

# **WESTLOCK COUNTY**

## **Municipal Development Plan**

**WESTLOCK COUNTY**  
**MUNICIPAL DEVELOPMENT PLAN**  
**BYLAW NO. \_\_\_\_\_**

**2003**

**WESTLOCK COUNTY**

**Province of Alberta**

**Bylaw No. \_\_\_\_\_**

BEING a bylaw to adopt the WESTLOCK COUNTY MUNICIPAL DEVELOPMENT PLAN.

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended, requires a municipality in the Province of Alberta with a population in excess of 3500 to adopt a Municipal Development Plan;

WHEREAS Westlock County has a population in excess of 3500;

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended, authorizes a municipal council in the Province of Alberta to adopt a Municipal Development Plan by bylaw;

NOW THEREFORE the Council of Westlock County hereby enacts as follows:

1. That MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 12-1998 be repealed;
2. That this Bylaw be adopted as the Westlock County Municipal Development Plan; and
3. That this Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME, this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

PUBLIC HEARING HELD, this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

READ A SECOND TIME, this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

READ A THIRD and FINAL TIME, this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
ADMINISTRATOR

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## **PART ONE - INTRODUCTION**

### **1. PURPOSE**

The Municipal Development Plan of Westlock County defines the intent of Council to guide future development and change in the County. The Plan serves as the basic reference for the planning and coordination of future development and subdivision activities in the area, and provides guidance for the review of the Land Use Bylaw. This Plan establishes the long term ideal which Council wishes to achieve in terms of future land use in the municipality. The long term ideal is implemented through the Plan policies which specify land use requirements and standards.

In summary, the purposes of this Plan are as follows:

- to provide policies in the form of text and maps to promote the Plan directions established for the municipality
- to establish a future development pattern in the municipality and articulate policies and implementation mechanisms
- to provide guidelines to Council in the review of the implementing Land Use Bylaw and in the review of subdivision and development applications
- to provide input to abutting municipalities and to the provincial and federal governments in the preparation of their policies and programs which may affect Westlock County

### **2. PLANNING AREA**

This Plan applies to the entire municipality of Westlock County. This does not include the Town of Westlock, the Village of Clyde, or the Summer Village of Larkspur.

### **3. BASIS**

#### **3.1 Guiding Principles**

Council has adopted the following principles (which are listed in order of priority) for the preparation of this Plan:

- maintain and enhance the quality of the physical environment
- maintain and encourage the expansion of the agricultural base, except in specific or special circumstances
- accommodate non-agricultural land uses that are required by residents or that would contribute to the economy of the area

- preserve undeveloped natural areas in their natural state.

### **3.2 Legal Considerations**

This Plan has been prepared pursuant to the Municipal Government Act, R.S.A. 2000, as amended, and satisfies the requirements of the Act.

## **4. DEFINITIONS**

Most terms appearing in this Plan have the same meanings as defined in the Westlock County Land Use Bylaw. Other terms relating to specific sections of this Plan are explained in those sections for ease of reference. The following terms, which appear throughout this Plan, shall have the following meanings:

- **Council** - the Council of Westlock County
- **County** - Westlock County
- **May** - is an operative word which means a choice is available, with no particular direction or guidance intended
- **Shall** - is an operative word which means the action is obligatory.

## **PART TWO - PLAN DIRECTIONS AND POLICIES**

### **1. AGRICULTURE**

#### **Background**

Agriculture is the mainstay of the economic base of the municipality. Over the past 30 years, there has been a trend toward fewer and larger farms and a shift toward more cattle and tame hay production. There are likely to be further changes with a shift toward more intensive agricultural operations as a method of increasing output. While there may be changes in practice, agriculture will continue to be the major land use in the municipality.

Having recognized the importance of agriculture to the economy of the municipality and to the prospects for future food supplies generally, Council intends to maintain the existing agricultural base and encourage its growth. The essential steps in doing so are to protect the better agricultural land, and then to ensure that it can remain productive. It is not just the loss of good agricultural land but the disruption to farming operations caused by conflicting uses that may damage the viability of an agricultural area. For that reason, the County is designating areas primarily to provide a stable land base for agricultural production and is instituting policies that will prevent intrusions into those areas by disruptive or unnecessary land uses.

Council realizes that there may be circumstances under which some loss of higher capability land or disruption of the agricultural community will be acceptable. Guidelines for evaluating such circumstances are included in this Plan.

The full range of Canada Land Inventory agricultural capability classes are found within Westlock County. An area of Class 1 land, the highest capability, is centered around Vimy, while in the northwest corner of the County there is an area that is a mixture of Classes 6, 7 and organic soils. Generally speaking, the higher capability land occurs in the south and southwest areas, but pockets of higher and lower capability soils are interspersed throughout the County. As well, a majority of the higher capability land is presently under cultivation and is mostly rated as 30% or higher according to the farmland assessment productivity rating. This variable pattern of agricultural capabilities means that although the higher capability land is protected for agricultural use, there are areas suitable for other uses scattered throughout the municipality. These make it possible for other uses besides agriculture to be accommodated in other locations within the municipality without jeopardizing the agricultural objectives.

#### **Directions**

1. Maintain the existing agricultural base, with possible exceptions in the urban fringe areas and specific unique situations, and encourage agricultural growth in developed areas within limits set by environmental considerations.

This will protect the existing agricultural community and the areas that have potential for growth from other uses that might encroach on this land base. The County is also prepared to accommodate innovative agricultural practices as long as they are environmentally sound.

The County recognizes that agriculture is the main economic activity of the County and is concerned that other land uses may become more pressing in their demands on agricultural land, resulting in increasing costs for farmland. In pursuing this direction, the County will try to ensure the continued viability of the agricultural base.

2. Control location, type of use, and size of intensive agricultural activities.

This will allow intensive agricultural operations, including such uses as greenhouses, berry and truck farms, and confined feeding operations such as cattle feed lots, hog barns, and poultry barns, under certain conditions of location, type and size. In exercising this control, the objective of the County is to prevent conflicts between intensive agriculture and other types of land use. The potential for such conflict was considered a problem by the County.

3. Preserve those undeveloped natural areas which are necessary for maintaining the surface and subsurface water resources that are essential for agricultural operations.

The County recognizes that as other land uses become more pressing in their demands on the existing agricultural land base, pressures to expand the agricultural land base may threaten undeveloped natural areas. The sloughs and wetlands found in undeveloped areas are essential for maintaining the surface and subsurface water resources used by agriculture in developed areas. The drainage of sloughs and wetlands and the development of undeveloped marginal land for agricultural pursuits may jeopardize the long-term viability of existing agricultural operations. In order to protect existing agricultural operations, the County shall try to encourage the retention of undeveloped marginal lands in their natural state. In pursuing this direction, the County will also try to ensure the continued viability of the existing agricultural land base.

## **Policies**

- 1.1 It shall be the policy of the County to encourage the use of higher capability agricultural land primarily for agricultural use, and to direct non-agricultural uses to lower capability agricultural land. In this Plan:
  - (a) higher capability agricultural land shall be defined as a quarter section having at least 20 ha (49.2 ac.) with a farmland assessment productivity rating of 30% or better; or at least 80% of its land area rated C.L.I. Class 4 or better;
  - (b) lower capability agricultural land shall be defined as a quarter section having less than 20 ha (49.2 ac.) with a farmland assessment productivity rating of 30% or better; or less than 80% of its land area rated C.L.I. Class 4 or better.
- 1.2 To preserve large blocks of land primarily for agricultural use or the protection of agricultural land, parts of the County are designated as Agricultural Use Area 1, Agricultural Use Area 2, or Natural Use Area. In this Plan:
  - (a) Agricultural Use Area 1 is a consolidation of quarter sections within the County which are generally characterized by land having a higher capability for agriculture. This area is outlined on Map 1;

- (b) Agricultural Use Area 2 is a consolidation of quarter sections within the County which are generally characterized by land having a lower capability for agriculture. This area is outlined on Map 1;
- (c) Natural Use Area is a consolidation of quarter sections within the County which are generally characterized by undeveloped land having a lower capability for agriculture. This area, which is, for the most part, crown land, is outlined on Map 1.

