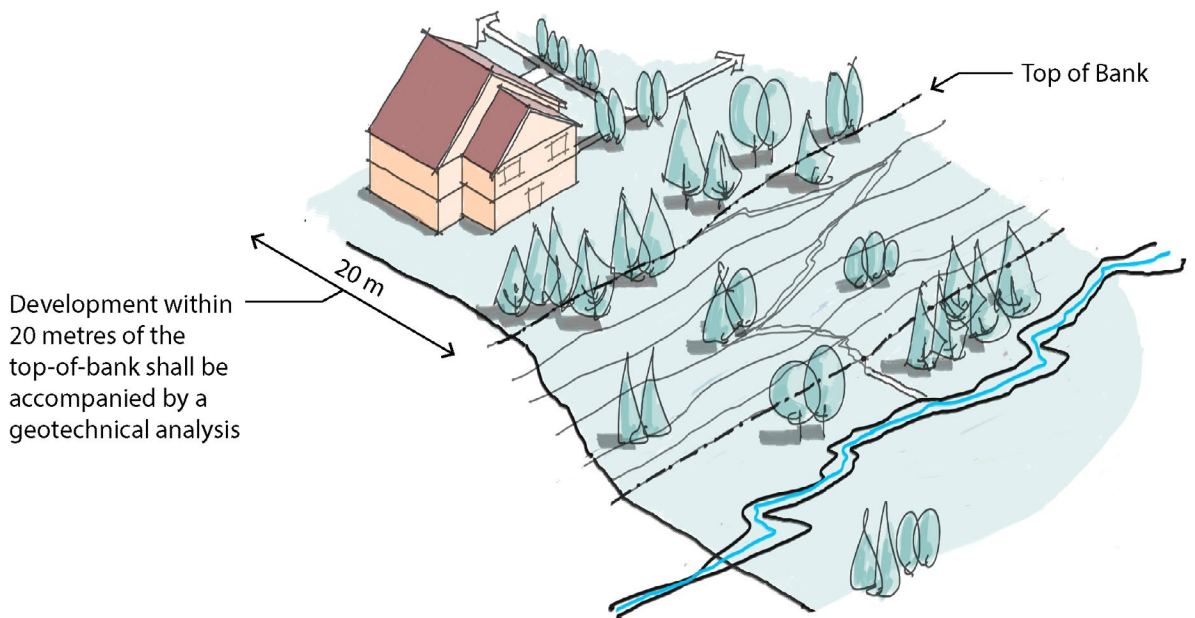
- To ensure that public health and safety is a fundamental requirement for all subdivisions and developments by directing them away from hazardous lands.
- To protect environmentally sensitive areas.
- To identify and protect areas with significant scenic, recreational or open space potential.
- To preserve arable land for agricultural use by directing recreation development to dryland pastures where feasible.
- To encourage the development of a greater diversity of recreational services and facilities.
- To inventory and protect environmentally sensitive areas, e.g. shorelands, steep slopes, wetlands, and unique landforms.
- To continue to work closely with the provincial and federal governments as well as not-for-profit agencies to encourage the preservation and development of fish and wildlife habitat.
- To promote development approaches that do not result in further net loss of wetlands.

POLICIES

Hazard Lands

- 3.7.1** The County shall define potentially hazardous lands, or lands less suitable for development, as being those lands:
- a. having inadequate drainage;
 - b. having high water tables or ground water seepage;
 - c. susceptible to flooding;
 - d. susceptible to soil erosion;
 - e. having a high wildfire risk;
 - f. with slope greater than 15%; and/or
 - g. in proximity to sour gas lines and facilities.
- 3.7.2** The County shall maintain information indicating the location of sour gas facilities as supplied by the Alberta Energy Regulator (AER).
- 3.7.3** The County shall apply AER setback regulations, guidelines, and Directive 79 respecting sour gas and other oil and gas facilities, including pipelines, when considering land use, subdivision and development applications.

- 3.7.4 The County shall endeavour to maintain up-to-date information indicating the location of areas that are prone to flooding within the County as supplied by the Province.
- 3.7.5 The County shall prohibit development in the 1:100 year flood plain, except for the non-facility components of an agricultural operation and specialty agriculture, extensive and intensive recreation, and transportation and utility facilities unless the Developer can demonstrate properly engineered flood protection measures.
- 3.7.6 The County may require that any development within 100 metres (330 feet) of a water body must have the top of the bank identified by a legal survey.
- 3.7.7 The County may require that for development proposed within 100 metres (330 feet) of a river, the developer submit an engineering or geotechnical analysis conducted by a qualified person to determine the active erosion on the meanders of that river, as well as to identify the flood plain and bank stability.



- 3.7.8 Unless a lesser distance is specified within a land use district in the Land Use Bylaw, the development permit application for a development proposed within 20 metres (66 feet) of the top-of-bank, or waterbody, shall be accompanied by an engineering or geotechnical analysis conducted by qualified professionals addressing but not limited to the flood plain and bank stability, which may determine the need of additional setbacks due to site-specific conditions.
- 3.7.9 Notwithstanding 3.7.8, the Subdivision or Development Authority, as the case may be, shall refer and adhere to any provisions contained with a Provincial Flood Risk Mitigation Program or regulation applicable to the area if those provisions are more

stringent than those of the Land Use Bylaw.

- 3.7.10 The County shall require the developer to provide a geotechnical study for development proposed on land with slopes greater than 15% and to implement any required measures to address slope stability, as may be determined in the geotechnical study.
- 3.7.11 The County may require that the developer, in the case of structural developments, identify soil type during preliminary planning and, if required, have a geotechnical study prepared that identifies measures to mitigate any substandard soils to ensure a safe building site.
- 3.7.12 The County may require developers to dedicate hazardous lands as environmental reserve, either in the form of a lot, easement, or using other instruments such as a conservation easement in accordance with Section 3.8 of this Plan.
- 3.7.13 The County shall encourage private landowners and industry to maintain forested areas along all waterbodies to reduce erosion and to provide for enhanced visual amenities.

Fish and Wildlife Policies

- 3.7.14 The County shall discourage land uses within or immediately adjacent to critical habitat areas which will adversely affect the characteristics of the area vital to habitat maintenance.

FireSmart

- 3.7.15 The Subdivision Authority or Development Authority, as the case may be, may require subdivision or development applicants to submit a Fire Hazard Assessment and plan to address wildfire mitigation guidelines as contained in the Partners in Protection Program “FireSmart: Protecting Your Community from Wildfire”, as amended.
- 3.7.16 Further to Policy 3.7.15, the Subdivision Authority or Development Authority, as the case may be, may require applicants to implement wildfire mitigation guidelines as contained in the Partners in Protection Program “FireSmart: Protecting Your Community from Wildfire”, as amended, as a condition of subdivision or development approval.

Recreation & Open Space

- 3.7.17 The County shall encourage the development of areas with significant scenic, recreational or open space potential as open space and recreational uses for the benefit of the citizens of the County as a whole, as well as visitors to the County, provided that environmental standards are maintained.

- 3.7.18** The County may permit non-recreational uses on land having scenic, recreational or open space potential where, in the opinion of the County, the recreational attributes of the site will not be lost.
- 3.7.19** The County should continue to work with the Province and encourage the Province to acquire land in the County to establish a provincial park. Candidate areas include Akasu, Whites Lake, Wapasu Lake and the Vermilion River.
- 3.7.20** The County shall endeavour to protect the scenic qualities and natural beauty of recreation or open space when reviewing proposed developments on or near these lands.
- 3.7.21** The County shall endeavour to maintain, where desirable, public access to lake shores, river and major creek valleys by:
- a. retaining roadway rights-of-way which provide access to these areas; and
 - b. requesting developers to provide public access at the time of subdivision or development (where desirable).
- 3.7.22** The County shall encourage the development of non-facility-oriented uses such as trail systems and non-intensive recreational activities, including hiking and ski touring, along river and creek valleys.
- 3.7.23** The County shall not allow uses which are, in the opinion of the County, considered incompatible with recreation and open space uses and will have a detrimental effect on the recreational resources.
- 3.7.24** The County may allow resource extraction and resource processing industries in areas with significant scenic, recreational or open space potential, provided that reclamation procedures, permits and development agreements are agreed upon and implemented (see Section 3.5, Natural Resource Development).
- 3.7.25** The County shall endeavour to cooperate and coordinate its recreational facilities and services with those of the urban municipalities within its boundaries for the mutual benefit of all, and in recognition that some forms of recreation are better accommodated in urban centres, while others require rural amenities.
- 3.7.26** The County shall cooperate with other agencies in seeking to improve recreational opportunities and facilities for the residents of the County.
- 3.7.27** The County shall support the continued involvement of community groups and associations in community events and activities to improve the overall quality of rural life.

- 3.7.28 The County may acquire or otherwise preserve lands in marshes, along rivers, streams, lakes, or areas having steep slopes which are considered too difficult to develop.
- 3.7.29 The County may request that the Province, through the relevant department or authority, acquire the lands for conservation and/or preservation of the resource where unique natural areas or environmentally sensitive lands become available.
- 3.7.30 The County shall require an amendment to the Wapasu Recreation Conservancy Area Structure Plan for the creation of any additional limited-services recreational lots at Wapasu Lake, and all associated costs, including subdivision and development-related, are the sole responsibility of the developer.

Major Resort/Recreation Proposals

- 3.7.31 The County may determine that to consider a major resort/recreation proposal, the subject land must be redistricted to an appropriate land use district in the Land Use Bylaw.
- 3.7.32 The County may require major developments on high quality recreational lands to conduct an environmental impact study to indicate what effects they will have on the environment and what impact they will have on the use of the recreational resource by the general public.



3.8 RESERVE LANDS

CONTEXT

The County shall ensure that reserves are taken to meet the future recreational and educational needs of residents and to protect environmentally sensitive areas.



