

# MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133



## MUNICIPAL DEVELOPMENT PLAN BYLAW 10-2010

Including revisions to *(date)* (Bylaw XXX).



November 2010

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## 1.0 Introduction

### 1.1 Plan Purpose

The purpose of this Municipal Development Plan is to provide clear direction to Council and Administration for the future growth and development of Municipal District of Spirit River No. 133.

This Plan guides future development by defining the vision, principles, objectives, and policies of the Municipal District with respect to planning matters. The MDP, in addition to applicable Provincial legislation, provides a foundation for the preparation of more detailed land use plans; is intended to be used in conjunction with Municipal District's Land Use Bylaw to implement the policies of this Plan; and to inform residents and developers of the Municipal District's future land use strategy.

The Plan has been prepared in accordance with Section 632 of the Municipal Government Act, and replaces the previous Municipal Development Plan, Bylaw 02-2009 which was adopted on August 26<sup>th</sup>, 2009.

### 1.2 Interpretation

For the purpose of interpreting this Plan, the following definitions shall apply:

**Better Agricultural Land** means those lands in the rural area which are rated at 28% by the Rural Farmland Assessment (RFA) or equivalent, and may be confirmed through site inspections and/or independent soils analysis. Parcel(s) or portion(s) thereof with a RFA Final Rating between 28% and 60% may be considered exempt from this definition at the discretion of the Development Authority if they are adjacent to highway development districts, non-agricultural land uses that are compatible with the proposed non-agricultural use, or subject to slope, configuration, or size constraints or, exceptions to this definition may be considered by the Development Authority where appropriate. (For information purposes only, a map illustrating soil quality is provided in Appendix 1.)

**Country Residential Development** means a multi-lot residential subdivision which results in the creation of two or more residential parcels.

**Environmentally Sensitive Areas** means those areas that are generally unsuitable for development due to the presence of excessive or unstable slopes, the potential for erosion or flooding, or contain sensitive ecological habitat. This definition may apply to, but is not limited to lakeshores, rivers and other water courses, river valleys, forests and vegetation, unique topographic features, environmentally hazardous lands, and important wildlife habitat and corridors.

**Farmstead Separation** means the subdivision of land from an unsubdivided quarter section to accommodate an existing, habitable residence and related improvements.

**Statutory Plan** means a Municipal Development Plan, Intermunicipal Development Plan, or Area Structure Plan prepared and adopted in accordance with the Municipal Government Act.

- 1.2.2 All other words or expressions shall have the meanings respectively assigned to them in the Municipal Government Act, the Subdivision and Development Regulation, and the Land Use Bylaw.
- 1.2.3 With the exception of those lands contained within an Intermunicipal Development Plan, the policies set forth in this Plan apply to all lands contained within the corporate boundaries of the Municipal District. If a situation arises that the applicable Intermunicipal Development Plan does not address, then the relevant policies contained in this Plan shall apply.
- 1.2.4 The land use boundaries identified in this Plan are considered approximate and not absolute. Any minor adjustments or variances that may be necessary to land use policy areas shall not require an amendment to this Plan.

**1.3 Context**

**1.3.1 Location**

The Municipal District, as shown on Map 1, is bordered by Saddle Hills County to the west, north and south and Birch Hills County to the east. The City of Grande Prairie is located approximately 80 kilometres to the south of the Municipal District. The Village of Rycroft and Town of Spirit River are located within the boundaries of the Municipal District, but operate independently from the municipality.

**1.3.2 Municipal Designation**

The Municipal District began as Improvement District (I.D.) 829 on December 31, 1913. On November 15, 1916, I.D. No. 829 changed its status from an I.D. to a Municipal District (M.D.) and changed its name to the Municipal District of Spirit River No. 829. On April 14, 1945, the Municipal District was renumbered as the Municipal District of Spirit River No. 133.

**1.3.3 Population and Demographics**

As of 2006, the Municipal District’s population was 662. Since 1986, the Municipal District’s population has decreased, as shown in Table 1.

**Table 1: Historic Population Growth, 1966-2006** (Source: Statistics Canada, 1966-2006 Federal Census)

Federal Census Year	Population	Net Change	% Change
1966	1,243	-	-
1971	1,052	-191	15.37
1976	857	-195	18.54
1981	891	34	3.97
1986	848	-43	4.83
1991	812	-36	4.25
1996	809	-3	0.37
2001	824	15	1.85
2006	662	-162	19.66

**1.4 General Municipal Plan**

Since the adoption of the previous General Municipal Plan (GMP) in 1993, the population in the Municipal District has decreased. Many of the previous Plan’s policies were concerned primarily

with the protection of the agricultural land base and maintaining the viability of the rural way of life. Many of the policies contained in the 1993 Plan remain relevant, however, changes over the past 17 years in demographics and development patterns have required a review of the General Municipal Plan of 1993 (later amended as Municipal Development Plan Bylaw 02-2009).

## **2.0 Process, Principles and Vision**

### **2.1 MDP Planning Process**

The Municipal District's Council and Administration sponsored the planning process between October 2009 and November 2010, and provided opportunities for the public and other stakeholders to make suggestions and provide feedback about the Plan, including:

- An advertisement was published in the Central Peace Signal on Tuesday, October 27, 2009 to announce the initiation of the project, and request public comment.
- The mailout of a survey to the Municipal District's residents on October 30, 2009. The survey was also available on the Municipal District's website. The purpose of the survey was to develop an understanding of community values, develop a vision of the future, and identify areas of concern;
- A public open house was held at the Municipal District Office on June 28, 2010 to present the draft Plan. A total of 3 people attended the open house. A comment form was distributed to solicit feedback on the future land use concept and draft policies of the Plan.