1.3 In accordance with the guiding principles in this Section, the County shall reserve the Agricultural Use Area 1 primarily for agricultural use. Uses other than agricultural which may be permitted in Agricultural Use Area 1 under certain conditions are:

- (a) hamlet and/or urban expansion
- (b) commercial and industrial development
- (c) single lot country residential parcels.

The conditions under which these may be considered are specified in the policies found in Sections 2, 3, 4 and 5 of this Plan. Some non-agricultural uses, such as transportation, public facilities and institutions related to the farming community, may be allowed in Agricultural Use Area 1 but shall be encouraged to locate on lower capability agricultural land.

1.4 The County shall generally direct proposed uses that may conflict with agricultural operations to the Agricultural Use Area 2, subject to the other policies of this Plan.

1.5 Within Agricultural Use Area 2, higher capability agricultural land (see Policy 1.1(a)) shall be given the same degree of protection from non-agricultural uses as land in Agricultural Use Area 1.

1.6 Subdivision of land for extensive agricultural use may be permitted. The County wishes to maintain agricultural parcels at a size of approximately 32 ha (79.1 ac.).

Subdivision of land for extensive agriculture use is limited to the following:

- (a) Unsubdivided quarter sections located in the Agricultural Use Area 2 and
- (b) Quarter sections located in the Agricultural Use Area 2 which have been previously subdivided to create only two or fewer country residential parcels.

1.7 To enhance the potential for agricultural diversification, subdivision for intensive agricultural activities may be permitted on lower capability agricultural land in the Agricultural Use Area 2 or on fragmented parcels in either the Agricultural Use Area 1 or Agricultural Use Area 2. The County may also permit the subdivision of intensive agricultural operations which have been in existence on or prior to the date of the adoption of this Plan, in any area. The maximum size of any subdivision for intensive

agricultural activities may, however, be restricted by the County to reduce the loss of land from extensive agricultural use.

- 1.8 To protect surface and subsurface water resources essential for maintaining the long-term viability of existing agriculture operations, the County shall prohibit the draining of sloughs and wetlands in the Natural Use Area and discourage further agricultural development in this area.
- 1.9 The Natural Resources Conservation Board and approval officers appointed by that Board have jurisdiction over certain confined feeding operations and manure storage facilities in that they require a registration, an approval, or an authorization under the Agricultural Operation Practices Act. The County's policy is that all such confined feeding operations and manure storage facilities must fully satisfy all the requirements and regulations adopted under that Act, specifically the minimum distance separation requirements and the land base requirements.
- 1.10 In addition to the minimum distance separation requirements provided through regulations adopted under the Agricultural Operation Practices Act, the County's policy is that confined feeding operations requiring registration or approval and manure storage facilities requiring authorization under that Act shall not be allowed within 3.2 km (2.0 miles) of the corporate boundaries of the Town of Westlock, which area shall be considered an urban fringe when calculating the regulations approved under the Agricultural Operation Practices Act.
- 1.11 In addition to the minimum distance separation requirements provided through regulations adopted under the Agricultural Operation Practices Act, the County's policy is that confined feeding operations requiring registration or approval and manure storage facilities requiring authorization under that Act shall not be allowed within 1.6 km (1.0 miles) of either Halfmoon Lake or Long Island Lake.

## **2. HAMLETS**

### **Background**

The term hamlet refers to the following unincorporated, yet distinct communities within the County's jurisdiction: Busby, Dapp, Fawcett, Jarvie, Nestow, Pibroch, Pickardville, Tawatinaw, and Vimy. The functions of these hamlets are mainly residential, but most of them provide some services to the surrounding area. For example, each hamlet generally has one or more of the following services: school, service station, hotel, community hall, bulk fuel station, store, and post office.

The population of the hamlets has slowly declined over the last 35 years; however, this downward trend has reversed in that six of the hamlets have been growing over the last several years. These centres have estimated populations within the range of one hundred to two hundred people. The exceptions are Dapp and Tawatinaw, which remain fairly stable with very low populations.

The larger six communities have municipal piped water supply and sewage collection and disposal systems in place. For each hamlet the systems have the capacity to serve approximately two to three times the current population.

The hamlets offer an alternative lifestyle to either rural residential or urban living. The County considers this to be desirable, but also recognizes that a certain amount of growth in the hamlets could allow a wider range of services to be developed without changing their essential character. Up to a point, a larger population could also make better use of existing services and distribute the cost over a broader base.

Some of the recent growth can be attributed to people who have decided to reside in a hamlet and commute to work elsewhere. This trend may continue but is difficult to predict. The County could also encourage future growth in hamlets by providing for industrial or other developments which create jobs in the hamlets themselves.

On the other hand, there are several reasons why the County should consider putting limits on the extent of growth in hamlets. First, some of the residents of the hamlets live in them because of the alternative lifestyle they offer. This attraction could be lost if the character of a hamlet was substantially altered by significant growth. Secondly, there would be costs associated with growth beyond the capacities of the existing services. Also, a number of the hamlets are within the better agricultural areas. Thus, in some cases, the importance of conserving good agricultural land becomes a consideration in the question of hamlet expansion.

### **Direction**

- allow light industrial uses within the servicing limitations of each hamlet.

This will continue to permit the development of light industry in the hamlets.

The effect of this direction would be to give the hamlets a basis for growth and possibly a higher level of services than they are currently able to support.

## **Policies**

- 2.1 The County shall encourage the growth of hamlets in order to fully utilize the capacities of existing utilities and possibly expand the range of services available.
- 2.2 Light industry, retail or service commercial, or other forms of development which would broaden the tax and employment base of the hamlets may be permitted, subject to the policies of this and the Commercial and Industrial Section of this Plan. Light industry shall mean activities involved in the processing, fabrication, storage, transportation, distribution or wholesaling of goods and services which do not emit a significant level of noise, smoke, odour, dust, vibration, etc., and which are compatible with the surrounding land uses.
- 2.3 In those hamlets with municipal piped water supply and sewage collection and disposal systems, proposed subdivision or development may be allowed only if it is compatible with the present servicing provisions. The County may require changes in the location or design of a proposal or refuse a proposal based on this criterion.
- 2.4 If a hamlet grows to the extent that its existing water and/or sewage systems are being used to capacity or close to capacity, a full evaluation of the implications of further growth and an amendment to this Plan shall be undertaken before any expansion is allowed. The evaluation shall address the servicing costs and whether expansion would affect important agricultural land, environmentally sensitive areas, or groundwater supplies.
- 2.5 The County shall encourage the maximum development of lands within existing hamlet boundaries as defined in the Land Use Bylaw.
- 2.6 Based on the evaluation carried out in accordance with Policy 2.5, expansion of a hamlet beyond its present servicing capacity may not be allowed by the County if the agricultural capability of the affected land is considered important to the agricultural base. Similarly, hamlet growth that would damage or deplete groundwater supplies or other environmentally sensitive resources shall not be approved.
- 2.7 In those hamlets which do not have municipal piped water supply and sewage collection and disposal systems, one of the criteria used to judge the suitability of any proposed subdivision or development shall be its compatibility with possible future servicing. The County may refuse or require changes to a proposal based on this criterion.
- 2.8 The County may prepare area structure plans to guide future land use within hamlets as well as to identify their growth directions.