OBJECTIVES

The policies below will help to meet the following objectives:

- To ensure that school, municipal and environmental reserves are taken in accordance with the provisions of the Municipal Government Act.
- Full reserve allocations are considered necessary for the recreational, environmental and educational requirements of residents of the County.

POLICIES

Municipal Reserve

- 3.8.1** The County shall take the full 10% municipal reserve allowable under Section 666(2) of the Municipal Government Act as land dedication or cash-in-lieu.
- 3.8.2** Notwithstanding Policy 3.8.1, the County shall not take municipal reserve in accordance with Section 663 of the Municipal Government Act, which states that the Subdivision Authority may not require the dedication of municipal reserve, school reserve or the cash in lieu equivalent if:
- a. one lot is to be created from a quarter section of land;
 - b. land is to be subdivided into lots of 16.0 hectares (40 acres) or more and is to be used only for agricultural purposes;
 - c. the land to be subdivided is 0.8 hectares (2 acres) or less; or
 - d. reserve land, environmental reserve easement or money in place of it was already previously taken in respect of the land that is the subject of the proposed subdivision under this Part or the former Act.

Cash in Lieu of Reserves

- 3.8.3** The County shall take 100% of the reserve land or cash in lieu of owing, in the absence of an agreement respecting reserve land between the County and the school divisions having jurisdiction within the County.
- 3.8.4** The County shall require that where cash is to be provided in lieu of land, the value of the land is determined in accordance with Section 667 of the Municipal Government Act.
- 3.8.5** The County shall consider the use of market value raw land assessment of a property prepared by the County assessor to determine the cash-in-lieu of reserve land requirements if agreed to by the applicant and the Subdivision Authority and as an alternative to Section 667(1)(a) of the Municipal Government Act.

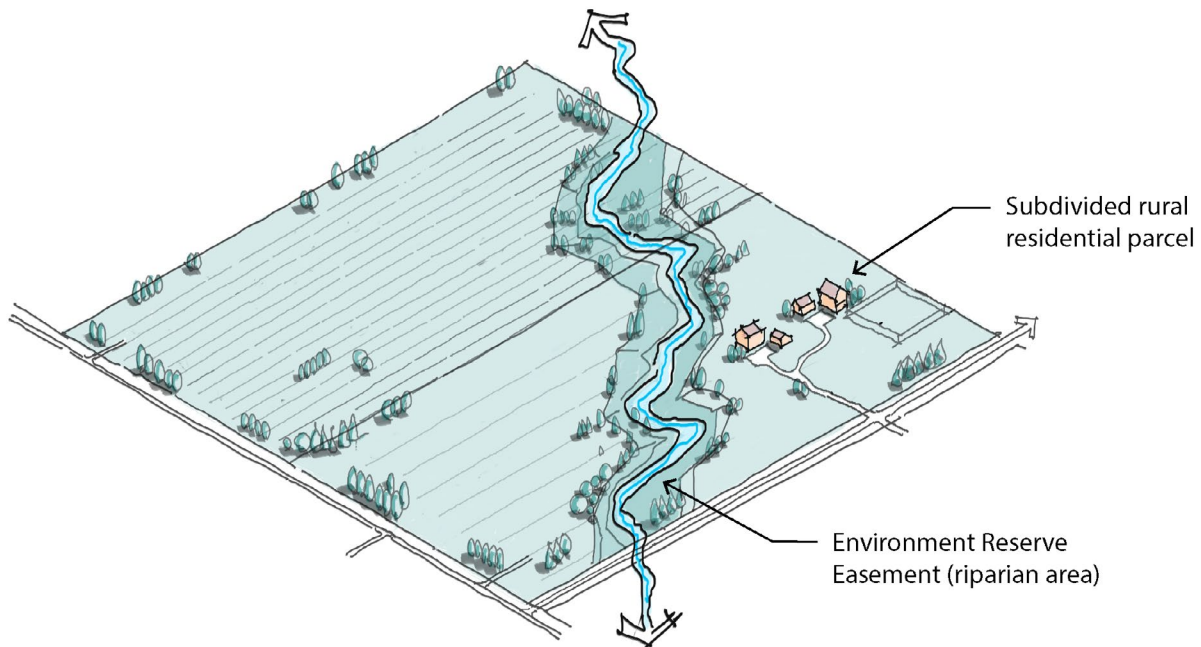
- 3.8.6** The County shall take cash-in-lieu for municipal reserve to support the provision of rural recreation opportunities and any joint use agreements that have been established with the urban municipalities unless the County determines that reserve land is required to serve a particular recreational or open space need. With respect to how reserve will be taken, the County will generally require cash-in-lieu of reserve land for any proposed lots and defer the reserve owing for the remnant of the existing titled area by way of Deferred Reserve Caveat registered against the title issued for the remnant.
- 3.8.7** To further specify Policy 3.8.6, the County may determine in the case of an acreage residential subdivision or major resort/recreation proposal involving a significant number of lots, that a portion of the municipal reserve will be taken as land to provide the residents of the development with open space, trails and recreational areas, with the balance owing provided in the form of cash-in-lieu of land.

School Reserve

- 3.8.8** The County shall provide land for a school as required whenever any of the school districts having jurisdiction within the County identify the need for school land in the County. As necessary, the County will establish or reaffirm reserve agreements with the said school divisions.

Environmental Reserve

- 3.8.9** The County shall take environmental reserves pursuant to Section 664 of the Municipal Government Act either in the form of land dedication (ownership transferred to the County) or as an environmental reserve easement (private ownership is retained). Where the County wishes to ensure public access to a water course or waterbody, it will take environmental reserve in the form of land dedication. All environmental reserves are to remain in their natural state except as permitted in accordance with Division 9 of the Municipal Government Act.



Conservation Reserve

3.8.10 Following Section 664.2 of the Act, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land to the municipality as conservation reserve if:

- a. In the opinion of the subdivision authority, the land has environmentally significant features;
- b. The land is not land that could be required to be provided as an environmental reserve; The purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land; and
- c. The taking of the land as conservation reserve is consistent with the municipality's Municipal Development Plan and Area Structure Plan.

3.8.11 As per Section 664.2(2) of the Act, within 30 days of the creation of a conservation reserve, the municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time of the application for which the subdivision approval was received.

Conservation Easement

3.8.12 The County shall consider taking land offered by a land owner under a conservation easement agreement if the land is to protect an important wildlife habitat or ecosystem. It is preferred that the donor select a non-profit, or not-for-profit organization to be the dominant tenement of the easement agreement.

3.8.13 At the discretion of the Development Authority, the use of a conservation easement may be considered as an alternative to traditional Environmental Reserve during the subdivision process. Conservation easements are provided for under the Alberta Land Stewardship Act (ALSA).

3.8.14 A conservation easement is a voluntary agreement that landowners may enter into to protect the natural values of all or a part of their land. Conservation easements may be granted for the following purposes:

- a. the protection, conservation, and enhancement of the environment including without limitation, the protection, conservation, and enhancement of biological diversity;
- b. the protection, conservation, and enhancement of natural scenic or aesthetic values; and
- c. providing for any or all of the following uses of the land that are consistent with purposes set out in clause (a) or (b);
 - i. Recreational use;
 - ii. Open space use;
 - iii. Environmental education use; or
 - iv. Use for research and scientific studies of natural ecosystems.



3.9 HISTORICAL RESOURCES

CONTEXT

The County recognizes a need to record and protect historical and archaeological resources and to provide educational and interpretive opportunities for future residents.



OBJECTIVES:

The policies below will help to meet the following objectives:

- To support the inventory and evaluation of historic resources in the County.
- To support the preservation of areas and sites possessing cultural or historical significance.

POLICIES:

- 3.9.1** The County should maintain an inventory of historic resources.
- 3.9.2** The County should encourage further research into the history of sites and buildings in the County, to further the understanding of the early development of the area.
- 3.9.3** The County may support the establishment and operation of historical societies in the County where such will aid in the preservation of historic resources.
- 3.9.4** The County may designate valuable historic sites and buildings following an established bylaw where Council considers the preservation of the resource to be in the public interest.
- 3.9.5** The County shall advocate to the AER and NRCB to protect identified historic, natural archaeological, scientific, and cultural resources from the potential impacts of proposed resource extraction developments.
- 3.9.6** The County shall ensure subdivision applications, or development applications where appropriate, are sent to the relevant provincial authorities having jurisdiction concerning the historical resources. Should the Province identify historical resources along with any measures required to be undertaken by the proponent in relation to the protection of the same, the proponent shall provide proper documentation to the County to confirm that whatever measures required of the proponent by the Province are undertaken to the satisfaction of the Province before the endorsement of the subdivision or issuance of the development permit.



3.10 INTERMUNICIPAL PLANNING

CONTEXT

The County of Minburn No. 27 is strongly committed to intermunicipal cooperation and planning and encourages cooperation among the three urban municipalities within its boundaries and the five rural municipalities surrounding the County to ensure compatible land uses in these intermunicipal areas and to meet the needs and future requirements of all municipalities.

Although the County recognizes that urban municipalities require land to expand, there is some concern that unplanned urban development and subdivision and premature annexation can have negative effects on the adjacent rural area.

With respect to any existing or future financial agreements between the County and any adjacent municipality, the County prefers to keep such agreements separate from any land use agreement or intermunicipal development plan negotiated pursuant to this Plan or the Municipal Government Act.



OBJECTIVES

The policies below will help to meet the following objectives:

- To ensure that an effective protocol and referral system exists between the County and its urban and rural neighbours.
- To coordinate, in particular, land uses and facilitate planned development in the urban fringes of the County.
- To promote a close liaison between the County and urban municipalities to coordinate matters of mutual concern.