### **2.2 Strengths, Themes and Guiding Principles**

The Plan review process identified community strengths, major themes for future development, and guiding principles for the Municipal District.

#### **2.2.1 Community Strengths**

Three community strengths emerged in this process and demonstrated that the MD:

1. Values its rural lifestyle;
2. Values the preservation of its agriculture lands; and
3. Is proud of its natural resources and amenities.

#### **2.2.2 Major Themes**

Participants in the Plan review process overwhelmingly described that the MD is peaceful, offers wide open spaces, and provides nature at its doorstep. Participants also identified that they want to protect the Municipal District's agricultural lands, direct country residential development to designated areas, and direct commercial and industrial development to specific locations near highways and settlements. Participants identified that the Municipal District will see population growth and economic growth, and fewer farms but more large farming operations in the next 20 years. The Municipal District's greatest challenge will be to accommodate new development, while still maintaining the peaceful, wide open spaces, and natural environment valued by its residents.

#### **2.2.3 Six Principles**

If the Municipal District is going to succeed in directing new development to specific locations, and maintaining the peaceful, wide open spaces, and natural environment ~~and~~ that is important to its residents, then any decision made by Council or Administration must recognize the three community strengths, the major themes and the following six principles, which were identified in the Plan review process:

1. Agriculture is the most important land use in the rural area;
2. Development and growth shall be directed to specific locations;
3. Economic diversity shall be promoted;
4. The integrity of environmentally sensitive areas and open spaces shall be protected;

5. The transportation system shall be safe and convenient; and
6. Servicing shall be extended economically and efficiently, and/or provided privately.

These principles are the core values that reflect the character of the community as identified in the plan review process and shall provide a foundation for the vision, objectives and policies of the Plan.

### **2.3 Vision**

Any plan for future land use and development must be based on a vision of the future. This particular vision is intended to articulate where the Municipal District is headed.

The Municipal District recognizes the value of its rural lifestyle, and will improve on its quality of life by protecting its agricultural lands, environmentally sensitive lands, and open spaces, and by directing new country residential development to specific locations and well-defined areas, and commercial and industrial development to specific locations near highways and settlements.

### **2.4 General Development Strategy**

The general development strategy focuses on the Municipal District's quality of life and describes a pattern of strategic growth and development. The strategy protects the Municipal District's agricultural lands, environmentally sensitive lands, and open spaces, and by directing new country residential development to specific locations and well-defined areas, and commercial and industrial development to specific locations near highways and settlements. In general, the Plan reflects the Municipal District's past land use pattern, current community values, and desired future.

### **2.5 General Development Policies**

- 2.5.1 The Municipal District shall conform to the policies of the Province of Alberta and the Provincial Land-use Framework and any subsequent Regional Plan when considering updates or amendments to this Plan and the Land Use Bylaw, or other development proposals.
- 2.5.2 The Municipal District shall plan for development that contributes to its fiscal, social and environmental well-being. The Municipal District may develop targets or thresholds to monitor changes to the environment, and may develop methods to mitigate or eliminate a local or regional effect.
- 2.5.3 Future development in the Municipal District shall conform to the Policy Areas illustrated on Map 2. The map is designed to provide the Municipal District with a broad framework for development, is not intended to be interpreted on a site-by-site basis, and is intended to be interpreted in conjunction with the policies of this Plan.
- 2.5.4. The Municipal District may require that an Area Structure Plan (ASP) be prepared in accordance with Section 633 of the Municipal Government Act as a prerequisite to approval of a multi-lot country residential, commercial or industrial subdivision. These Plans shall address the following issues to the satisfaction of the Municipal District:
  - a. conformity with this Plan, other statutory plans and the Land Use Bylaw;

- b. impacts on adjacent uses and mitigation methods, such as the provision of any suitable buffers or setbacks;
  - c. proposed land uses and population projections;
  - d. proposed methods of water supply, stormwater management and sewage disposal;
  - e. access and internal circulation;
  - f. allocation of municipal and environmental reserve;
  - g. suitability of the development site in terms of soil stability, groundwater level, and drainage;
  - h. fire safety and emergency planning
  - i. a method by which developers pay for off-site costs;
  - j. the sequence and phasing of the development ,and
  - k. any other matters identified by the municipality.
- 2.5.5 When land is developed or redeveloped, the Municipal District may require developers to enter into a development agreement with the Municipal District.
- 2.5.6 The Land Use Bylaw shall establish standards for development in the Municipal District and implement the policies of this Plan.
- 2.5.7 If an amendment to the Land Use Bylaw is required to accommodate a proposed subdivision or development, the amendment shall receive third reading from Council prior to subdivision or development approval taking place. Such amendments will not be considered unless accompanied by a subdivision or development permit application.



### 3.0 Agriculture

Agriculture is an important part of the Municipal District's culture, economy and identity. An abundance of high quality soils throughout the municipality, particularly around the Village of Rycroft, the Town of Spirit River and the highways connecting these urban areas allow for the successful production of alfalfa, barley, canola, oat, and pea crops or the raising of livestock. These lands are also subject to the most pressure for non-agricultural development. Consequently the protection of the agricultural land base is a necessity and will assist in the continued viability of farming as an economic activity.

#### 3.1 Agriculture Objectives

- *Preserve Better Agricultural Land for agricultural land uses.*
- *Minimize the impact of non-agricultural uses on existing agricultural operations.*
- *Accommodate the separation of a farmstead from a quarter-section.*
- *Accommodate single lot vacant country residential developments.*

#### 3.2 Agriculture Policies

3.2.1 The subdivision of Better Agricultural Lands for non-agricultural uses may not be permitted, unless otherwise allowed for in this Plan, or any other Statutory Plan.