### **3. URBAN FRINGE**

#### **Background**

Urban fringe development, if not planned for, may result in inefficient land use, premature annexations, high costs of servicing and incompatibility of land use when urban development is ready to occur. In addition, urban fringe development often tends to conflict with the possible agricultural use of the land. It is therefore important to consider the future urban land requirements of the Town of Westlock, the Village of Clyde, and the Summer Village of Larkspur, the possible directions of their expansion, the types of development that may require consultation with the urban municipalities, and the mechanism for such consultation.

#### **Town of Westlock**

Since 1956, the Town of Westlock has experienced a moderate but steady rate of population increase. At present, the Town's population stands just under 5,000.

At present, the Town still has about 70 ha (170 ac.) of vacant residential land in the northeast, and another 80 ha (200 ac.) in the south. At a ratio of 36 persons per gross hectare (15 persons per gross acre), the Town could accommodate a population of some 9,500 people within its existing boundary. The Town appears to have an adequate supply of land for industrial use in its northwest and southeast. It appears that there are no significant constraints to provide municipal piped water supply and sewage collection and disposal services to these areas. Therefore, it is unlikely that the Town will need additional land for its expansion for some time. However, if some of the landowners within the Town decide not to proceed with the development of their lands, or the Town experiences sudden and major developments, the Town may have to expand its boundaries sooner.

In terms of agricultural capability, the area to the south of the Town has a Canada Land Inventory Class 3 agricultural rating, whereas the area east of the Town is rated as Class 4. However, the Town at present is elongated in shape (4 km or 2.5 miles east-west, and 2.5 km or 1.5 miles north-south). If the Town expands towards either east or west, there would be a substantial distance between the northeastern and northwestern parts of the Town and its central area. As well, Highway 18 travels in an east-west direction. Expansion along the highway may reduce its efficiency.

#### **Village of Clyde**

The Village of Clyde has a population under 500 and has had very little growth in the past two decades. It does not appear that there will be significant factors that would affect the Village's population growth rate substantially in the near future.

The Village's water supply system can support a population of about 1,000. At present, there is a significant amount of vacant land in the eastern and western part of the Village that can accommodate future growth up to the servicing capacity of the water system. Therefore, the Village may not need land for future expansion for a long time.

However, should the Village need land for growth, the area to the west (west of the CNR station grounds), or the east (south of the Highway 18 curve) may be more suitable for that purpose. This land has an agricultural capability of Class 4. The land to the south, on the other hand, is rated as Classes 1 and 2. The land to the north also has a relatively low (Class 4) agricultural capability. But, expansion towards the north is constrained by Highway 18 and the location of the Village's sewage lagoon.

### **Summer Village of Larkspur**

The Summer Village of Larkspur is located on Long Island Lake, comprising one of the subdivisions on the south side of the Lake plus some undeveloped land. Its population is very low, made up for the most part of seasonal residents, with some year-round residents. It has neither a municipal piped water supply system nor a municipal piped sewage collection and disposal system. Expansion of the Summer Village is unlikely, in that the Municipal Government Act and the provincial government do not contemplate such expansions.

### **Inter Municipal Cooperation**

The urban municipalities are concerned with developments in their fringe areas that have the affect of creating unnecessary fragmentation of land, or land uses that are not compatible with future urban development. Such developments include country residential, rural industrial, intensive agriculture and resource extraction activities. There are other type of development which may be appropriate in most of the rural areas, but could create adverse effects if located adjacent to urban centres. Such uses include intensive agriculture, certain resource extraction activities, etc. Urban municipalities are also concerned about the potential loss of revenue, as certain urban uses may choose to locate immediately outside of the urban centres due to lower land prices. In order to ensure land use efficiency, and orderly transformation of rural land to urban use, the urban municipalities should be allowed to provide input into these types of development in the urban fringe area.

### **Direction**

- control uses and development in the urban fringe areas through some form of consultation process.

This means the County will allow compatible uses in the fringe area around urban municipalities, only after the adjoining urban municipality has had the opportunity to provide input into the decision.

In choosing this direction the County would be attempting to ensure the long-term compatibility of developments within the urban fringe areas.

### **Policies**

- 3.1 The County shall discourage land uses that may adversely affect the Town of Westlock and the Village of Clyde from locating within the Controlled Urban Development District as defined in the Land Use Bylaw.

- 3.2 Multi-lot country residential development shall not be permitted within that District.
- 3.3 The County may prohibit rural industrial, highway commercial, intensive agriculture, manufactured home park, resource extraction and other land uses which may adversely affect the urban municipalities from locating within that District. In any event, the County shall not consider the approval of such developments until it has sought and reviewed the comments from the respective urban municipalities. The County may also consult with the respective urban municipalities for major developments located adjacent to the Controlled Urban Development District which may adversely affect the interest of that urban municipality.
- 3.4 A rural industrial park has been developed partially developed in the NE 29-59-26-W4.
- 3.4 The County shall encourage the respective urban municipalities to adopt provisions in their Municipal Development Plans and Land Use Bylaws which would allow the use of the land at higher densities.
- 3.5 The County shall encourage the urban municipalities to consult with the County prior to the applications for annexation.
- 3.6 The County shall not support the premature annexation of land or the annexation of land with good agricultural potential by the urban municipalities, unless the County is convinced by the respective urban municipalities of the justifications for such annexations.
- 3.7 The County shall discourage land uses that may adversely affect the Summer Village of Larkspur from locating near the Summer Village or on Long Island Lake.

## **4. COMMERCIAL AND INDUSTRIAL**

### **Background**

There is at present not a large amount or range of commercial and industrial development in Westlock County. Existing development is mainly related to agriculture, including the services available in the hamlets. There are also some existing activities relating to sand and gravel extraction, and oil and gas developments.

There are no obvious forces which are likely to significantly change the amount or direction of industry in the near future. The coal reserves found in the Pickardville area have some development potential but the prospects for the development of the reserves are quite long-term. Commercial and industrial ventures do contribute to the tax base of the municipality and the County. is prepared to permit them to occur, in accordance with the policies that are contained in this Plan.

There are several categories of development dealt with in this Section and the distinctions between them are worth noting. A commercial development is generally an outlet through which products or services are available to consumers or other businesses. Industrial development, on the other hand, includes manufacturing or warehousing. Resource extraction relates to the surface or sub-surface mining of metallic or non-metallic minerals.

There are also distinctions to be made within the industrial category. Light industry is a type that is not noxious or harmful and is generally compatible with other types of development. Resource extraction is another type of industrial use, distinctive because its siting depends on the location of the resource being exploited and also because it involves disturbance of the land as the resource is removed.

As noted, one advantage of having any of these developments is their contribution to the tax base of the municipality. For heavy industry and resource extraction this may be the only direct advantage to the County (although a very real one). In contrast, developments that may be classified as light industry or commercial generally provide a service that is needed or desired by the County residents. This difference warrants having different policies for each type of development.

The various types of development also have different implications for other land uses and the environment. The impact of a heavy industry or large resource extraction project is much different than that of a small commercial venture for example. Again, this calls for specific policies for certain kinds of development.