POLICIES

General

- 3.10.1** The County shall assert that, generally, the provisions of this Plan and the Land Use Bylaw, in conjunction with the Municipal Government Act and its Matters Related to Subdivision and Development Regulation, provide a sufficient basis upon which to continue cooperating effectively and efficiently with all of its municipal neighbours, both rural and urban, with respect to planning matters.
- 3.10.2** The County shall remain committed to undertaking a formal agreement, intermunicipal development plan, and/or a joint area structure plan with the adjacent municipalities should the parties involved agree there is a need.
- 3.10.3** The Council, Subdivision Authority or Development Authority, as the case may be, shall make referrals to any adjacent municipality for their review and comment pursuant to the relevant requirements in the Municipal Government Act, and its Matters Related to Subdivision and Development Regulation, and Land Use Bylaw. The Council, Subdivision Authority or Development Authority may exceed these minimum requirements for adjacent municipality referral should they determine it is warranted. In either case, the Council, Subdivision Authority or Development Authority shall take into account but not be bound by the comments it receives from adjacent municipalities in rendering decisions with respect to the referrals made.
- 3.10.4** The County shall refer all applications where potential public road access is under the jurisdiction of the neighbouring municipality to the neighbouring municipality.
- 3.10.5** The County shall pursue conflict resolution through mediation before any submission to the Land and Property Rights Tribunal as it recognizes that a hierarchy of dispute resolution methods could be appropriate for resolving urban fringe and other intermunicipal conflicts involving the County.

Urban Expansion

- 3.10.6** The County shall recognize the importance of the level of services available in urban municipalities and support their continued orderly and efficient growth.
- 3.10.7** The County shall encourage all urban municipalities within its boundaries to identify future urban expansion requirements based on demonstrated need to help guide and coordinate the future growth and development of the region.
- 3.10.8** The County shall support comprehensive annexation applications if it concurs with underlying growth, planning and engineering servicing analysis. The County recognizes that urban municipalities should contain sufficient land to allow for expansion in the foreseeable future. The County shall not support piecemeal annexation proposals.
- 3.10.9** Further to Policy 3.10.8, the County shall give preferential consideration to comprehensive annexation proposals that are in accordance with a formally adopted intermunicipal development plan.
- 3.10.10** The County shall protect lands identified for future urban expansion as specified in an adopted intermunicipal development plan.
- 3.10.11** The County shall prefer that urban expansion avoids arable lands, environmentally sensitive areas and significant natural resources, unless no alternative exists.
- 3.10.12** The County shall recommend and support urban development that is a logical extension of the present land use patterns and does not result in urban development leapfrogging areas of farmland.
- 3.10.13** The County shall endeavor to cooperate and consult with neighbouring municipalities to plan and manage land use in areas where decisions may affect both parties.

Joint Planning

- 3.10.14** The County shall continue to fulfill its commitments established through joint planning initiatives identified in existing intermunicipal development plans, and encourage partner municipalities to work collaboratively to this end.
- 3.10.15** The County shall encourage the preparation of joint Area Structure Plans with the Village of Innisfree, Town of Vegreville and Village of Mannville that address such issues as, but not limited to:
- a. the extent of the intermunicipal fringe area surrounding the Village of Innisfree;
 - b. identifying mutual interests, challenges and opportunities;

- c. understanding the growth potential of the Village over a 15 – 20 year period;
- d. identifying infrastructure servicing requirements, current and future;
- e. exploring opportunities and constraints to in-fill and redevelopment;
- f. identifying joint referral areas for planning and development applications that may affect both municipalities;
- g. identifying opportunities for service and cost-sharing;
- h. establishing terms of reference for joint servicing/cost-sharing agreements;
- i. reviewing existing Village land use bylaw and making recommendations for amendments to support growth management;
- j. those matters required by the Municipal Government Act; and
- k. any other matters the municipalities agree should be addressed.



3.11 PLAN IMPLEMENTATION AND REVIEW

CONTEXT

This Plan will be used by Council and the administration of the County to provide guidance and direction when making decisions on land use, subdivision and development.



OBJECTIVES

The policies below will help to meet the following objectives:

- To ensure that the goals, objectives and policies of this Municipal Development Plan are implemented.

POLICIES

Future Land Use Concept

- 3.11.1 Future development shall be in general conformance with Map 2: Future Land Use Concept.
- 3.11.2 Except for the Hamlets of Lavoy, Ranfurly and Minburn, which are designated for hamlet uses identified on Map 5, and except for an acreage residential subdivision known as “Brookwood Estates” (NW 17-53-14-W4M) identified on Map 6, and except for lands identified as residential areas on Map 6, except for the lands within the Wapasu Recreation Conservancy Area Structure Plan, and except for the lands within the Highways 16 & 36 Crossroads Area Structure Plan, East Industrial Park ASP, West Industrial Park ASP identified on Map 4, all land in the County, is designated for agricultural/rural land use and development, as stated on Map 2, unless and until further specified in an intermunicipal development plan or area structure plan.
- 3.11.3 The County shall articulate and implement the agricultural/rural land use and development so designated and provided for by this Plan through the provisions of this Plan as well as those of the Land Use Bylaw.

Plan Amendment Principles

- 3.11.4 The County shall be guided in the exercise of discretion related to any matter or decision rendered with respect to this Plan as well as the amendment of this Plan by the following principles:
- a. The exercise of discretion in deciding an application pursuant to this Plan or an amendment to this Plan must be both reasonable and defensible within the letter and spirit of this Plan as well as widely accepted planning principles;
 - b. If a requirement or provision of this Plan is to be deviated from or if an amendment is to be made, it is essential that those exercising the discretion or making the amendment clearly understand the rationale behind the requirement or provision they are being asked to amend or regarding which they are exercising discretion;
 - c. Discretion and amendment shall only be considered if it can be

demonstrated that the discretion or amendment being considered will, at a minimum, not jeopardize the goals, objectives and policies of this Plan and, at best, better serve them; and

- d. Any discretion exercised or any amendment made shall be fully documented so that the reasons and rationale for the discretion exercised or the amendment made are accurately recorded and clearly understood.

Area Structure Plan and Conceptual Schemes

3.11.5 The County may require that an Area Structure Plan or Conceptual Scheme be prepared by a qualified person (e.g. Registered Professional Planner) to provide more detailed planning direction in specific areas, as provided for in this Plan and/or as required in the Land Use Bylaw or pursuant to the Municipal Government Act and its Matters Related to Subdivision and Development Regulation – refer also to the “Generic Terms of Reference for the Preparation of a Conceptual Scheme or Area Structure Plan in the County contained in Appendix One of this Plan.

3.11.6 In support of an application to redistrict to the AR – Acreage Residential District, RI - Rural Industrial District, RC - Rural Commercial District, HM/MDC Manufactured/ Modular Homes Communities District, RR - Recreation and resort District, the County shall require:

- a. a Conceptual Scheme (normally when lot density does not exceed 10 lots per quarter section, including the remnant); or
- b. an Area Structure Plan (normally when lot density does exceed 10 lots per quarter section, including the remnant) prepared/compiled by a qualified person (i.e.: Registered Professional Planner).

3.11.7 The County may require the preparation of a Conceptual Scheme for subdivision applications involving up to 10 lots in hamlets.

Application requirements for a Conceptual Scheme

3.11.8 The application for Conceptual Schemes shall include:

- a. proposed land uses and lot layout;
- b. provision of services (water, sewer, roads, and utilities);
- c. the logical and orderly sequence of development;
- d. consideration of soil, topography, drainage, and other physical constraints to development;
- e. location and extent of reserve lots;
- f. impact on adjacent land uses;
- g. if development is to be serviced with on-site water, includes a report certified by a professional engineer, professional geologist or professional geophysicist

proving that the diversion of 1250 cubic metres of water per year for household purposes for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, as per Section 23 of the Water Act;

- h. if development is to be serviced with on-site sewage treatment, includes soils and near-surface water table testing, certified by an accredited professional, demonstrating the suitability of soils for on-site sewage treatment and the construction of basements;
- i. where applicable, Alberta Transportation comments with respect to the access, egress and potential impacts on the highway system and traffic safety; and
- j. any other matters the County considers necessary.

3.11.9 The County may request a geotechnical study as part of a Conceptual Scheme application if the County has reason to believe that the land that is proposed to be subdivided may have significant physical limitations to development or if the proposed use of the land creates unusual circumstances that require additional consideration.

Application requirements for an Area Structure Plan

3.11.10 The application for an Area Structure Plan shall include:

Site layout, site features and surrounding context

- a. proposed land uses and lot layout;
- b. existing or proposed adjacent land uses and their compatibility in relation to the proposed land uses;
- c. the logical/orderly sequence of development;
- d. details of all internal subdivision roads, whether public or part of a bareland condominium, and their intersections with any adjacent County road or highway, the design and construction of the foregoing being as per County standards and to the satisfaction of Alberta Transportation where applicable;
- e. all natural or man-made features or hazards along with proposed mitigative measures;
- f. the proposed access/egress to and from the site as well as within the site;
- g. landscaping, screening, and signs;

Alberta Transportation Circulation, where applicable

- h. where applicable, Alberta Transportation comments with respect to the access, egress and potential impacts on the highway system and traffic safety;

Supporting Studies (Biophysical, TIA, Geotechnical)

- i. a biophysical assessment conducted by qualified persons addressing soil, topography and other potential constraints to development as well as an

assessment conducted by qualified persons identifying and addressing any impacts on wildlife and their habitat;

- j. a traffic impact assessment as required by the County or Alberta Transportation;
- k. a Geotechnical Study prepared by a professional engineer identifying and addressing environmental constraints that may be present within the plan area including the water table;

On-site water servicing information

- l. if development is to be serviced with on-site water, includes a report certified by a professional engineer, professional geologist or professional geophysicist proving that the diversion of 1250 cubic metres of water per year for household purposes for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, as per Section 23 of the Water Act;

Municipal servicing information

- m. if development is to be serviced with communal services (i.e.: municipal water distribution and/or sewage collection and treatment), includes all required engineering analysis and supporting documentation bearing the seal and signature of a qualified engineer licensed to practice in the Province of Alberta;

On-site sanitary servicing information

- n. if development is to be serviced with on-site sewage treatment, includes soils and near-surface water table testing, certified by an accredited professional, demonstrating the suitability of soils for on-site sewage treatment and the construction of basements;

Stormwater management

- o. a stormwater management plan bearing the seal and signature of a qualified engineer licensed to practice in the Province of Alberta, the scope and detail of which being dependent upon the scale of the subdivision/development;

Reserve dedication

- p. provision of all reserve dedications;
- q. Emergency Services and Firesmart emergency service provision and infrastructure requirements associated therewith;
- r. FireSmart principles where relevant;

Applicable buffers

- s. provision of adequate separation from existing or proposed resource extraction or processing industries, sour gas facilities, confined feeding operations and other similar uses within 1.6 km;
- t. Shallow utilities;

- u. identifies how power, gas, broadband internet and telephone services are to be provided;

Specific requirements for rural industrial developments

- v. the types of chemicals and toxic materials to be used or stored on-site and a method of containment and clean-up should spills occur;
- w. mitigation measures for potential impacts on adjacent land uses and proposed measures to reduce those impacts;
- x. mitigation measures for prevailing winds that may convey noise and/or odours; and

Additional information

- y. contains any other matters the County considers necessary.