3.2.2 The Municipal District shall encourage:

- a. the maintenance of the 64.8 ha (160 acre) quarter-section or river lot as the basic farm unit; and
- b. the retention and/or development of windbreaks between agricultural parcels and shelterbelts around farmsteads.

3.2.3 Notwithstanding 3.2.2, the Municipal District may approve the subdivision of land for extensive agricultural purposes regardless of land quality if the proposed parcel is:

- a. physically severed from the balance of the quarter section and is inconvenient to access;
- b. to be consolidated with adjacent lands;
- c. the subdivision is required to accommodate a pre-existing or authorized use; or
- d. in the opinion of the Municipality capable of sustaining a viable agricultural use.

3.2.4 Lands in the Agricultural Policy Area may be developed for agricultural industries, highway commercial uses, home-based businesses, public uses and utilities, recreational uses, resource extraction industries, greenhouses and rural industrial development provided that:

- a. the proposal is in conformance with Statutory Plans and the Land Use Bylaw;
- b. they do not disrupt existing agricultural operations (i.e., creation of weed problems);
- c. they are suitable in terms of soil stability, groundwater level, and drainage;
- d. they have sufficient road access; and
- e. they are not within Environmentally Sensitive Areas.

- 3.2.5 The Municipal District will consider the development of Confined Feeding Operations, at appropriate locations, as a means of adding value to grain crops, and creating employment.
- 3.2.6 The Municipal District considers Confined Feeding Operations greater than five times the size described in Column 3 of Schedule 2 of Agricultural Operations, Part 2: Matters Regulation (Alberta Regulation 257/2001) as an inappropriate land use and will not support their development within the municipality.
- 3.2.7 Applications to the Natural Resources Conservation Board for the establishment or expansion of Confined Feeding Operations shall not be supported by the Municipal District unless they are compatible with adjacent land uses, do not generate adverse health or environmental effects, follow the Agricultural Operations and Practices Act guidelines, and meet or exceed the following separation distances:
- a. 8 km from the Village of Rycroft, the Town of Spirit River or a multi-lot country residential subdivision;
  - b. 4 km from any federal, provincial or municipal park, water body, swamp, gully, ravine, coulee or natural drainage course, and may not be located in an area subject to flooding; or
  - c. within a natural area.
- 3.2.8 Confined Feeding Operations shall not be established or expanded where there is any risk that runoff will contaminate water supplies.
- 3.2.9 The Municipal District shall protect existing Confined Feeding Operations by refusing a development permit for a new residence within the Minimum Distance Separation as defined by Agricultural Operations and Practices Act, of an existing or approved Confined Feeding Operation.
- 3.2.10 The subdivision of land to accommodate a Farmstead Separation shall be permitted if:
- a. the parcel contains an existing, habitable residence;
  - b. the proposed parcel size is the minimum necessary to accommodate on-site improvements and services, amenities, woodlots, and other areas with no agricultural value; and
  - c. the proposed parcel size can accommodate a sewage system that complies with Provincial regulations.
- 3.2.11 Farmstead Separations shall conform to the Land Use Bylaw, including the lot area requirements. Larger lot areas may be permitted as is needed to include improvements, shelterbelts, woodlots or other areas with no agricultural value. Woodlots included in a farmstead separation may be subject to a conservation easement.
- 3.2.12 The subdivision of a vacant first parcel out of an unsubdivided quarter section may be permitted if the proposed parcel:
- a. is severed from the balance or otherwise not viable to farm;
  - b. is the minimum amount necessary to accommodate on-site amenities and services;
  - c. shall not interfere with existing agricultural operations both on the balance and on adjacent lands; and

- d. legal and physical access is available.
- 3.2.13 A Farmstead Separation or a vacant first parcel out of an unsubdivided quarter section may be refused if it interferes or conflicts with:
- a. agricultural operations in the area; or
  - b. existing or future roads or utilities.
- 3.2.14 The subdivision of land occupied by an abandoned farm site may be permitted if, in the opinion of the Municipal District, the site in question is suitable for residential redevelopment.
- 3.2.15 One dwelling unit is permitted per parcel. Additional dwellings may be allowed in accordance with the provisions of the Land Use Bylaw.
- 3.2.16 Any residential development proposal that requires the creation of more than two lots shall be considered a Country Residential Development and reviewed under the policies of Section 4 of this Plan.

## 4.0 Country Residential Development

The Municipal District has recently experienced an increasing demand for country residential parcels, as evidenced by the frequency of applications for Country Residential Development. The Municipal District of Spirit River No. 133 will meet this demand provided that the development does not disrupt existing agricultural operations or negatively impact natural areas. In addition, the approving authority will consider the logical and future growth of the Village of Rycroft or the Town of Spirit River, or any relevant Statutory Plan when reviewing applications for Country Residential Development.

Accommodating Country Residential Development is a challenge considering: the vast area of the Municipal District; the suitability of topography and soil conditions for sewage disposal; and the proximity to road access. These factors, and others such as the provision of municipal services; impacts on the agricultural community; the natural environment; the protection of Better Agricultural Land, impose constraints on the design, size and location of country residential parcels. This Plan considers these elements and directs country residential development to strategic locations within the Municipal District.