Since the County intends to treat commercial and various industrial uses differently, the matter of categorizing a development as commercial or some type of industrial use becomes important in determining what policies are to be applied. Although some ventures are difficult to define as one type or another, the County does not intend to go further in defining what constitutes a particular use in this Plan. Any proposal that is not clearly of one type or another will be evaluated by the County on its own characteristics to determine which policies will apply.

## **Directions**

- allow commercial development in conjunction with controls on its location.

This means allowing any type of commercial development, in any quantity, while controlling its location.

The need to accommodate commercial uses, especially to serve the agricultural community, was considered a concern but the location of such uses was thought to present potential problems as well. One purpose of pursuing this direction would be to broaden the County's tax base. Another purpose would be to allow the provision of necessary services in locations suited to the nature of the service.

- encourage industrial development in conjunction with controls on type and location.

This means having standards for the type and location of industry while taking measures to increase the amount of industrial development.

The demand for industrial development opportunities and the potential for conflict, particularly with residences, were raised as concerns. In following this rural direction the County would be trying to broaden its tax base and to minimize conflicts between industry and other uses.

- provide for natural resource extraction industry in conjunction with controls on its location and timing.

This means restricting other uses that could interfere with the eventual development of know resources. It also means establishing criteria for judging circumstances under which resource development will be permitted.

Through this direction the County would be attempting to diversify its economic base by protecting its renewable resource base and minimizing conflicts between resource extraction and surrounding land uses.

## **Policies**

- 4.1 The County may support the establishment of commercial and light industrial developments in the hamlets identified in Section 2 of this Plan.
- 4.2 Industrial or commercial development may be permitted in Agricultural Use Area 2 and shall be encouraged to locate on lower agricultural capability land within this area.
- 4.3 The County may permit industrial or commercial development to locate outside the hamlets in Agricultural Use Area 1 if it complies with policies 4.4, 4.5 and 4.6.
- 4.4 Commercial and light industrial uses that require a separate parcel or an identity of their own may be approved if they locate on lower capability agricultural land and (a) they will directly serve the agricultural community; or, (b) if they are adjacent to a primary or secondary highway and are intended to serve the travelling public.

- 4.5 Commercial and light industrial uses that are operated as a secondary use to an agricultural operation may be allowed in Agricultural Use Area 1, and such uses shall preferably be located on that portion of the quarter section with the lowest capability for agriculture. The Land Use Bylaw shall describe and prescribe regulations for such secondary operations.
- 4.6 An industry that is likely to bring substantial benefits to the County may be allowed in the Agricultural Use Area 1 if its proponent can demonstrate to the County that it has specific site requirements that cannot be met in the Agricultural Use Area 2.
- 4.7 The County may allow resource extraction industries to locate within the County subject to policies 4.14 through 4.20.
- 4.8 Noxious or potentially harmful industries shall not be permitted close to a hamlet, an urban municipality, or a multi-lot country residential subdivision.
- 4.9 The County may allow the establishment of rural industrial parks in Agricultural Use Area 2. A rural industrial park shall be a development consisting of two or more lots, designed and approved for industrial uses and which would constitute the major use of a quarter section of land.
- 4.10 An industrial park that is likely to bring substantial benefits to the County may be allowed in the Agricultural Use Area 1 if its proponent can demonstrate to the County that it has specific site requirements that cannot be met in the Agriculture Use Area 2.
- 4.11 In considering proposed rural industrial park developments, the County shall approve only those with uses which are suitable and appropriate to be located in the rural area.
- 4.12 The proponent of a rural industrial park shall be required to provide the following information concerning the proposal before the County may consider approval:
  - (a) environmental suitability of the site, with particular reference to soils, slopes, drainage, and availability of services
  - (b) the type and level of exhaust, emission, or effluent discharge which may be emitted into the environment
  - (c) size and number of parcels proposed
  - (d) phasing, if anticipated
  - (e) servicing requirements and provisions for meeting them
  - (f) costs associated with providing new or upgraded municipal services required by the development.
- 4.13 The County may not permit other uses on sites where there are known commercial deposits of coal, sand, or gravel if the proposed use may preclude the subsequent extraction of the resource.

- 4.14 The proponent of a resource extraction operation shall be required to submit reclamation plan to the County with their application for a development permit. The County may request the assistance of appropriate provincial agencies in evaluating a reclamation plan before considering issuing a development permit.
- 4.15 The County may not approve resource extraction developments that do not meet the following standards:
- (a) in the case of higher capability agricultural land, the land can be reclaimed to at least its former capabilities for agriculture
  - (b) in the case of river valleys or lakeshores, the land can be reclaimed to at least its former recreation capability.
- 4.16 Post-reclamation land uses differing from the use being made of the land prior to resource extraction may be considered by the County if the advantage of the change outweighs the need to retain the original use.
- 4.17 Before a development permit is issued, the County may require the proponent of a resource extraction development to post a performance bond or similar security for the purpose of ensuring reclamation will be completed.
- 4.18 Development permits for the extraction of sand, gravel, clay, marl, peat, top soil and any other material involving a site area of 2 ha (5 ac.) or more shall not be approved until any necessary provincial approvals are received.
- 4.19 Appropriate buffers shall be provided between industrial or commercial development and other incompatible existing and future land uses. The existing level and the expansion potential of the industrial or commercial development shall be considered in determining the required buffer.
- 4.20 The County may require the proponent of a commercial or industrial development to enter into a development agreement as a condition of the issuance of a development permit.

## **5. RURAL RESIDENTIAL**

### **Background**

This section refers to residential development in the County outside of the hamlets and incorporated municipalities. Rural residential development includes single parcel/farmstead separation, multi-lot country residential developments and rural manufactured home parks.

Reasons for rural residential living range from employment or lifestyle preferences to recreation factors and economic factors. Although a rural residential lifestyle is preferred by some people, it is not without its problems and drawbacks. Some of the more significant problems are:

- rural residential development drives up the value of adjacent agricultural land far in excess of its agricultural productivity value
- loss of agricultural land
- possible breakdown in the agricultural fabric of the area as non-farm residents reduce an area's socio-economic ties to agriculture, and non-farm residents may out-vote farm residents in political situations
- increased demand in rural areas for unrealistic urban-type services
- conflicts arise between agricultural operations and neighbouring non-agricultural land uses
- revenues received from multi-lot country residential subdivisions may be less than the costs of services which the municipality has to supply
- the County may be burdened by the costs incurred when undeveloped country residential lots are acquired through tax recovery for delinquent taxes
- capacity of certain areas, such as Long Island Lake and Halfmoon Lake, for further development.

### **Location Factors and Design Considerations**

A cursory examination of approved country residential subdivisions - both single lot and multi-lot - suggests that they are located rather randomly throughout the County.

The guiding principles established require future development to be in harmony with the natural environment of the municipality. As well, future development should not have a significant impact on the agricultural base of the area, including the loss of good agricultural land. To implement these principles, rural residential development should satisfy the following locational criteria:

- the site must be suitable for building construction, water supply and sewage disposal, and should have some landscape amenities

- the site should be located on lower capability agricultural land
- the development should be compatible with the surrounding land uses.

A number of design considerations determine the appropriateness and efficiency of rural residential development, for example:

- smaller lots reduce the amount of land taken out from agricultural uses, reduce the amount of wasted idle land in each parcel, and generally reduce servicing costs
- clustering of residential lots reduces servicing costs
- engineering costs of a curvilinear layout in a multi-lot subdivision are similar to those of a grid pattern layout, yet a curvilinear layout permits clustering of lots and helps to reduce servicing costs.

### **Phasing**

It is safe to assume that a significant number of recently created country residential lots are vacant at present.