3.11.11 The County shall ensure Area Structure Plans and Conceptual Schemes conform to the purpose and intent of this Plan.

3.11.12 The County shall ensure that all development and subdivision decisions comply with the policies and provisions of the Area Structure Plan or Conceptual Scheme in effect concerning the land that is subject to an application for a development permit or subdivision.

Land Use Bylaw Amendment

3.11.13 An amendment to the County's Land Use Bylaw will be required to ensure Land Use Bylaw regulations align with the objectives and policies established in the Municipal Development Plan.

Development agreements, caveats, performance bonds, letters of credit, restrictive covenants

3.11.14 The County may require development agreements, caveats, performance bonds, letters of credit, restrictive covenants or any other mechanisms contained within the Land Use Bylaw to secure the performance of any requirement stipulated in the regulations and provisions of this Plan or Land Use Bylaw.

3.11.15 The County may require that an applicant enter into a development agreement with the County, and all matters contained therein being to the satisfaction of the County, to secure compliance with the goals, objectives and policies of this Plan regarding matters of subdivision, re-designation and development.

3.11.16 The County may require within a development agreement for subdivision, re-designation or development that the applicant secure performance of the agreement utilizing a restrictive covenant, letter of credit or by registering the agreement on the title by way of a caveat.

DEVELOPMENT COSTS

Hamlets

- 3.11.17 The Developer shall be responsible for all costs associated with the servicing of all new subdivisions and developments including infill of existing lots (see also Section 3.6 Transportation & Utilities).
- 3.11.18 The Developer shall bear any costs associated with relocating an existing water and/or sanitary sewer connection to another location on the same lot.
- 3.11.19 The Developer shall be responsible for the construction of public roads to County Road standards if the timing of the proposed development does not correspond to the established road construction priorities of the County in order to access a proposed development. A non-negotiable form of security shall be provided by the Developer to ensure that road construction is to the required standard of the County.

Acreage Residential, Rural Industrial, General Commercial, Manufactured/Modular Home Communities, Major Resort/Recreational Development and Industrial Park Subdivision

- 3.11.20 The Developer shall bear all subdivision and development costs. Further, the Developer shall also be responsible for costs incurred by the County such as:
- a. all reasonable legal fees and disbursements incurred by the County in the negotiation, preparation and execution of any required agreement(s) and all reasonable legal fees and disbursements, engineering fees, planning fees and any other consulting fees incurred by the County in the preparation, performance and enforcement of the terms and conditions of an agreement;
 - b. all costs and expenses reasonably incurred by the County in testing any work performed or material supplied by the Developer pursuant to an agreement;
 - c. cost of all work and materials required for the work repaired or re-done because of orders and directions of the County;
 - d. additional costs incurred by reason of the County requiring additional workers, machinery and equipment;
 - e. all costs and charges incurred by the County for the work to be performed and carried out by the County and its staff pursuant to an agreement along with the reasonable charges by the County for the time spent by the County in performing the obligations to be performed or carried out by the County under an agreement; and
 - f. utilities and provision of broadband internet connection, if considered.

Private Sewage Systems

- 3.11.21 The County shall use Appendix Two, which forms part of this MDP and contains the County's policy with respect to Private Sewage Systems, in tandem with the policies

of this MDP and the regulations of the Land Use Bylaw as they relate to private sewage systems. Should any conflict arise between the policies contained in Appendix Two and the MDP or Land Use Bylaw, the policies in Appendix Two shall prevail.

Advocacy Measures

- 3.11.22** The County should explore how the protection of and restoring wetlands can contribute to the protection of County's roadways, bridges, recreation spaces as well as storm and wastewater facilities.
- 3.11.23** The County shall continue to work with Ducks Unlimited Canada and other local organizations and continue to educate citizens about the benefits of wetland preservation.
- 3.11.24** The County shall continue to educate citizens about the impact of land use planning and use of fertilizers around lakes on the quality of water in lakes.
- 3.11.25** The County should work with the Village of Mannville, the Village of Innisfree, and the Town of Vegreville and establish a Regional Economic Development Framework to collectively promote the region.
- 3.11.26** The County should continue to educate landowners about various resources available to them when dealing with renewable energy projects on their land including services and guidance provided by the Farmers Advocate Office (FAO) and Alberta Utility Commission (AUC).

Incentives

- 3.11.27** The County should continue to support and promote its 'Buy a lot for a Loonie' program to attract potential investments.
- 3.11.28** The County should continue to provide incentives to property owners as per its Non-Residential Tax Incentive Bylaw and support the County's economic development objectives.

Plan Review

- 3.11.29** The County may undertake a full review of this Plan should there be repeated applications to amend this Plan submitted to the County, or should the County itself find that it has had the need to initiate repeated amendments to this Plan.

Plan Monitoring

- 3.11.30** The County should ensure this Plan is monitored and amended as required with a complete review undertaken every seven years.

APPENDIX ONE



GENERIC TERMS OF REFERENCE FOR THE PREPARATION OF A CONCEPTUAL SCHEME OR AN AREA STRUCTURE PLAN IN THE COUNTY OF MINBURN NO. 27

(Forms part of this bylaw)

GENERIC TERMS OF REFERENCE FOR THE PREPARATION OF A CONCEPTUAL SCHEME OR AREA STRUCTURE PLAN WITHIN THE COUNTY OF MINBURN NO. 27

1. Introduction

These generic terms of reference are intended to give general guidance only to development proponents and the Council/Administration in the preparation of a conceptual scheme (CS) or an area structure plan (ASP). It should be noted that the planning and development process is complex and that particular circumstances may warrant the requirement by Council/Administration of information or assurances not discussed here. Since each CS or ASP is different and can have issues and variables unique to that particular CS or ASP, it is often wise to have the CS or ASP guided by specifically tailored terms of reference, beyond these generic ones.

Note: where a CS or ASP is required in support of a land use, subdivision and/or development application, the County will not accept the application as complete unless it is supported by the required CS or ASP. Furthermore, the County will not accept a CS or ASP in support of an application unless it is prepared by a professional planner. For the purposes of these terms of reference, a professional planner, in the case of Alberta, is a person lawfully entitled to the designation “Registered Professional Planner” (RPP).

2. General

The ASP, as provided for under Sections 633 and 636-638 of the Municipal Government Act (MGA), is intended to describe how an area of land under a single owner or multiple-ownership can be used, subdivided and developed in a coordinated way. It is a means of ensuring that the Municipal Development Plan (MDP) is adhered to, that development by one owner does not unnecessarily restrict the options of another, and that development occurs in a way that is safe, efficient, and aesthetically pleasing. The CS, which is similar in purpose and intent to the ASP, is provided for under Section 4(5)(e) of the MGA Subdivision and Development Regulation and is defined in the MGA under Section 653(4.4(b)).

By minimizing the delays caused by the need to coordinate developments on an individual, application-by-application basis, an approved CS or ASP can set the stage for the quick approval of an MDP or Land Use Bylaw (LUB) amendment as well as subdivision and development proposals which conform to its provisions.

3. CS/ASP Boundary

The CS or ASP area is usually defined by prominent boundaries, which will minimize the effects of one area of development on another. These might be roads, natural features, existing uses or servicing boundaries. In the absence of such tangible boundaries, property lines may be used.

4. Land Use and Density

The CS or ASP must show the proposed land uses within the CS or ASP area. The density of development may be indicated by showing tentative lot lines in a CS or ASP covering a small area. In a CS or ASP dealing with a larger area, it may be sufficient to show proposed density ranges within sub-areas of the CS or ASP. In addition, the CS or ASP needs to identify all of the existing land uses within and surrounding the CS or ASP area and must address how any conflicts between existing and proposed uses can be avoided and/or mitigated.

5. Site Suitability

One of the primary purposes of a CS or ASP is to demonstrate that the lands in question are suitable for the proposed uses, subdivision and development. A suitable building site needs to be proven for each proposed use, subdivision and development. Subdivisions which will have the effect of creating or eventually creating five or more unserviced lots within a quarter section need to be accompanied by a geotechnical report comprising near surface water table and soils tests for sewage disposal and basement construction as well as proof of a potable water supply. The geotechnical report shall be prepared in accordance with Alberta Environment's Guidelines and/or Section 23 of the Water Act (and the relevant Ministerial Regulation) and to the satisfaction of the County. The geotechnical information submitted must be contained in a report that is signed and sealed by a certified member of APEGA. The report must contain an appropriate and thorough analysis, discussion and recommendation pertaining to the test results, including a professional assessment of the suitability/appropriateness of the subdivision proposal and design in the context of the geotechnical information submitted. Note that in determining site suitability as it relates to on-site sewage treatment, the County may refer to and utilize the Model Process Reference Document to guide their consideration of proposed subdivisions using private sewage treatment systems.