### 4.1 Country Residential Objectives

- *Recognize agriculture and its related industries as the predominant land use in the Agricultural area.*
- *Recognize country residential development as a legitimate land use in the Agricultural Area, while minimizing potential conflicts with non-residential uses.*
- *Provide for the establishment of attractive, well-planned and properly serviced country residential development.*

### 4.2 Country Residential Policies

4.2.1 To reduce conflicts with agricultural operations, and to minimize the cost of maintaining roads and other municipal services, Country residential development shall be directed to locations identified on Map 2, or in accordance with the following principles:

- a. are not on Better Agricultural Land, except where the use of better soils may be justified because the land is adjacent to existing country residential neighbourhoods, or fragmented;
- b. located near existing or proposed recreation areas;
- c. have potable water supply and are adequately serviced or where municipal servicing can be provided in an efficient and economical manner;
- d. have simple and direct road access; or
- e. will maintain the minimum separation distance from sour gas facilities, gas and oil wells, wastewater treatment plant, landfills, existing Confined Feeding Operations and existing sand and gravel extraction sites as defined by Municipal Government Act, or any other relevant legislation.

4.2.2 The Municipal District may consider locations outside of the designated areas provided they meet the conditions of the Policy 4.2.1.

4.2.3 The Municipal District shall direct the development of country residential subdivisions away from:

- a. active sanitary landfills and waste transfer stations;
  - b. Environmentally Sensitive Land;
  - c. existing Confined Feeding Operations;
  - d. existing sand and gravel extraction sites; and
  - e. sour gas facilities or other potentially hazardous industrial operations.
- 4.2.4 All country residential development proposals will be evaluated according to the following:
- a. the applicant shall demonstrate to the satisfaction of the Municipal District that the land in question is safe from flooding, erosion, subsidence, groundwater inundation, or other hazards utilizing provincial guidelines (or other similar guidelines as provided in the Municipal District's Land Use Bylaw);
  - b. the development is compatible with adjacent land uses and Environmentally Sensitive Areas;
  - c. proximity to other country residential subdivisions;
  - d. for any proposal that results in an overall density in excess of five lots per quarter, the applicant may be required to submit to the Municipal District a geotechnical and a hydro-geological assessment prepared by a qualified professional engineer in accordance with provincial guidelines;
  - e. the applicant has made provision for sewage disposal in accordance with provincial requirements; and
  - f. access to existing roads or internal roads required to service the development shall be constructed at the cost of the Owner/Developer/Applicant to municipal standards.
- 4.2.5 For any proposal that results in an overall density in excess of five lots per quarter section that proposes to utilize wells or groundwater-fed dugouts for water supply, the applicant shall submit to the Municipal District a hydro-geological assessment prepared by a qualified professional engineer in accordance with provincial guidelines.
- 4.2.6 The developer of a country residential development is responsible for the costs incurred for the construction of internal roads and the connector routes to the municipal road system.
- 4.2.7 The Municipal District shall require that bareland condominium residential developments meet the same requirements and standards as conventional country residential subdivisions.
- 4.2.8 Wherever possible, a landscaped or treed buffer should be provided along the boundaries of country residential lots that are located adjacent to non-residential uses.
- 4.2.9 The Municipal District supports home-based businesses in residential areas provided that the residential character of the home and the area is maintained.
- 4.2.10 Any future subdivisions located adjacent to a highway shall take place in a manner that protects the integrity of the highway corridor and may require a service road, subject to the requirements of Alberta Transportation.
- 4.2.11 The number and type of livestock allowed in country residential developments shall be controlled through the Land Use Bylaw.

## 5.0 Commercial and Industrial Development

Historically, most commercial and industrial land use in the Municipal District is located adjacent to highways or where large tracts of land are available, and cater to the travelling public or the agricultural and resource industries. Highway 2, Highway 49, Township 780 and to a lesser extent Highway 731 have an opportunity to become the commercial and industrial focal point of the Municipal District. Locating commercial and industrial development in along these roadways will help them to flourish and to grow and diversify the Municipal District's economy.

The Plan emphasizes the need to focus commercial and industrial uses in development nodes along Highway 2, Highway 49 and Highway 731. These roadways and adjacent commercial and industrial development can help to grow and diversify the Municipal District's economy and have a unifying role in a large municipality that is primarily composed of a large agricultural area.

### 5.1 Commercial and Industrial Objectives

- *Support a concentrated pattern of commercial and industrial development.*
- *Facilitate industrial developments that support agriculture.*
- *Ensure that commercial and industrial developments are attractive, safe and compatible with existing development.*
- *Accommodate the growth and development of home-based businesses.*
- *Support the Municipal District's role as a centre for oil and gas exploration.*
- *Promote and diversify Municipal District's economy by emphasizing manufacturing, transportation, and the supply of industrial goods and services.*

### 5.2 Commercial and Industrial Policies

5.2.1 Commercial and industrial nodes or development shall be encouraged to locate in:

- a. existing areas;
- b. adjacent to railways and airports;
- c. sites along Highway 2, Highway 49, Township Road 780 and Highway 731; and
- d. as generally shown on Map 2.

5.2.2 All commercial and industrial developments proposed in the Agricultural Policy Area shall be evaluated according to the following:

- a. conformity with relevant statutory plans and the Land Use Bylaw;
- b. quality of agricultural land;
- c. does not conflict with adjacent land uses in terms of appearance, emissions, noise, vibration, dust, odour, traffic generation, environmental hazards or other safety risks, unless suitable buffers or adequate separation distances and transition between uses are provided;
- d. the servicing requirements of the proposal;
- e. suitability of the site in terms of soil stability, groundwater level, and drainage;
- f. provisions for access and impacts on the transportation network; and
- g. have sufficient on-site water storage or access to a municipal water source for fire protection purposes.

5.2.3 The Municipal District may consider commercial and industrial development outside of the designated areas provided the conditions described in the Policy 5.2.2 are

addressed to the satisfaction of the municipality, and conform to the policies of an approved Statutory Plan.