The existence of vacant lots in the marketplace holds down the price of residential lots. It also allows a wider choice for the prospective buyers in terms of location, lot size, site characteristics, etc. However, the municipality would have to provide services to a subdivision (e.g., school bussing, road maintenance, etc.) regardless of whether or not the subdivision is fully occupied. But the municipality would not be able to levy tax on improvements if the lots are vacant. As well, where there are a large number of vacant lots in existence, it may mean that agricultural lands have been prematurely withdrawn from production.

To minimize municipal servicing costs to rural subdivisions, and to avoid the premature withdrawal of agricultural land for residential use, the County may have to discourage major rural residential developments until a balance between the supply and demand has been reached.

### **Manufactured Home Parks**

The concept of manufactured, formerly mobile home parks has traditionally been to provide a form of lower cost accommodation, and to provide immediate housing facilities in areas where traditional forms of housing are not readily available. Until recently, old style “mobile” home parks have been less acceptable by the public at large, primarily because of their association with a crowded unattractively designed living environment. The provision of adequate servicing has often been a problem as well.

With increased quality in construction and improvement in design, the manufactured home has recently become an acceptable dwelling unit. This is evidenced by the large number of manufactured homes on farmsteads and country residential lots, and in hamlets.

## **Direction**

- control the location and quantity and size of rural residential development

This means allowing a variety of types of rural residential use but with limitations on how many may be created and where these may be located.

The possibility of conflict between rural residences and other uses was identified as a concern by the County, as was the inefficiency of creating lots that are not developed. This direction indicates that the County would be attempting to accommodate all types of demand for rural living, in a manner that is compatible with other uses, and in a quantity that does not commit land unnecessarily to rural residential use.

## **Policies**

### **Country Residential**

- 5.1 Country residential lots shall not be less than 0.4 ha (1 ac.) and normally not more than 1.2 ha (3 ac.) in size. The parcel may exceed 1.2 ha (3 ac.) in size if it can be demonstrated that additional land is part of a farmstead or is undevelopable. The maximum lot size allowed for the subdivision of a fragmented parcel shall be based on the nature of the fragmentation. Where the subdivision is located in an area for which an Area Structure Plan has been adopted, lot size shall be in accordance with that Plan.
- 5.2 One single lot separation for country residential use (including farmstead separation and fragmented parcel) may be permitted on each unsubdivided quarter section located in the Agricultural Use Area 1. A maximum of two single lot separations (including farmstead separation and fragmented parcel) may be permitted on each quarter section located in the Agricultural Use Area 2. Where possible, the single lot separations shall be:
  - (a) located on that portion of the quarter section with the lowest capability for agriculture
  - (b) located on that portion of the quarter section so as to have minimal impact on the existing and future uses of the quarter section and adjacent quarter sections for agricultural purposes, considering such factors as the proximity to confined feeding operations, whether or not they come under the purview of the Regulations made under the Agricultural Operation Practices Act
  - (c) designed so as to generate minimal immediate and future demands on existing municipal services such as the existing municipal road network, municipal road construction and maintenance schedules, municipal emergency services and school bus routes
  - (d) located with legal and physical access to a developed all-weather municipal road.

- 5.3 The County will encourage all developers of country residential uses to be aware of any flood hazard related to the Pembina River and to take appropriate precautions respecting that hazard.
- 5.4 Multi-lot country residential subdivision may only be permitted on the lower capability agricultural land within the Agricultural Use Area 2 which:
- (a) has access to at least an all-weather loose surface road within 1.6 km (1 mile) and preferably a paved road within 8 km (5 miles) of the area
  - (b) has an adequate supply of on-site potable water
  - (c) has slope, soil drainage, and water table conditions suitable for on-site sewage disposal
  - (d) has suitable area for a building site which can accommodate a dwelling with a permanent foundation
  - (e) minimizes costs to County.
- 5.5 Setbacks shall be maintained between multi-lot country residential subdivisions and adjacent incompatible uses. In addition to legislated requirements such as those relating to setbacks from Sour Gas, multi-lot country residential subdivision shall not be permitted:
- (a) within the 1 in 100 year flood plain
  - (b) within the 30 Noise Exposure Forecast (NEF) Contour or higher of a licensed or paved airport as defined on Map 3
  - (c) within 1.6 km (1 mile) from the boundary of a parcel of land containing a resource extraction operation; a noxious industry which may emit a high level of noise, odour, vibration, dust, etc.; a sewage lagoon; a nuisance ground or other activities potentially detrimental to a residential development
  - (d) within 0.8 km (0.5 miles) of a rail line unless a physical barrier, natural or manmade, occurs between the proposed residential site and rail line to reduce the level of noise, dust, vibration, etc. to an acceptable standard, and to minimize any safety hazards related to rail traffic
  - (e) within the minimum distance separation distance to confined feeding operations as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.
- 5.6 To facilitate efficient land use and reduce servicing costs, lots within multi-lot country residential subdivision shall be clustered where possible.
- 5.7 Where possible, multi-lot country residential subdivisions shall be directed to areas which are extensively treed and have natural scenic landscape features.

- 5.8 Where site conditions permit, the alignment of internal roadways and the placement of lots in multi-lot country residential subdivisions shall be designed in a manner which would maximize the utilization of passive solar energy conservation methods in future building construction.
- 5.9 The residential development of all lots in multi-lot country residential subdivisions shall be encouraged. New multi-lot country residential subdivisions shall not normally be permitted unless 40% of existing country residential lots within 6.4 km (4 miles) radius of the site have permanent residential dwellings constructed. Satisfactory evidence to this effect may be required prior to consideration of any approval. The County may relax this provision if it is satisfied that the proposed lots are expected to be developed within a reasonable period of time.
- 5.10 Prior to the approval of multi-lot country residential subdivision proposals, the County shall consult with local school authorities to ensure that the school authorities will be able to provide adequate school facilities and services to the proposed developments.
- 5.11 The scale of the multi-lot country residential subdivision shall be related to the availability of community facilities and services in the adjacent area. Although it may be desirable for a development to be large enough to create a sense of “community”, it shall not be so large as to place an undue strain on the finances, roads, schools, parks, and other facilities and services of the adjacent area.
- 5.12 Unless otherwise specified in an applicable Area Structure Plan, country residential subdivision proposed within 1.6 km (1 mile) of a lake shall comply with the following conditions:
- (a) the clearing of vegetation on each residential lot shall be minimized in order to maintain aesthetics and visual buffers from neighbouring properties and the lake
  - (b) the development shall, in the opinion of the County, be compatible both with existing uses and the overall development capabilities of the lake environment
  - (c) residential development shall not be permitted within 30 m (100 ft.) of the natural or man-made shoreline
  - (d) vegetation clearing on private land for the purposes of lake access shall be subject to the requirement that a development permit be issued prior to clearing
  - (e) the developer shall provide wells for water supply as required
  - (f) the use of pit toilets for sewage disposal shall not be allowed
  - (g) the developer shall clear and post all walkways to improve pedestrian access
  - (h) the developer shall construct boat launching facilities as required and to the satisfaction of the County.

- 5.13 Development agreements shall be required as a condition of approval for country residential subdivisions to avoid unreasonable obligations being placed on the County as a result of such developments. Where subdivision is not involved, the developer may be required to enter into a development agreement with the County as a condition of the granting of a development permit.
- 5.14 The County will carefully assess any proposal for subdivision or development near lakes, most notably Halfmoon Lake and Long Island Lake, in order to ensure that any subdivision or development approvals would not negatively impact the recreation capacity of the lake.