The requirement for geotechnical information may also be placed on subdivisions of fewer lots if the County has reason to believe that the land that is proposed to be subdivided may have significant physical limitations to development or if the proposed use of the land creates unusual circumstances that require additional consideration. Note that some, or all, of this information may not be required if the land being subdivided is serviced or to be serviced with piped municipal water and sewer systems.

6. Hazard Lands and Development Constraints

The CS or ASP shall show that all proposed subdivision and development is safe from hazards and development constraints. To this end, the CS or ASP shall identify all lands that are subject to flooding, subsidence, steep slopes, the presence of sour gas or other transmission hazards or are otherwise hazardous or constrained as far as development is concerned. Furthermore, the CS or ASP shall indicate proposed methods and mechanisms to eliminate or mitigate the effects of these development constraints including the submission by qualified professionals of any required reports or supporting materials.

7. Traffic Circulation/Access Management

The CS or ASP must show the proposed internal roads intended to directly serve individual lots and how the internal roads will connect with the overall transportation system of the County. Where the staging of development requires interim access to be provided, this shall be described in the CS or ASP.

In the case of applications adjacent to highways, working closely with Alberta Transportation (AT) is critical to ensure they are on side with what is being proposed in terms of access to their facilities both in the interim and over the long term. Those preparing a CS or ASP adjacent to a highway are strongly encouraged to contact AT directly at the outset to determine exactly what they will need addressed as part of the CS or ASP process in order to secure their approval. Getting approval from AT (ideally, securing their signature on the document) goes a long way to

securing subsequent land use, subdivision and development permit applications made pursuant to and in accordance with the CS or ASP.

In support of an application for subdivision, development or redistricting, or as part of an ASP accompanying such an application, the County and/or Alberta Transportation may require that a traffic impact assessment (TIA) be prepared in accordance with the County's and/or Alberta Transportation requirements. The developer/applicant/proponent shall bear the responsibility and the costs of preparing the TIA as well as any undertakings and improvements specified in the TIA.

8. Servicing

The CS or ASP should deal conceptually with ultimate proposed utility servicing and any interim servicing. This includes potable water, sewage disposal, storm water drainage and water systems for fire suppression. Power, gas, broadband internet connection and telephone, etc. are usually assumed to be available, but the CS or ASP should identify and if possible resolve any potential difficulties or complications. A detailed design of servicing systems is not required, but the CS or ASP should be clear in demonstrating that adequate servicing is feasible and available.

9. Staging

Where a CS or ASP covers a large area, a complex development or involves a number of separate ownerships, it is often necessary to demonstrate the way in which subdivision and/or development will take place over time. Interim provisions may be necessary with respect to servicing and access and the effects of the development of one stage on another must be resolved.

10. Community Services

The CS or ASP should indicate the means by which the development will be provided with such community services as schools, recreation, policing, and, in particular, fire protection. This is not necessarily restricted to the provision of land for such facilities, but may also involve assurances that the agencies responsible for such services have the capacity to provide them.

11. Reserve Lands for Parks and Schools & Environmental Reserve

The MGA provides that whenever a subdivision takes place, the owner may be required to provide to the municipality up to 10% of the land as reserve for the purposes of park, tot lots, school sites, and so forth. This is one of the key components of a CS or ASP in that it is to indicate, in specific terms, how the policies and provisions with respect to reserves contained in the MDP will be implemented. If reserve land is to be taken, it is important that the CS or ASP indicate the size, location and configuration of the lot(s) to be dedicated. It is especially important that the above requirements be determined in consultation with local school authority where these lands are for school purposes.

In accordance with the MGA, the County will also require that land which is adjacent to a natural drainage course, subject to flooding, steeply sloped, a wetland and so forth be dedicated as environmental reserve either in the form of a lot or an easement. A biophysical assessment prepared by a qualified professional and which identifies areas of environmental and municipal reserve would be required as part of an application for an ASP. Consultation with Alberta

Environment can also be undertaken in order to help determine any environmental concerns and to assist in identifying those areas to be dedicated as reserves.

12. Graphics

The land use (and other) maps provided with the text of a proposed CS or ASP are especially important because they make clear to Council/Administration and other users of the CS or ASP the character of the proposed development. At the very minimum, basic mapping requirements are as follows:

- general location within the County/surrounding area;
- relationship of the CS or ASP area to the MDP/LUB;
- existing property lines and ownership;
- existing natural or man-made physical features which may constrain development including areas of environmental and municipal reserve;
- proposed land uses and densities specified in as much detail as possible;
- internal road/lot layout;
- existing servicing and proposed servicing concept(s) re: water, sewage treatment/disposal and stormwater management;
- staging of development with interim provisions noted, and,
- a recommended zoning scheme (highly recommended but optional).

Additional mapping may be required depending on the issues that arise and/or need to be addressed in the CS or ASP. The required maps must be clear and at a scale which is appropriate to their purpose. The information outlined above can be combined, resulting in fewer maps, provided this does not result in an unacceptable reduction in legibility.

13. Implementation

An ASP must be adopted by bylaw following the process/requirements spelled out in the MGA under Sections 692, 636, 606 and 230. In accordance with Section 638 of the Act, an ASP must be consistent with the MDP and any other statutory plan in effect such as an intermunicipal development plan. The CS can be adopted by a resolution of Council or by bylaw as determined by Council. Since the CS is not a statutory plan, it is not required by statute to be consistent with all other statutory plans; however, given that a CS and ASP are very similar in intent and purpose, the County would ensure that any CS is consistent with any statutory plan in effect.

The agreement of all the owners within or adjacent to the CS or ASP area is not legally necessary for the adopting (or amending) bylaw/resolution to be passed. The implementation of a CS or ASP may also require cooperation between owners in terms of land trades, temporary rights-of-way across one another's land, and/or joint subdivision applications.

Specific approvals must still be obtained with respect to any required MDP and LUB amendments, subdivision, development agreements and development approval. These can be pursued after the CS or ASP has been approved or can be applied for at the same time as the CS or ASP approval if subdivision and/or development are imminent. It should be made clear, however, that all subsequent processes depend on the approval of what must precede (i.e.: the CS or ASP).

14. Process

The following is a general process for the submission and consideration by the County of a CS or ASP proposal. The steps indicated may be modified as required by specific circumstances affecting a particular CS or ASP proposal. [Note that the following process does not at all preclude informal public open houses/meetings held by the developer or by the County: in fact, they may be encouraged and/or required.]

- a. In accordance with the MDP the owner/developer shall be responsible for costs incurred for:
 - i. any plan, report, analysis, study, etc. required by the County.
 - ii. all reasonable legal fees and disbursements incurred by the County in the negotiation, preparation and execution of any required agreement(s) and all reasonable legal fees and disbursements, engineering fees, planning fees and any other consulting fees incurred by the County in the preparation, performance and enforcement of the terms and conditions of an agreement;
 - iii. all costs and expenses reasonably incurred by the County in testing any work performed or material supplied by the Developer pursuant to an agreement;
 - iv. cost of all work and materials required for the work repaired or re-done by reason of orders and directions of the County;
 - v. additional costs incurred by reason of the County requiring additional workers, machinery and equipment;
 - vi. all costs and charges incurred by the County for the work to be performed and carried out by the County and its staff pursuant to an agreement along with the reasonable charges by the County for the time spent by the County in performing the obligations to be performed or carried out by the County under an agreement.
- b. Prior to making any submissions to the County, the proponent should contact as many of the owners as possible who would be affected by the CS or ASP to discuss their potential involvement in the planning process. Responsibilities for the costs of CS or ASP preparation, arrangements for group decision-making and identification of an individual representative for the group should be resolved as early as possible in the process.
- c. If the development is large enough, a brief and general proposal to undertake the preparation of a CS or ASP ought to be submitted to and approved by the County prior to commencement of work on the full-blown CS or ASP proposal. The submission should deal with proposed CS or ASP boundaries, the general availability of services, the relationship of the proposed development to the MDP, and the potential for resolution of any specific difficulties which can be identified at such an early stage in the process. It should also be made clear exactly who is making the proposal and who their representative is to be. Again, bear in mind that in many instances, specifically tailored terms of reference, beyond these generic ones, will be required to guide the preparation of a particular CS or ASP.
- d. The proponent should gather the information required for the CS or ASP by contacting the appropriate municipal and other agencies. In all cases, the CS or ASP needs to be prepared by a qualified, professional planner with assistance from qualified, professional engineers and other specialists as required. This is very important.

- e. Once a Draft CS or ASP has been prepared, the proponent should submit a digital copy (e.g. PDF) including text and drawings to the County as well as the County's planning consultants for an initial review. If required, the Draft CS or ASP may need to be referred to the County's engineering consultants for review as well. Sufficient copies should be submitted so that all internal staff and any external resources reviewing the Draft CS or ASP have a copy. The cost for this review shall be borne by the developer.
- f. After this initial County review, the County and/or the County's planning/engineering consultants will inform the proponents' planning consultant in writing of any initial concerns or requirements for additional information. For example, if the County's Fire Chief finds the proposed water supply system for on-site fire suppression inadequate or requires further clarification, this would be outlined in the summary review report provided to the proponents. A revised Draft CS or ASP or additional information is then submitted as required.
- g. The County then circulates the Draft CS or ASP (as revised) to various affected agencies for their comments (e.g. School District(s), Health Authority, Alberta Environment and Protected Areas, Alberta Transportation, an adjacent municipality if applicable, etc.). Once the circulation to external agencies is complete, County staff and/or the County's planning/engineering consultants issue a written consolidated response (including copies of letters received from respondents, if appropriate) to the proponents' representatives.
- h. A meeting is held between County staff, the County's planning and engineering consultants, and the proponents' representatives (and others as required) to resolve any outstanding issues. More than one meeting may be required if outstanding issues are difficult to resolve.
- i. Once the proponent is satisfied that the Draft CS or ASP has the support of the County staff, their consultants and other affected parties, the proponent prepares a final Draft CS or ASP reflecting any changes agreed upon and submits a digital copy to the County for Council's consideration. Note that the proponent may submit a final Draft CS or ASP for Council's consideration without the full support of the staff, their consultants and/or responding agencies if an impasse has been reached and they wish to make their case directly to Council.
- j. Council may either table the Draft CS or ASP for further revisions or give first reading to an adopting bylaw or "approval in principle" in the case of a resolution of Council as an indication of its tentative support. If further revisions are required by Council, the proponent makes those revisions and resubmits the CS or ASP for first reading in the case of an adopting bylaw or consideration by Council in the case of a resolution. If first reading to a bylaw is given, Council should set a date for a public hearing as required by the MGA.
- k. Council provides notification pursuant to Section 606 of the MGA that they are considering a bylaw or resolution and that a public hearing (bylaw) or Council meeting (resolution) is being held in relation to the bylaw or resolution. Council may require further revisions prior to second reading of the adopting bylaw or give the adopting bylaw second reading. Similarly, the Council may require revisions to the CS prior to voting on the resolution.
- l. If Council agrees unanimously, it may give third reading to the adopting bylaw at the same meeting. Otherwise, third reading cannot be given until the next meeting of Council.
- m. Once the adopting bylaw or resolution is approved by Council, the proponent provides the County with one "camera-ready" (i.e.: reproducible) copy of the adopted CS or ASP, text and drawings and a required number of copies so that it can distribute copies to the public as

required.