- 5.2.4 Support for mineral extraction operations shall be contingent upon reclamation, and the mitigation or minimization of the impacts upon adjacent land uses, soil, water, and farming operations.
- 5.2.5 Any proposed commercial and industrial node or development adjacent to highways shall be referred to Alberta Transportation for review and comment prior to a decision being issued by the Municipal District.
- 5.2.6 At the time of development, the Municipal District may require the provision of buffers, such as landscaping, fences, and berms and setbacks to maximize the compatibility of development with adjacent uses.
- 5.2.7 The Municipal District may require the preparation of a risk assessment at the cost of the developer, when considering an industrial use or determining the location of a potentially noxious industry that may pose potential environmental contamination or cause nuisance.
- 5.2.8 The Municipal District shall require that development and subdivision applications in close proximity to sour gas facilities meet the standards of the Subdivision and Development Regulation (Alberta Regulation 43/2002) and Alberta Energy Regulator guidelines, with respect to minimum separation distances, between sour gas facilities and other land uses.
- 5.2.9 The Municipal District shall continue to promote commercial and industrial nodes or development through Council and its economic development affiliations.

## **6.0 Environmental Stewardship**

The Municipal District is rich in wildlife, and is situated within a varied ecological network consisting of the Peace River, the Birch and Saddle Hills, and the valleys of the Spirit and Burnt Rivers. These environmental areas provide the Municipal District with a picturesque and rugged environment, outdoor recreation opportunities, and an ecosystem that benefits residents, visitors, and wildlife. The Plan requires and encourages the responsible stewardship of Environmentally Sensitive Areas, and the ecological network. These areas can also pose as hazards to development in terms of flooding, erosion, and subsidence, the potential effects of which need to be mitigated.

### **6.1 Environmental Stewardship Objectives**

- *Outline the requirements for the planning and development of land within or adjacent to Environmentally Sensitive Areas.*
- *Identify, protect and enhance natural areas, areas susceptible to flooding, and other significant erosion prone areas.*
- *Protect wildlife, waterfowl staging areas, lakes, river shore-lands, valley slopes, unique topographic features, and vegetative types which may be considered environmentally sensitive.*
- *Recognize the Peace River and the river valley as an important natural feature.*
- *To encourage and promote the development of outdoor recreational opportunities.*
- *Maintain public accessibility to lakes and major rivers through the use of reserves at the time of subdivision.*
- *Reduce the risk of wildfire, loss of property or loss of life from wildfires.*
- *Support the preservation of historic resources within the Municipal District.*

### **6.2 Environmental Stewardship Policies**

- 6.2.1 The policies contained in this section apply to those lands identified as Environmentally Sensitive Areas on Map 2, as well as any other lands that the Municipal District deems appropriate.
- 6.2.2 Area Structure Plans, outline plans or subdivision applications, as Municipal District deems appropriate, shall:
- a. confirm the location and geographic extent of any Environmentally Sensitive Areas, or historic or archaeological sites. A detailed analysis shall be undertaken by a qualified consultant with all costs borne to the developer; and
  - b. integrate Environmentally Sensitive Areas into the design of developments to form part of the linked and integrated parks and open space system, including the retention of forests, wildlife corridors, muskeg areas, and the provision of stormwater ponds and parks to form continuous open spaces.
- 6.2.3 The Municipal District may develop targets or thresholds for air and water quality to monitor changes to the environment, and may develop methods to mitigate or eliminate a local or regional effect, in accordance with guidelines provided by a Regional Plan.
- 6.2.4 The Municipal District may work with the Province to ensure that Crown interests in water bodies are addressed as early as possible in the planning process. The Municipal



District will use Environmental Reserves to protect water bodies and valley banks that meet the definition of Environmental Reserve but are not claimed by the Province.

- 6.2.5 The Municipal District shall require that developers, utilizing guidelines prepared by Alberta Environment and Parks, and/or the regulations of the Land Use Bylaw to provide appropriate setbacks from water bodies, water courses, and slopes to protect against erosion, flooding, loss of fish and wildlife habitat, and damage to natural features.
- 6.2.6 Deleted
- 6.2.7 Building setbacks from valleys shall be provided as per the Municipal District's Land Use Bylaw.
- 6.2.8 No permanent development shall be permitted on lands that are contained within a 1:100 year flood plain or otherwise known to be flood-prone, unless the developer provides:
  - a. A certificate from a qualified professional engineer to confirm that the development has been properly flood proofed. For those areas where 1:100 year flood mapping does not currently exist, the Municipal District shall require a qualified professional to confirm the 1:100 year flood level of the affected river, stream or lakeshore.
  - b. indicates to the satisfaction of the Municipal District that the flood hazard has been mitigated; and
  - c. notwithstanding the above policies, development associated with substances of a chemical, hazardous or toxic nature, which would be an unacceptable threat to public safety if damaged as a result of flooding, shall not be permitted to locate in the 1:100 year flood hazard area.
- 6.2.9 Permanent development shall not be permitted on slopes exceeding 15% or on land that is subject to erosion. Development on such lands may only be considered after sufficient geotechnical investigation undertaken by the developer has demonstrated to the satisfaction of the Municipal District that the site in question is suitable for development in accordance with Alberta Environment and Parks guidelines.
- 6.2.10 For subdivisions or developments adjacent to a river or stream, the top of bank may, at the discretion of the municipality, be identified by survey as part of the application process. This documentation shall serve as the basis for identifying development setbacks and determining Environmental Reserve requirements.
- 6.2.11 The following conditions may be required as part of a development permit:
  - a. The storage and handling of fuels and hazardous chemicals should be stored at a minimum of 100m from any water body, wetland and/or sensitive ecological area. In addition, the aforementioned materials as well as equipment shall be stored in a protected location with secondary containment to reduce the spill potential.
  - b. The refueling of equipment shall take place a minimum of 100m from an Environmentally Sensitive Area.
  - c. Erosion, as a result of development, shall be mitigated through the use of control measures to prevent the loss of top soil and sediment into local water bodies.
  - d. Should the development occur near an Environmentally Sensitive Area occur, the owner/developer shall obtain a geotechnical report related to the significance of the

wetland area to the local groundwater recharge regime as well as authorization pursuant to Alberta's Water Act and compensation may be required.