### **Manufactured Home Parks**

- 5.15 Manufactured home parks shall mean the use of a parcel of land under single ownership which provides rentable spaces for detached, single family Canadian Standards Association approved manufactured home units anchored on suitable foundations, and ancillary buildings and uses.
- 5.16 In addition to the following policies, the development of manufactured home parks shall comply with policies 5.4, 5.5, 5.7, 5.10, 5.11, 5.12, 5.13, and 5.14 of this Plan.
- 5.17 The County may require provisions be made in the development of manufactured home parks for adequate setbacks from property lines, for land to be set aside for landscaping and buffering purposes, for off-street parking areas for residents and visitors, and for control over outside storage.
- 5.18 Each manufactured home park shall include an adequate area to ensure privacy to the residents of each unit. As well, it shall be designed to allow for the accommodation of attached and/or ancillary storage structures if communal storage structures are not provided.
- 5.19 The County may require the provision of adequate on-site recreation areas, such as playgrounds or tot lots, within each manufactured home park.
- 5.20 Where a sewage lagoon is required for a manufactured home park, the County may require the construction of a chain link or wire mesh fence around the lagoon as a safety precaution.
- 5.21 The scale of a manufactured home park shall be related to the availability of community facilities and services in the adjacent area. Although it may be desirable for a manufactured home park to be large enough to create a sense of “community”, it shall not be large as to place an undue strain on the finances, roads, schools, parks, and other facilities and services of the adjacent area.

## **6. RECREATION AND OPEN SPACE**

### **Background**

#### **Recreation Resources**

The County is not well endowed with physical resources which are capable of supporting outdoor recreation activities (e.g., fishing, swimming, camping, etc.). According to the Canada Land Inventory (C.L.I.) the entire Redwater-Tawatinaw Valley corridor within the County is rated as Classes 4 and 5, suitable for the viewing of landscape, wildlife, or hiking. On the other hand, there are three small areas with a Class 4 recreation rating along the Pembina River corridor. The first area is just north of Rossington, and the other two are south and west of Fawcett. These Class 4 areas are capable of supporting activities such as camping and boating. The rest of the Pembina River corridor is rated as Classes 5 and 6. The other river corridors in the County are primarily rated as Class 6 by C.L.I.

There are numerous small lakes in the County, but almost all of them are rated as Classes 5 or 6 for outdoor recreation uses, suitable primarily for the viewing of wildlife. There is only one lake with any amount of Class 3 shoreland. Long Island Lake has a total of about 1.6 km (1 mile) of Class 3 shoreland on the north and south ends of the lake, suitable for cottaging, boating, angling, and beach activities. The rest of the Long Island Lake shoreland is rated as Classes 4 and 5, suitable for cottaging, boating, and angling. However, Long Island Lake is small in size and elongated in shape. As has been suggested within a background analysis undertaken by the County in 1995, substantial development of this lake will probably cause problems relating to water quality and boating hazards.

#### **Recreation Facilities/Development**

The existing recreation development and facilities within the County are primarily oriented to outdoor recreation activities. There is one County campground at Long Island Lake and a number of outdoor recreation facilities in the County such as the Tawatinaw Valley Ski Area, a golf course, and a number of institutional camps.

#### **Direction**

- encourage recreation development with controls on the type and location

This means taking measures to protect recreation from other uses and placing controls on the scale, type, and location of recreation development.

The effect of this direction would be to expand recreation facilities available to local residents. In controlling the type and location of such uses, the County will be trying to ensure that development is compatible with the resources available.

## **Policies**

### **Outdoor Recreation**

- 6.1 River shoreland with a C.L.I. recreation rating of Class 4 or higher, and lake shoreland with a C.L.I. recreation rating of Class 3 or higher shall be used for intensive recreation development. Other river shoreland and lake shoreland may be used for extensive recreation and residential development as long as these uses are not precluded by other policies of this Plan.
- 6.2 Within the intensive recreation areas, the predominant use shall be for organized public serving recreation such as organized campgrounds, day use areas, picnic sites, lodges, recreation trails, and other similar uses as developed by either private or public interests. Development application for such uses shall be accompanied by a report outlining the compatibility of the site and the surrounding land use.
- 6.3 Intensive recreation development shall not, in the opinion of the County, exceed the physical and social carrying capacities of the site or of the recreational resource to support such use.
- 6.4 Intensive recreation development shall be required to install, where necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction. Such systems shall be of sufficient size to accommodate the anticipated number of users during the peak use period.
- 6.5 Spaces for day use, picnicking, camping and similar activities shall be suitably organized and clearly marked. Adequate lake access and parking facilities shall be provided where appropriate.
- 6.6 Intensive recreation development shall be required to maintain an open space buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible land uses.
- 6.7 The County shall encourage the Municipal Recreational Board to incorporate in the Recreation Master Plan, provisions relating to the use of the County's river and lake shorelands for recreation purposes, and which are compatible with the provisions of this Plan or any Lake Area Structure Plan in effect.
- 6.8 Residential development along river and lake shorelands shall conform with the Rural Residential policies of this Plan. The scale and intensity of such development shall be based upon the capacity of both the land and of the water resource to accommodate the proposed development.
- 6.9 Council may require the preparation of lake-related Area Structure Plans where deemed appropriate.

## **Open Space**

- 6.10 Adequate environmental reserves shall be dedicated in country residential subdivisions adjacent to river and lake shorelands so as to provide adequate protection from environmental hazard and public water access for both back-lot owners and the general public.
- 6.11 The County shall acquire Municipal Reserve in the form of 10% of all land being subdivided, in accordance with the ability to acquire such land as provided for in the Municipal Government Act.
- 6.12 Municipal Reserve land dedications, where possible, shall be concentrated in a few large parcels on suitable sites, rather than scattered throughout a subdivision.
- 6.13 If the amount of Municipal Reserve land would be too small to be suitable for recreational purposes, or if the land would not be of a suitable nature or quality or in suitable locations to provide reasonable recreational opportunities, the County may require that money in place of the Municipal Reserve be provided, in accordance with the ability to acquire such money in place as provided for in the Municipal Government Act. The County shall divide such money with the school jurisdictions within the County, in accordance with any agreements the County may have with the school jurisdictions, and use the rest of the money in place for recreation-related capital works within the County.
- 6.14 In order to provide for suitable, large areas for municipal recreation uses and facilities, the County may consolidate and acquire land in areas appropriate for public use.
- 6.15 Reserves within a subdivision shall, if possible, be designed to connect with nearby public land or with Reserves in adjacent subdivisions.
- 6.16 The County shall pursue a program of documenting and evaluating all existing Municipal Reserve parcels with a view to consolidating and development high quality municipal recreation facilities. This may be achieved in part through the disposition of existing Reserve parcels, trading land or by taking money in place of Reserves and using this to purchase land.
- 6.17 Unless unique site requirements determine otherwise, development proposals shall be set back from valley breaks, ravines and watercourses in order to prevent the development from being negatively impacted by erosion or flood hazards, and in order to preserve the integrity of the valley, ravine or watercourse.
- 6.18 All development shall be designed to retain buffer strips between roads and waterbodies, ravines, watercourses and wetland areas so as to prevent soil erosion and siltation of streams.

## **Heritage Corridor**

- 6.19 The Heritage Corridor shall consist of the Athabasca Landing Trail and its adjacent area as defined on Map 2.