As noted above, other approvals are required prior to development. However, the existence of an approved CS or ASP normally helps to significantly reduce the time and expense involved in obtaining those approvals and should result in more orderly and efficient development, which is to everyone's advantage (particularly the developer).

APPENDIX TWO



PRIVATE SEWAGE SYSTEMS (ON-SITE WASTEWATER TREATMENT SYSTEMS)

(Forms part of this Bylaw)

PRIVATE SEWAGE SYSTEMS (ON-SITE WASTEWATER TREATMENT SYSTEM)

On-site wastewater treatment system means a system for the management and/or treatment of wastewater at or near the development that generates the wastewater, including that portion of the building sewer 1.8 m (6 ft.) upstream of any on-site lift station, equalization tank, settling tank, septic tank, packaged sewage treatment plant, holding tank, or berm of a sewage lagoon, and includes the final soil-based effluent dispersal and treatment system but does not include the plumbing building drain from the development, which ends 1 m (3.25 ft.) outside a building.

1. Background

The County became an accredited municipality and adopted a Quality Management Plan (QMP) in the plumbing discipline (private sewage) in 2000. Before that, Alberta Municipal Affairs was responsible for the private sewage permitting and inspection process in the County. Since 2000, the County has utilized an accredited contracted agency to perform the private sewage permitting and inspection process in the County in accordance with the County's QMP. The contracted agency at the time of the adoption of this Bylaw is the Inspections Group Inc.

2. General Policies:

- a. All new, relocated or replacement private sewage systems (system) must meet the requirements of the Alberta Private Sewage Systems Standard of Practice (SoP) and therefore would require permit approval and inspection by a Private Sewage Inspector in accordance with the County's QMP.
- b. A septic tank replacement does not require a permit.
- c. General maintenance and repairs do not require a permit.
- d. An expansion of, relocation of, or replacement of the final soil-based effluent dispersal or treatment system of an existing system requires a permit.
- e. For an application for development (including an addition to a dwelling) or subdivision that involves an existing system, the Development Authority (DA) or Subdivision Authority (SA) may require that an applicant provide, at the applicant's expense, verification of compliance prepared by the County's contracted Private Sewage Inspector. The verification will identify, in the opinion of the Private Sewage Inspector, if the existing system complies or will comply with the SoP regarding items including but not limited to separation distances, operation of the system, restricted locations, system sizing, soil conditions, etc.
- f. An easement or other similar legal instrument or agreement cannot be used in securing subdivision or development approval that would result in sewage being disposed of and/or treated on a lot other than the lot containing the residential development generating the sewage.

3. Development of a new dwelling on a vacant parcel:

- a. The size and shape of the parcel would determine what type of system could initially be considered for the parcel.
- b. The Development Authority may request a site evaluation be prepared by a certified person for the proposed system at the applicant's expense before accepting an application as complete or as a condition of Development Permit (DP) approval.

- c. The proposed system shall be sized in accordance with the proposed dwelling.

4. Development of a new replacement dwelling or an addition to an existing dwelling on a parcel with an existing system:

- a. A new dwelling can tie into an existing system if the system has a permit or if the system has existed on the property since before 2000, and the existing system has capacity for the new dwelling or addition. If the new dwelling or addition results in the capacity of the existing system being exceeded, the entire system or components of the system (e.g. septic tank) would need to be replaced or expanded.
- b. If there is no permit for the system and it was installed in 2000 or later, it would require a permit or a fee for service inspection. If the system is found not to comply with the SoP it would be required to be replaced with a system that complies, or be relocated so that it complies.
- c. If the existing system is not operational, a new system would be required to be installed.
- d. One dwelling per system is allowed, unless the Private Sewage Inspector is satisfied that an open discharge system or holding tank has enough capacity to serve more than one dwelling.
- e. Only one dwelling is allowed per field or a mound system.

5. Subdivision to create a parcel with no existing dwelling or system:

- a. The proposed parcel size and shape would need to be in accordance with the regulations of the Land Use Bylaw (LUB), which would determine what type of system could be considered for the proposed parcel.
- b. The SA may request that a site evaluation be prepared by a certified person for the proposed system at the applicant's expense before accepting an application as complete, or as a condition of Subdivision approval.

6. Subdivision of a proposed parcel with an existing dwelling and system:

- a. The proposed parcel size and shape would need to be in accordance with the regulations of the LUB, which would determine if the existing system could be considered for the proposed parcel.
- b. If the existing system has a permit or if it has existed on the property since before 2000 then there would be no change required to the system, as long as any boundary lines being created by the subdivision are the required distance away from the existing system in accordance with the SoP.
- c. If there is no permit for the system and it was installed in 2000 or later, it would require a permit or a fee for service inspection. If the system is found not to comply with the SoP it would be required to be replaced with a system that complies, or be relocated so that it complies.

7. Subdivision of a proposed parcel with no dwelling but with an existing system:

- a. If the existing system has a permit or if it has existed on the parcel before 2000 then there would be no change required to the system, as long as any boundary lines being created by the subdivision, the proposed dwelling, and a water source are the required distance away from the existing system in accordance with the SoP.
- b. If there is no permit and if the system was installed in 2000 or later, it would require a permit or fee for service inspection. If the system does not comply with the SoP it would be required

to be replaced with a system that does comply, or be relocated so it does comply, taking into account where the new dwelling is to be built, the location of the water source and the location of any existing buildings.

8. Individual Holding Tank:

A holding tank is an option on any parcel, as long as it meets the SoP. If the tank is not being operated correctly (i.e. not being vacuumed out regularly, piping effluent water into the yard, hole punched in the bottom, etc.) that will be addressed by the Private Sewage Inspector through the Safety Codes Act, associated Regulations and the SoP.

The County strongly encourages the use of an on-site treatment system where the parcel size and shape, soil conditions, location of existing or proposed buildings, location of the water source, amount of tree cover and location of watercourses would allow for consideration of an on-site treatment system.

If the County were to consider the use of individual holding tanks for a proposed multi-lot subdivision, it would only be where it has been demonstrated by a qualified professional that the proposed subdivision could not be serviced by a municipal sewage system or on-site servicing, and on the condition that the owner/developer constructs all internal roads to a standard (as approved by the County engineer) which would provide for unrestricted year-round use by vacuum trucks.

In the Wapasu subdivision, a holding tank or a privy with a holding tank are the only options for new or replacement systems.

ALBERTA PRIVATE SEWAGE SYSTEMS STANDARD OF PRACTICE

(The following is an excerpt from the Alberta Private Sewage Systems Standard of Practice.)

General System Requirements - Prescriptive Requirements and Installation Standards

Site Suitability and Use of Holding Tanks

To determine that a site has a location and conditions suitable for a soil based onsite wastewater treatment system an evaluation of the site as set out in Part 7 must be completed.