- 6.2.12 The development of sand and gravel extraction operations may be permitted subject to the site being reclaimed to the satisfaction of the Municipal District and the province.
- 6.2.13 The Municipal District may prohibit developments which may result in a contamination of groundwater quality, Environmentally Sensitive Areas, or any other feature which is determined to be environmentally significant. This includes such uses as sand and gravel extraction, Confined Feeding Operations, and major industrial uses.
- 6.2.14 The Municipal District may:
- a. require developers to identify groundwater recharge areas as part of their subdivision applications; and
  - b. negotiate conservation easements, or require Municipal or Environmental Reserve and/or Environmental Reserve Easements covering groundwater recharge areas. If necessary these instruments may be implemented to protect tree cover surrounding groundwater recharge areas.
- 6.2.15 The Municipal District may as a condition of subdivision approval, require the protection and conservation of Environmentally Sensitive Areas by dedication of environmental reserve and municipal reserve, the provision of environmental reserve easements and conservation easements, or by other statutory means as defined by the Municipal Government Act, or the Alberta Land Stewardship Act.

### **6.3 Municipal Reserve Policies**

- 6.3.1 As a condition of subdivision, the Municipal District may require that a maximum of ten percent (10%) of the developable lands be dedicated as municipal reserve as provided for under the Act.
- 6.3.2 The Municipal District may require municipal reserve be taken as cash-in-lieu, except as follows:
- a. where the subdivision results in the creation of a multi-parcel country residential development, municipal reserve may be taken in parcel form if required for community open space;
  - b. in industrial or other non-residential subdivisions, municipal reserve shall be dedicated in parcel form to serve as buffers from incompatible land uses; and
  - c. municipal reserve shall be dedicated in parcel form or deferred to the balance in accordance with an approved Area Structure Plan.
- 6.3.3 Subdivisions are encouraged to be designed in such a manner that municipal reserve and environmental reserve parcels connect to Crown lands, Environmentally Sensitive Areas and with municipal reserve parcels in other subdivisions.
- 6.3.4 Land dedicated as municipal reserve shall be of similar quality as the land being subjected to development. Land that is deemed undevelopable in its natural state or is otherwise more suited as environmental reserve will not be accepted as municipal reserve.

6.3.5 The Municipal District may use the funds generated through municipal reserve dedication to acquire lands for recreational purposes or for park development.

#### **6.4 FireSmart and Environmental Reviews**

6.4.1 The Municipal District shall require developers to recognize FireSmart: Protecting Your Community from Wildfire design principles when preparing Area Structure Plans, outline plans, and subdivisions to minimize the potential for wildfire damage.

6.4.2 A Phase I Environmental Site Assessment (ESA) may be required for any proposed development at the cost of the developer. The ESA shall be prepared in accordance with the Canadian Standards Association Environmental Assessment Guidelines.

6.4.3 An Environmental Impact Assessment (EIA) may be required for any proposed development at the cost of the developer.

#### **6.5 Recreation, Open Space and Historic Resources**

6.5.1 The Municipal District may prepare a Recreation and Open Space Master Plan, which shall be used as the basis for recreation and tourist planning in the Municipal District. The Plan may include, but not be limited to, the identification of recreation sites and the identification of all-terrain vehicle and snowmobile trail systems.

6.5.2 The Municipal District supports eco-tourism and agri-tourism as a means to create employment opportunities and diversify the municipality's economy.

6.5.3 The Municipal District supports the use of lake shores, river corridors and other Environmentally Sensitive Areas for passive recreational purposes.

6.5.4 Through the subdivision process, public access to shoreline areas shall be accommodated through the dedication of environmental and/or municipal reserve.

6.5.5 The Municipal District shall require that an Area Structure Plan or outline plan be prepared for multiple parcel country residential subdivisions or recreational resorts located next to lakes or other watercourses. These plans shall address the following issues to the satisfaction of the Municipal District:

- a. conformity with this Plan, other Statutory and non-statutory plans, if any, and the Land Use Bylaw;
- b. detailed site plans indicating proposed land uses, setbacks from top of bank or shoreline as applicable, existing and proposed vegetation patterns, and proposed access points to shore line areas;
- c. impacts on adjacent uses and environmentally sensitive areas, including provision for buffers;
- d. proposed methods of water supply, sewage disposal, storm drainage, and waste disposal;
- e. provision for access and internal circulation; and allocation of municipal and environmental reserve.

- 6.5.6 The Municipal District may identify or protect areas which have been identified as having significant historic or recreation potential, and prepare the necessary studies or plans to help ensure the long term viability of historic sites and recreation areas.

## **7.0 Crown Lands**

A portion of the Municipal District is owned by the Provincial Crown and is commonly referred to as public lands. These lands, which are classified as the Green Area, are managed by several Provincial departments and boards that set the rules for land use, and include but are not limited to, Agriculture and Forestry, Culture and Tourism, Energy, Environment and Parks, the Alberta Energy Regulator, and the Natural Resources Conservation Board.

The Municipal District will complement the work of the Province to encourage the appropriate use of Crown Lands throughout the municipality.