- 6.20 Subdivision and development within the Heritage Corridor which may, in the opinion of Council, jeopardize or preclude the development and/or preservation of the Athabasca Landing Trail as a historical, cultural and recreation resource shall not be permitted.
- 6.22 Subdivision and development proposals within the Heritage Corridor shall be referred by the approving authority to appropriate provincial agencies for comment prior to consideration of any approval.

## **7. NATURAL AREAS**

### **Background**

There are large tracts of undeveloped land located in the northeast and northwest corners of the County. According to the Canada Land Inventory (C.L.I.), the majority of this land is rated as Classes 5 and 6 with regards to soil capability for agriculture. A considerable portion of the northwest corner of the County also has organic soils that are not placed in C.L.I. agriculture capability classes. These areas are characterized by sloughs and wetlands in a muskeg environment. The soils in these areas have severe limitations for agriculture and are generally not capable of sustaining field crops.

### **Water Resources**

Despite their severe limitations for agriculture, these undeveloped areas play an important role in the maintenance of the surface and subsurface water resources essential to agricultural operations in the developed areas of the County. Draining the sloughs and wetlands and clear cutting the natural vegetation for agricultural expansion would lead to the destruction of the natural systems which recharge the water table. The preservation of these areas in their natural state will protect the water resources of the County.

### **Wildlife Resources**

According to information collected by provincial government staff, the County is relatively rich in wildlife resources. The large areas of muskeg in the northeast and northwest corners of the County and river corridors have created quality habitat areas for white tailed deer, moose, elk and waterfowl. These areas represent the habitat resources which are most critical to the maintenance and survival of wildlife in the County.

Human activity and development within or adjacent to wildlife habitats places varying degrees of pressure on the viability of these resources. Some animals and birds are more sensitive to human activity than others. Some can adapt to a landscape modification whereas others cannot do so readily. Development and subdivision, if not properly designed, could alter or even destroy the wildlife habitats.

The clearing and draining of muskeg area for the expansion of agricultural land use can also result in gradual elimination of wildlife habitat.

### **Direction**

- encourage the preservation and maintenance of undeveloped natural areas

This means taking measures to protect undeveloped natural areas from other uses and placing controls on the scale, type, and location of development.

The effect of this direction would be to encourage the use of such areas for private and public nature appreciation by local residents and discourage development for agriculture, industry, or commerce. In controlling the type and location of such uses, the County will be trying to ensure

that development is sensitive to the environment and will not jeopardize either water resources or wildlife habitats.

## **Policies**

### **Natural Areas**

- 7.1 It shall be the policy of the County to encourage the use of undeveloped natural areas for private and public natural appreciation by local residents.
- 7.2 The County shall attempt to preserve the large blocks of land designated as Natural Use Area outlined on Map 1 primarily to protect surface and subsurface water resources and wildlife habitats.
- 7.3 In accordance with the guiding principles in this Section, the County shall reserve the Natural Use Area primarily to be left in its natural state. Development which may be permitted in Natural Use Area under certain conditions are:
  - (a) private or public nature reserves
  - (b) municipal parks and playgrounds
  - (c) single lot country residential parcels.
- 7.4 Subdivision and development for agricultural, industrial and commercial uses shall not be permitted in the Natural Use Area.
- 7.5 Subdivision or development proposals within the Natural Use Area may be referred to appropriate provincial agencies able to assess the impact of development on wildlife habitat and on aquifer recharge areas for comment prior to considering any approval, especially if the development or subdivision might involve the drainage of sloughs or wetland areas.
- 7.6 Where subdivisions are permitted in the Natural Use Area, Municipal Reserves shall be dedicated in subdivisions located adjacent to natural use areas so as to provide protection of wetlands, rivers, and lakes.
- 7.7 All residential development within Natural Use Areas shall comply with the policies provided for country residential development within this Plan.
- 7.8 All development shall be designed to retain buffer strips between roads and waterbodies, ravines, watercourses and wetland areas so as to prevent soil erosion and siltation of streams and the degradation of groundwater.
- 7.9 Subdivision or development may be permitted immediately adjacent to a Natural Use Area only when it can be proven to the satisfaction of the County that subdivision or development will not jeopardize or significantly damage the wetlands and their groundwater recharge capabilities.

## **Wildlife Areas**

- 7.10 Wildlife areas generally include lands which are critical and essential to the maintenance of a viable population of certain wildlife species as defined on Map 2.
- 7.11 Subdivision or development proposals within the Natural Use Area may be referred to appropriate provincial agencies able to assess the impact of development on wildlife habitat and on aquifer recharge areas for comment prior to considering any approval, especially if the development or subdivision might involve the drainage of sloughs or wetland areas.
- 7.12 Subdivision or development may be permitted within or immediately adjacent to wildlife areas only when it can be proven to the satisfaction of the County that subdivision or development will not jeopardize or significantly damage those characteristics of the resource vital to habitat and species maintenance.
- 7.13 In the approval of subdivision or development proposals within or immediately adjacent to wildlife areas, the County shall ensure that disturbance of vegetation and alterations to site topography are minimized. A site plan detailing the protection of existing vegetation and site topography shall be required with any application for development permit, and implementation of the site plan shall be a requirement of the approval of any such permit.

## **8. TRANSPORTATION AND UTILITIES**

### **Background**

Westlock County is serviced by a network of highways, railways, pipelines and powerlines. Highways Nos. 2 and 44 travel in a north-south direction and Highway No. 18 runs in an east-west direction. Highway No. 44 also connects the Town of Westlock with Highway No. 16 in the Edmonton area. As well, two Canadian National Railway lines (connecting Edmonton and Barrhead, and Edmonton and the Peace River area), traverse through the municipality. A local airport, with a runway of 900 metres (3,000 feet), is located just east of the Town of Westlock. There is also a network of powerlines and pipelines serving the area.

The transportation network appears to provide an adequate level of service to the area at present. However, it is important that these facilities should be protected from unnecessary encroachment in order to maintain their long-term efficiency. As well, additional provisions may be required to ensure that land use adjacent to highways, railways and the airport are not adversely affected by such things as noise, vibration and emissions generated from the traffic using these facilities.

Six of the hamlets in the County (Busby, Fawcett, Jarvie, Pibroch, Pickardville and Vimy), are served by municipal piped water supply and sewage collection and disposal systems. The systems have the capacity to serve two to three times the current population in the hamlets.

There are twelve modified waste disposal sites located throughout the County. Most of these sites have a life span of about five years, and some of them have been used almost to their capacity. Environmentally and land use wise, a more efficient system for the County, the Town of Westlock and the Village of Clyde, would be the joint operation of a regional sanitary landfill system.

### **Directions**

- maintain the long-term efficiency of linear facilities and minimize land use effects of these facilities

This means the County shall discourage the unnecessary encroachment of roads, railways, airport, powerlines and pipelines; and will attempt to ensure that future land use adjacent to these facilities will not interfere with their operation, upgrading or future expansion.

This direction would ensure the compatibility between linear facilities and land uses adjacent to them.

- ensure that municipal services are provided in an economical and efficient manner

This means that the County shall attempt to provide municipal services to the residents which reflect the need, environmental constraints, and land use considerations.

Council shall maintain, and in the case of landfill facilities, attempt to upgrade the utility infrastructures.