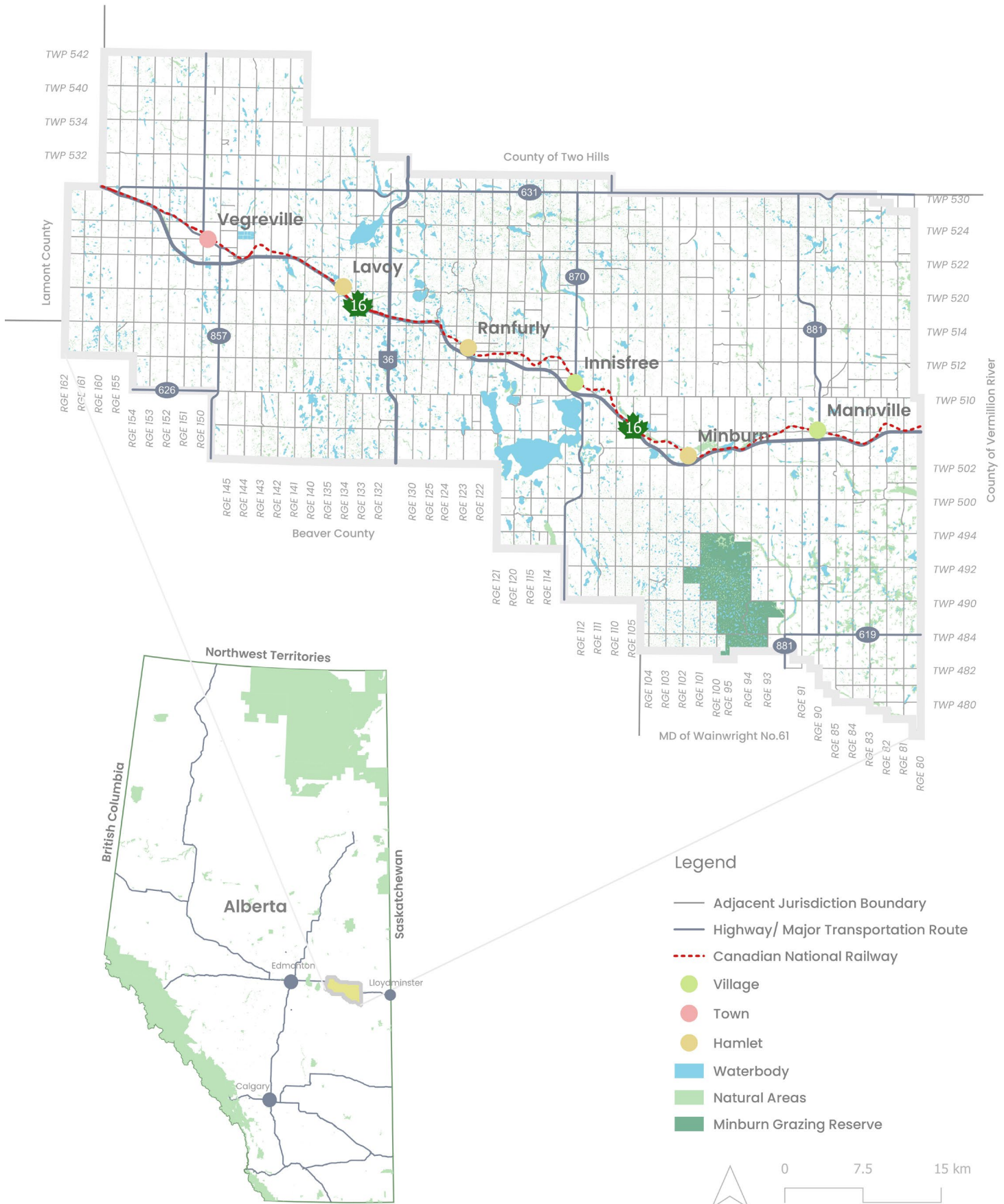
Prohibited Wastes and Substances

A water softener that uses sodium chloride as a regeneration agent may cause problems for a treatment and dispersal system. The sodium chloride will increase the SAR of the potable water used in the building fixtures and thus the wastewater entering the onsite sewage treatment system. The increased sodium is not a result of only the backwash water from the softener; the softener puts sodium into the water used in the building plumbing fixtures. The softener works by exchanging sodium into the water while removing calcium and magnesium found in the hard water. The removed calcium and magnesium is discharged in the regeneration waste of the water softener along with some excess sodium used in the regeneration process. Redirecting the regeneration water will not avoid the sodium being sent into the sewage system as it is already in the water used in the building. If a water softener must be used, a softener that uses Potassium Chloride can avoid the problems of a sodium based softener. Also, avoid the installation of water softeners that automatically backwash at pre-set intervals of time rather than automatically by measuring water volume used. Softeners that regenerate based on time intervals regardless of the amount of water processed will discharge unneeded volumes of water and concentrations of salt into the sewage system.

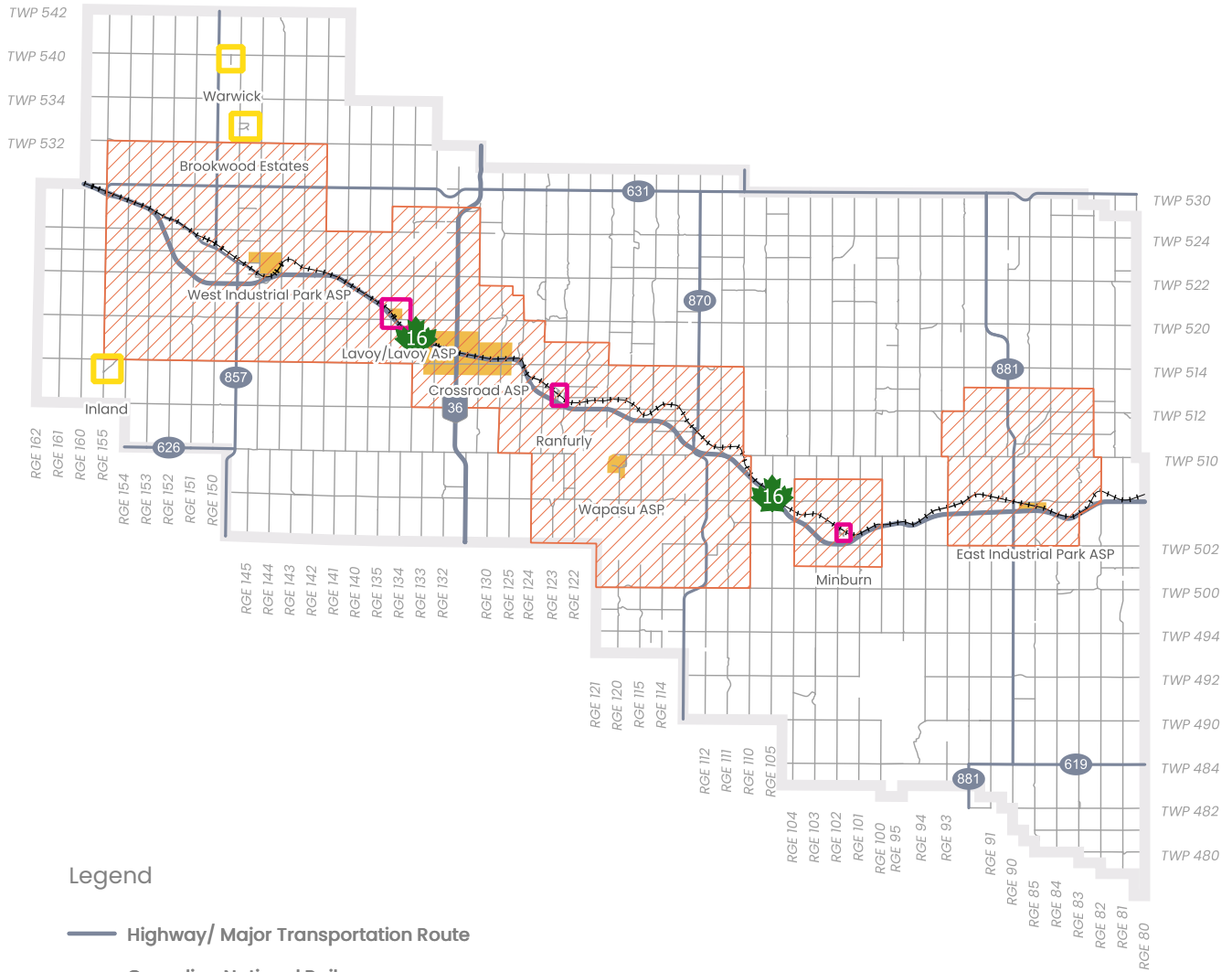
This consideration is not exhaustive and other conditions may impact the system design.

MAPS

Map 1 County of Minburn No. 27 - Context



Map 2 Future Land Use Concept



Legend

- Highway/ Major Transportation Route
- Canadian National Railway
- Area Structure Plan (See Map 4)
- Hamlet (See Map 5)
- Residential Area (see Map 6)
- Agricultural
- Confined Feeding Operation Prohibited Areas**
 Note: New Confined Feeding Operations shall not be allowed in these areas. Existing Confined Feeding Operations shall not be allowed to expand in these areas.



Map 3 Transportation and Utilities



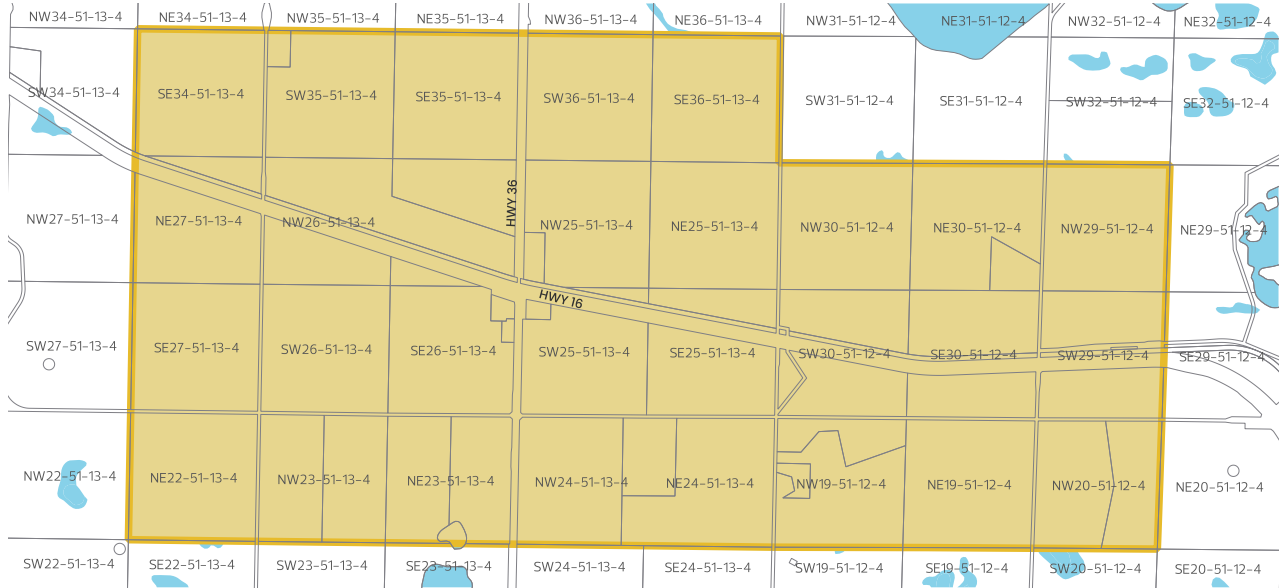
Legend

- - - Railway
- Highway/Major Transportation Route
- ACE Regional Waterline
- Low Pressure Pipeline
- High Pressure Pipeline
- Active Oil/Gas Wells