### **7.1 Crown Land Objectives**

- *Encourage the appropriate use of Crown Lands.*
- *Facilitate public access to Crown Land areas where deemed suitable and desirable.*

### **7.2 Crown Land Policies**

7.2.1 The Municipal District shall:

- a. support the use of Crown Lands for renewable and non-renewable resource development, limited grazing, conservation, and recreational use.
- b. pursue discussions with relevant government agencies to ensure that they are fully aware of any future proposed use of Crown Lands.
- c. work with the Province to ensure that Crown interests in water bodies are addressed prior to development.

7.2.2 As a means of ensuring that the interests of the Municipal District are recognized and reflected in the development of Crown lands, the following measures are supported and encouraged by the municipality:

- a. involvement in the Province's Integrated Resource Plan process. This includes the identification of areas where new plans are required, and identifying the provisions of existing plans that are in need of review; and
- b. involvement and cooperation in Provincial approval processes for proposed leases and other dispositions, serving as a means for conveying the concerns of residents to the appropriate Provincial agencies, and active participation in the review processes utilized by the Alberta Energy Regulator and the Natural Resources Conservation Board.

## 8.0 Transportation and Utilities

The Municipal District's transportation system plays an important role in shaping the community's development. Its design must be treated as an integral part of land use planning. The primary element for road travel in the Municipal District is the Provincial Highway network. As a result, land uses along the network serve the Central Peace region and local traffic. Highways 2, 49 and 731 link the Municipal District to the Village of Rycroft, the Town of Spirit River, Saddle Hills County, and Grande Prairie and the rest of Alberta. The Provincial Highway network is managed and operated by Alberta Transportation. The residents of the Municipal District are also served by local roads. Maintaining the integrity, safety and quality of the local road network is a high priority.

The utility infrastructure in the Municipal District has been developed privately in order to serve the population in its rural locations, or potable water is provided at truck fills in the Village of Rycroft and the Town of Spirit River.

This Plan includes infrastructure policies to ensure that all new developments are appropriately serviced and meet the needs of the Municipal District's residents.

### 8.1 Transportation and Utility Objectives

- *To ensure that the Municipal District provides an efficient and effective transportation network for the movement of people and goods.*
- *Guarantee sufficient right-of-way provision for roads in order to allow their expansion in the future, if necessary.*
- *To ensure that all development is serviced to the satisfaction of the Municipal District.*
- *Ensure the efficient and effective provision of water supply, sewage treatment, stormwater run-off control, and sanitary waste disposal facilities to Municipal District residents.*
- *Work with the Town of Spirit River and the Village of Rycroft for the provision of water to MD residents.*
- *Aim to reduce demand for non-renewable energy resources within the Municipal District through the promotion of alternative energy sources.*
- *To pursue and promote energy conservation within the Municipal District.*

### 8.2 Transportation Policies

- 8.2.1 The Municipal District shall review and update the 2001 Rural Road Study, which shall be used as the basis for future transportation network planning.
- 8.2.2 The Municipal District shall protect transportation corridors required to implement the Rural Road Study.
- 8.2.3 All roads shall be developed in accordance with the specifications of *Municipal District's Minimum Design Standards*.
- 8.2.4 The Municipal District shall work with Provincial and Federal governments to secure funding for the maintenance and enhancement of the highway network.

- 8.2.5 The Municipal District shall refer all Area Structure Plans, outline plans, rezoning, subdivision and development applications that include land located within 0.8 kilometres of a highway to Alberta Transportation for comment.
- 8.2.6 The Municipal District shall, in the evaluation of subdivision and development proposals, determine if there is a need for widening and/or upgrading of any roads adjacent to the proposal.
- 8.2.7 As part of an agreement associated with the approval of a subdivision or the issuance of a development permit, the Municipal District may require that the developer pay for all or a portion of any public roadway or trail system.
- 8.2.8 Where a subdivision or development is proposed within proximity of a railway line, the Municipal District shall refer the application to the railway company for advice before making a decision.
- 8.2.9 The Municipal District shall protect pipelines, easements or rights-of-way prior to the subdivision being registered.
- 8.2.10 The Municipal District shall support the expansion of the Municipal Airport.
- 8.2.11 Lands adjacent to the airport shall be developed in accordance with Municipal District's Land Use Bylaw and the regulations of the Airport Vicinity Overlay.
- 8.2.12 The Municipal District shall cooperate with adjacent municipalities and interested government agencies with regard to protecting the railway, road network and other transportation facilities.

### **8.3 Utility Policies**

- 8.3.1 The Municipal District requires that all lots of a proposed subdivision be connected to municipal water and sewer systems when the lots are developed except where, in the Municipal District's opinion, the proposed subdivision is far enough away from existing trunk mains that extension of the mains is not economically feasible.
- 8.3.2 As part of the development permit approval process, the Municipal District shall require that developers submit a plan for any proposed sewage disposal system and its location along with a permit of approval from an approved agency. The Municipal District may require that soil tests be undertaken by the developer to determine that the soils are suitable to accommodate on-site sewage disposal systems.
- 8.3.3 In addition to the policies contained in this Plan, developers shall design and construct services in compliance with the Municipal District's *Minimum Design Standards*.
- 8.3.4 The Municipal District may provide additional water points and water fills in strategic locations, and shall support water conservation measures which may reduce or eliminate water utilities expansion requirements.
- 8.3.5 The Municipal District encourages all well users to register their use of groundwater under the Water Act.