## **Policies**

### **Transportation**

- 8.1 The County shall encourage the location of transportation and utility lines and facilities in a manner which:
- (a) minimizes the consumption of higher capability agricultural land
  - (b) encourages the integration of transportation routes and utility lines within defined corridors
  - (c) encourages rights-of-way to follow quarter section lines, property boundaries or existing easements
  - (d) discourages the creation of fragmented parcels of land between rights-of-way
  - (e) minimizes the impact on significant recreational, heritage or wildlife areas.
- 8.2 In reviewing proposals for the establishment of new transportation and utility lines, or new land uses adjacent to these facilities, the County may require the provision of a sufficient buffer to minimize any negative impacts.
- 8.3 The County shall encourage new transportation and utility rights-of-way and existing residential areas and areas designated for urban expansion. Where such lines must locate in close proximity to residential or urban areas, they should be designed to be compatible with future urban growth.
- 8.4 The County shall endeavour to cooperate with other municipalities and the provincial government in the planning and development of inter-municipal roadways.
- 8.5 The County shall encourage those involved in the exploration and development of natural resources to construct access roads on road allowances wherever possible.
- 8.6 Road access from private property onto provincial highways shall be discouraged and limited wherever possible.
- 8.7 If public road access is not immediately available to any proposed subdivision or development, it may be a condition of the approval of any such subdivision or development that access be provided, to County standards and specifications, to each proposed lot in the subdivision or to the development, at the developer's expense. This requirement may include building internal subdivision roads or service roads, in providing individual accesses to proposed lots or developments, or in building roads along Government Road Allowances to the site of the proposed subdivision lot or development.

- 8.8 Development and subdivision proposals located within 0.8 km (0.5 miles) of a Highway shall be referred to appropriate provincial agencies for comments prior to consideration of development approval.

### **Airport Vicinity**

- 8.9 In order to minimize safety hazards and land use conflicts around airports, the County shall encourage the adoption of regulations protecting the operations of all publicly licensed or paved airports in the municipality.
- 8.10 The following criteria shall apply to subdivision and development near all publicly licensed or paved airports:
- (a) multi-lot country residential development shall be prohibited on land located within the 30 Noise Exposure Forecast contour or higher as shown on Map 3;
  - (b) developments which will cause a concentration of people such as schools, libraries, nursing homes and hospitals, shall be discouraged on land located within the 30 Noise Exposure Forecast contour or higher as shown on Map 3;
  - (c) the County's Land Use Bylaw shall establish maximum heights for development adjacent to and in the vicinity of an airport.

### **Utilities**

- 8.11 The provision or expansion of municipal piped water supply and sewage collection and disposal systems in hamlets shall be based on the needs of the residents, economic considerations, and the future expansion potential of the hamlet.
- 8.12 To improve the handling and disposal of solid waste, the County may consider converting to:
- (a) a regional landfill site; or
  - (b) a pickup system whereby wastes would be transported to a regional landfill site.
- 8.13 Westlock County may work jointly with the Town of Westlock and the Village of Clyde in the establishment of a regional landfill site.

## **9. PEMBINA RIVER FLOODING**

### **Background**

An area near the Pembina River is subject to flooding from that River. The most recent major flood occurred in 1996. An area as much as 4 miles wide in places was flooded by waters from the River at that time.

However, the area adjacent to the Pembina River which was flooded is primarily used for agricultural purposes, and appropriate agricultural development should be allowed to continue, notwithstanding the flood hazard.

As well, the County does not wish to become involved in any flood protection regulation, or be in any way responsible for the impact of the flood hazard on private development decisions.

### **Directions**

- identify the flood susceptible area, but make it clear that the County accepts no responsibility for private development decisions made in the flood susceptible area

This means the County shall advise landowners and developers of the flood hazard, but not regulate development relative to the hazard or become involved in any flood hazard protection activities.

### **Policies**

- 9.1 An area within the County near the Pembina River has, from time to time, been flooded by the Pembina River. After the most recent flood, Alberta Municipal Affairs identified a 1:100 year flood plain. That area is shown on Map 4. It shall be the responsibility of any developer who develops in the proximity of the Pembina River to ensure that the development occurs in such a manner as to be satisfactorily flood-proofed or flood-protected. The County shall take no responsibility in this regard.

## **PART THREE - IMPLEMENTATION AND ADMINISTRATION**

### **1. AUTHORITY OF THE PLAN**

- 1.1 This Plan shall be adopted by Westlock County as the Westlock County Municipal Development Plan.
- 1.2 Subdivision and development of lands within Westlock County shall be in accordance with the provisions of this Plan.
- 1.3 The County shall encourage the provincial and federal governments to have regard for the provisions of this Plan in the subdivision and development of crown lands, and in the formulation of provincial and federal policies and programs, within Westlock County.

### **2. LAND USE BYLAW**

- 2.1 Where this Plan or any part thereof takes effect, the Land Use Bylaw in effect in Westlock County thereby shall be amended to conform with this Plan.
- 2.2 No provisions of this Plan shall require the Land Use Bylaw to pre-designate lands for hamlet and/or urban expansion, commercial, industrial, resource extraction, multi-lot country residential, manufactured home park, intensive recreation, extensive recreation, institutional or other similar uses. Development proposing any of these uses shall be required to conform with the provisions of this Plan.

### **3. AMENDMENT**

- 3.1 Should changing conditions necessitate an amendment to the Plan, in accordance with the Municipal Government Act, the amendment shall be adopted by bylaw.
- 3.2 In order to ensure that the intent of the Plan is protected and that a proper evaluation of the impact of a proposed amendment on the guiding principles, directions and policies of the Plan may be undertaken, the following criteria shall apply to consideration of an amendment:
  - (a) a formal request for amendment shall be submitted to the County;
  - (b) the request shall be in the form of a written brief demonstrating the implications and conformity of the proposed amendment with the guiding principles, directions and policies of the Plan;
  - (c) during deliberation on the proposed amendment, the County may refer the request to such agencies as it considers necessary for comment;
  - (d) the County may request such information as it deems necessary to reach a decision on the proposed amendment.

#### **4. REVIEW**

- 4.1 The planning process is a dynamic process, subject to inevitable change. With this Plan being a major component in the County planning process it is intended that this Plan will be subject to periodic review. Review of the Plan may be initiated in the following ways:
- (a) a complete or partial review when significant changes in economic, social, or technical developments or environmental considerations occur;
  - (b) a complete review upon the election of a new Council or at least every three years;
  - (c) a complete or partial review upon an amendment pursuant to the section on amendment.

#### **5. MONITORING**

- 5.1 Essential to the continued effectiveness, viability and relevance of the Plan is the mechanism of monitoring. Monitoring entails recording the appraising the significance of events, trends and decisions, in relation to the Plan. Essentially, therefore, the premise is that circumstances change, and if the Plan does not change with them it may soon become an obsolete document incapable of providing direction.
- 5.2 This Plan is based on a set of guiding principles and directions, many of which relate to the future. Over time any one or more of these may change. The County shall establish procedures and techniques to monitor and record the changes in the County's land use, development and growth patterns.
- 5.3 This monitoring in combination with the review and amendment processes will form the key elements in ensuring the long term relevancy of the Plan to changing County aspirations and needs.

#### **6. INTERPRETATION**

- 6.1 In order to provide for flexibility in the interpretation, land use designation boundaries in this Plan may be considered to be approximate except where such land use designation boundaries coincide with roads, quarter section lines, valleys, streams, rivers or other clearly recognizable physical features. Otherwise, for the purpose of amending the Land Use Bylaw, and for subdivision and development approval or otherwise, minor deviations may be permitted without amendment to this Plan, provided that such deviations do not alter the intent of this Plan.
- 6.2 The examples of uses described in the land use designations are included in this Plan to illustrate the range of activities in each land use designation. Specific uses shall be defined for an area in the Land Use Bylaw.
- 6.3 This Plan has been prepared based on metric unit measurements. The imperial unit measurements were included for reference purpose only.