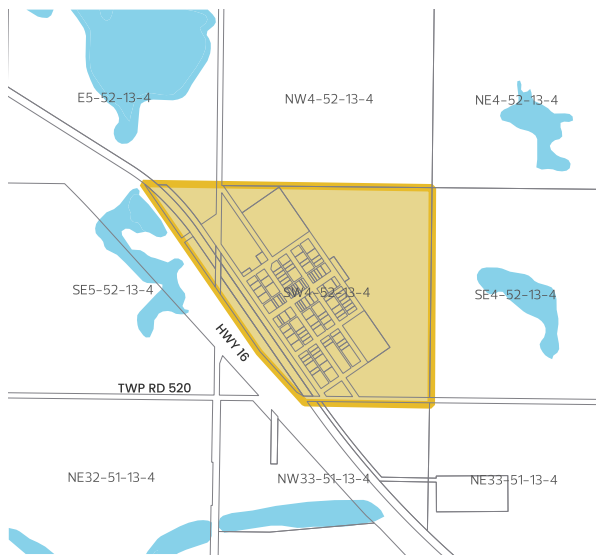


Map 4 Area Structure Plans

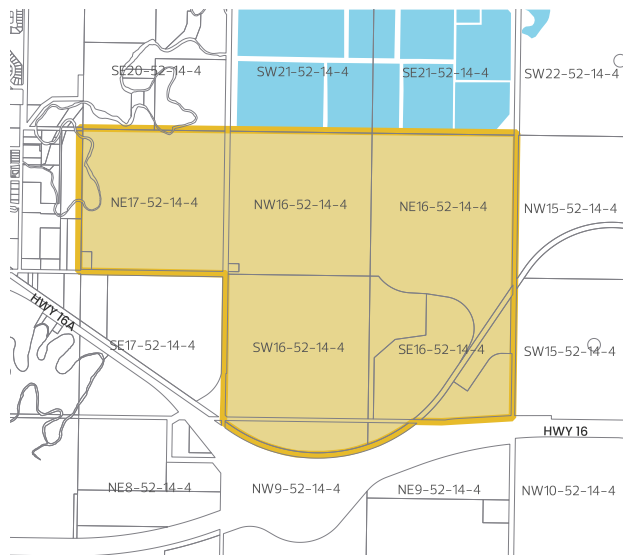
Crossroads Industrial Park ASP



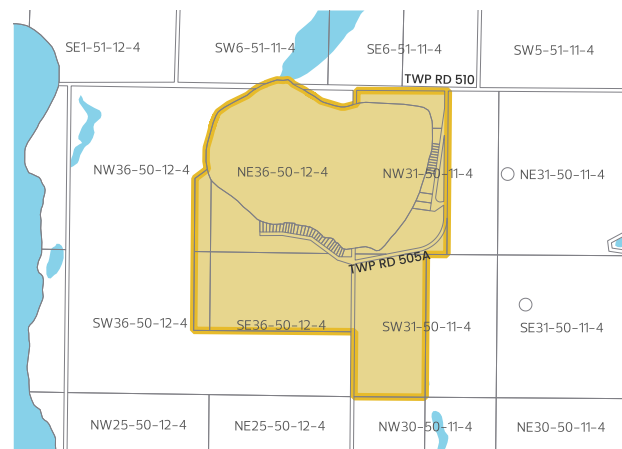
Lavoy ASP



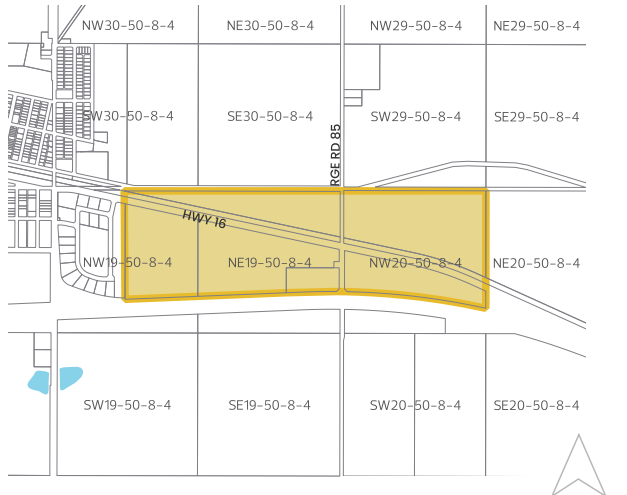
West Industrial Park ASP



Wapasu ASP

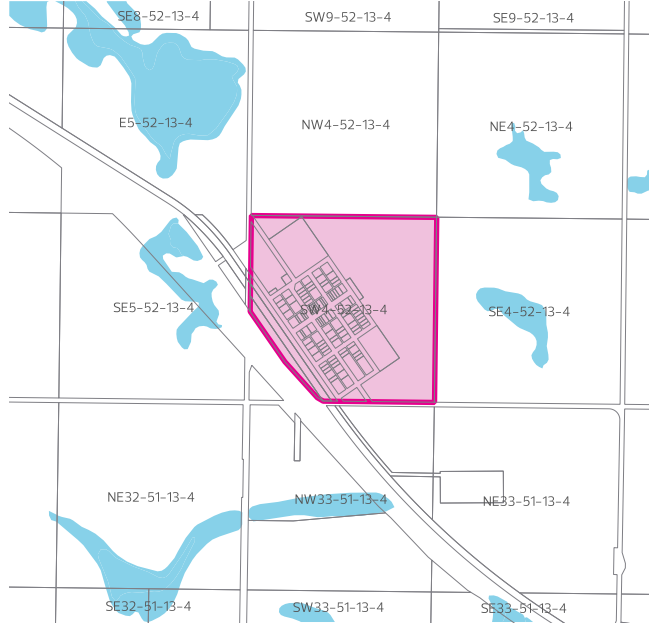


East Industrial Park ASP (proposed)

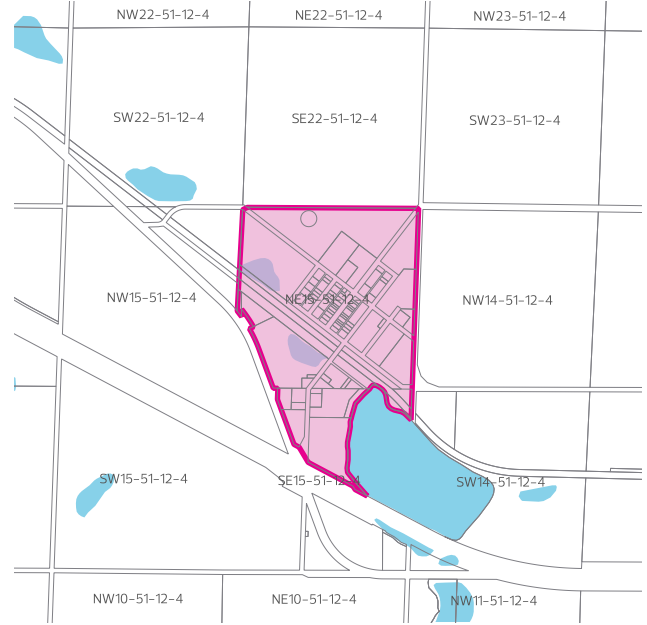


Map 5 Hamlets

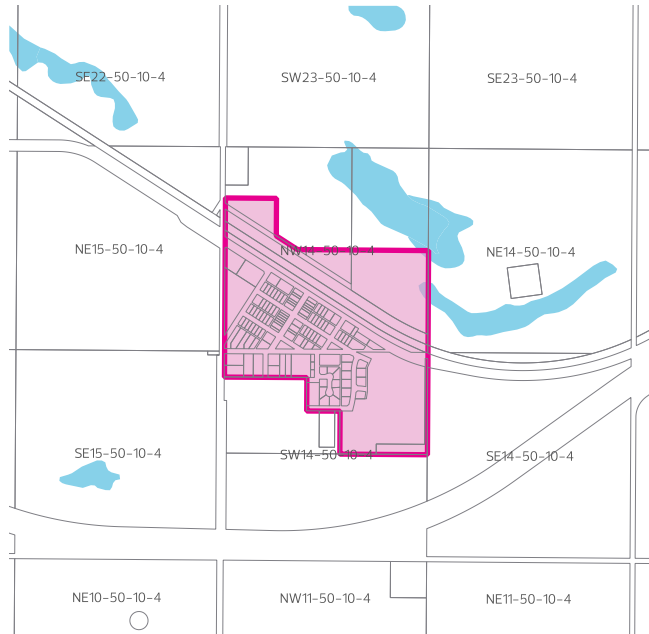
Lavoy



Ranfurly



Minburn

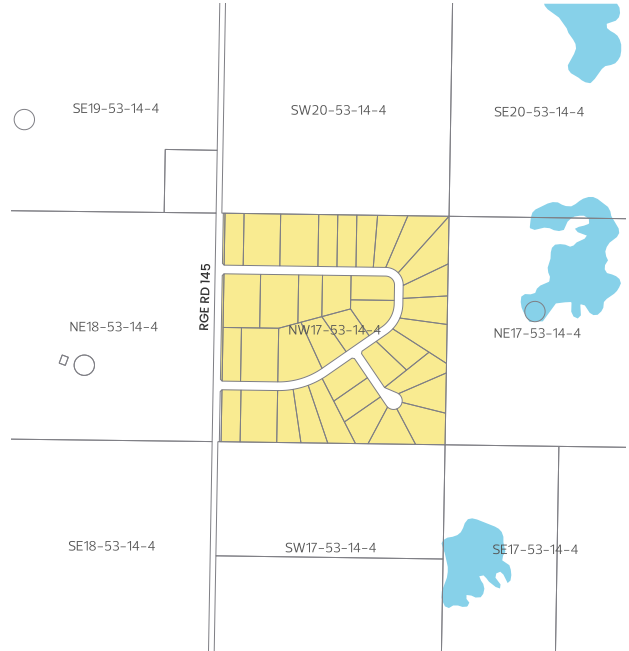


Map 6 Residential Areas

Warwick



Brookwood Estates



Inland