- 8.3.6 The Municipal District shall not approve any Country Residential Development which depends on a private water system unless it meets the full standards of regulatory agencies, and no contingent liability falls upon the municipality.
- a. Any private water system serving multiple lots must be capable of supporting itself financially through the contributions of the landowners who benefit from it, and must be set up on a proper legal basis.
  - b. Any private water system must be owned and operated by an organization which has the legal right to levy charges on its customers. Two possibilities are a condominium association or a private utility company.
- 8.3.7 The Municipal District intends to maintain its commitment to the disposal of solid waste through the sanitary landfill system, and should ensure that solid waste disposal sites are located and developed in a manner that shall minimize any impacts on surrounding land uses.
- 8.3.8 The Municipal District is in favour of recycling waste or discarded materials and shall generally support the initiatives of local residents in this regard, but shall not undertake a major municipal recycling program unless the monetary benefits of such a program exceed or are similar to the program's costs.
- 8.3.9 The Municipal District shall maintain the integrity of pipelines and utility corridors, and create shared corridors where possible, while planning for growth and development.
- 8.3.10 Utility structures, such as cellular towers, microwave towers, radio towers, wind energy conservation system or similar infrastructure, may be developed, provided they meet the regulations of the Land Use Bylaw and are compatible with adjacent development and developed in accordance with other regulatory agencies that may have jurisdiction.
- 8.3.11 The Municipal District may allow for a variety of different types of alternative energy developments, such as a wind energy conservation system, to be established, provided the development:
- a. are compatible with adjacent land uses;
  - b. conforms to the uses and regulations of the Land Use Bylaw;
  - c. provides the appropriate plans and documentation to ensure that the use is compatible with surrounding land uses. Plans may include, but are not limited to a Geotechnical Report; Environmental Site Assessment; Environmental Impact Assessment; Traffic Impact Analysis; a reclamation plan for the end of life of the proposed use; and any other plans or documentation that the Municipal District deems necessary to properly evaluate the proposed development; and
  - d. is developed in accordance with other regulatory agencies that may have jurisdiction.
- 8.3.12 The Municipal District may encourage the promotion of energy conservation practices through educational programs, or public awareness campaigns.
- 8.3.13 The Municipal District shall apply Alberta Energy Regulator guidelines with respect to minimum separation distances between sour gas facilities and other land uses through the subdivision and development process.



## 9.0 Intermunicipal Planning

The Municipal District has a long history of cooperation with its municipal neighbours through the G3 (with the Town of Spirit River and Village of Rycroft) and G5 (the G3 partners plus Birch Hills and Saddle Hills Counties) partnerships, as well as the recent approval of Intermunicipal Development Plans. The Municipal District places great value on collaborative initiatives as it helps maintain its long term sustainability, as well as that of its municipal neighbours.

### 9.1 Intermunicipal Planning Objectives

- *Maintain mutually beneficial relationships with adjacent municipalities or other stakeholders, as well as Provincial and Federal agencies to achieve the objective of regional cooperation and regional planning.*
- *To support, implement and review all applicable Intermunicipal Development Plans.*
- *Deleted*
- *Deleted*

### 9.2 Intermunicipal Planning Policies

9.2.1 Once initiated by the Province, the Municipal District shall participate in the preparation of the Upper Peace Regional Plan.

9.2.2 The Municipal District shall comply with the Provincial Land-use Framework and approved Intermunicipal Development Plans when considering Statutory Plan amendments, Land Use Bylaw amendments, subdivisions, and other development proposals.

9.2.3 The Municipal District shall support its Intermunicipal Development Plans, approved Statutory Plans or joint agreements with adjacent municipalities, and will participate in the monitoring and review of these plans to ensure they remain current and reflect the needs of the respective municipalities and area residents.

9.2.4 The Municipal District shall not approve any development proposal in contravention of an Intermunicipal Development Plan. If such development is proposed and deemed to have merit, then an amendment may be pursued in accordance with the provisions of the Intermunicipal Development Plan.

9.2.5 Deleted

9.2.6 The Municipal District shall use its authority to prohibit development near existing and proposed sewage lagoons and waste handling facilities in order to protect the public investment in these facilities.

9.2.7 Deleted

9.2.8 In keeping with Alberta's "*Water for Life*" initiative, the Municipal District shall work with provincial agencies and neighbouring municipalities to protect watersheds and maintain the water quality of surface and groundwater systems.

## **10.0 Monitoring, Review and Implementation**

The Municipal Development Plan will guide decisions about the future growth and development of the Municipal District. More detailed planning is required through subsequent stages of the planning process from preparing or amending Area Structure Plans and outline plans to the daily implementation of the Land Use Bylaw and the subdivision and development approval process. Conformity between the Intermunicipal Development Plan, this Plan, the Land Use Bylaw, and intermediate planning documents must be achieved.

### **10.1 Monitoring**

The Plan must be reviewed to ensure that it adequately deals with unforeseen planning and development proposals. The Municipal District's Council and Administration must be prepared at any time to consider proposed amendments to the Plan in order to deal with unanticipated conditions, or proposals contrary to this Plan, but deemed desirable by Council. If amendments are required, they shall be carried out through a transparent public consultation process.

### **10.2 Review**

Comprehensive review of the Municipal Development Plan shall take place every five years, as experience in other communities suggests that conditions generally change enough within this time span to warrant such review. In undertaking reviews, consideration should be given to

- reviewing annual land use changes and issues;
- reviewing best practices and new development trends; and
- communication and consultation with interest groups.

### **10.3 Implementation**

The Municipal District's Land Use Bylaw shall reflect the contents of this Plan by providing a comprehensive system for the planning of development. To ensure the Municipal District is subdivided and developed in accordance with the vision, objectives and policies of the Municipal Development Plan, Council may amend the Land Use Bylaw, adopt an Area Structure Plan or other Statutory Plan by bylaw in accordance with Municipal Government Act or approve an outline plan or other non-statutory plan so long as the plan conforms to this Plan.