Land Use Bylaw Committee
AGENDA

Wednesday, March 11, 2020
1:00 PM
Council Chambers
County Administration Building

1. Approval of Agenda

2. Minutes

3. Old Business
   3.1 Agricultural Hobby Farm/Agriculture Small Holdings – Report  
       David Blades
   3.2 Requirements for Utilities for Subdivisions – Report  
       David Blades
   3.3 Environmental Reserve Dedication – Report

4. New Business
   4.1 Pavement and Per Lot Road Contribution Policy Review – Report  
       David Blades
   4.2 Municipal Development Plan (MDP) Updates – Agricultural Hobby
       Farm & Full Review Considerations – Report  
       David Blades, Jeff Chipley

5. Information
   5.1 Discussion – Wild Boars  
       David Blades

6. Next Meeting Date
2. **Old Business**

2.1 **Outhouse Use, Installation & Approval – Potential Policy and/or Land Use Bylaw Amendments – Report**

**Resolution LUB20200114**

LUB Committee recommends presenting the following information to Council for addition to the Land Use Bylaw:

"Lots that are either:"

- smaller than 0.4 hectare (1 acre) within multi-lot subdivisions;
- zoned as Lakeshore Residential, Mixed Recreational Residential, and Urban Residential; or
- located within a Hamlet of the County of Wetaskiwin;

Lots described above, will be prohibited from having earthen pit privies. Instalment of any other onsite private septic system is to be in accordance with the Alberta Private Sewage Systems Standard of Practice, the County’s Wastewater Bylaw and any other applicable Policy or Bylaw. In this regard, only privies with an approved tank acceptable under the Alberta Private Sewage Systems Standard of Practice, as amended from time to time, will subject to all other applicable bylaws and regulations be accepted."

The following definition will be added to the Land Use Bylaw:

"**Privy** means a small enclosed building not attached to the principal dwelling or building of a property that is connected to either an earthen pit or certified tank for the purposes of providing either primary or secondary septic services to the property. Further regulation shall be as established through the Provincial Standards of Practice."

Carried

3. **New Business**

3.3 **Accessory Building Heights – Report**
Resolution LUB20200114

LUB Committee recommends presenting the following information to Council for addition to the Land Use Bylaw:

Amend the maximum height for accessory buildings listed below be increased to 7.9 metres or twenty-six (26) feet.

Districts this affects are:
- Rural Residential (RR);
- Country Residential (CR);
- Restricted Country Residential (RCR);
- Rural Conservation (RC);
- Watershed Protection (WP) (>80 acres); and
- Wizard Lake Watershed (WLW) (>80 acres).

Carried

3.4 Alberta Transportation Highway Setback Review – Report

Resolution LUB20200114

LUB Committee recommends presenting the following information to Council for the amendment of the Land Use Bylaw:

The setback requirement from Provincial Highways under the Land Use Bylaw from fifty (50) to forty (40) metres to better reflect the current requirements of Alberta Transportation.

Carried

3.5 Kennels within Agricultural Hobby Farm (AHF), Rural Residential (RR), and Watershed Protection (WP) – Report

Resolution LUB20200114

LUB Committee recommends presenting the following information to Council for addition/amendment to the Land Use Bylaw:

Removal of Kennels as a land use within the:
- Wizard Lake Watershed Protection (WLW) District.

and

that Council approve the addition of Kennels as a land use within the following districts:
- Rural Residential (RR);
- Watershed Protection (WP); and
- Agricultural Hobby Farm (AHF).

4. Next Meeting Date

Resolution LUB20200114

Next Meeting - March 11, 2019, 1:00 P.M.

Carried

2. Old Business
2.2 Agricultural Hobby Farm (AHF)/Agricultural Small Holdings (ASH) – Report

- Addition of an Agriculture Small Holdings District as separate district;
- Limitation of square footage to ensure good soil is not encumbered by excessive buildings;
- Limitation of hard space (parking/pavement);
- No limit to soil quality;
- Shall not restrict the remaining quarter, not opposed to having multiple lots within a quarter as long as there is an ASP;
- Move the minimum acreage size to 10 acres, therefore 10 acre minimum and maximum 20 acre;
- ASP required for multiple subdivisions;
- Protection of soil, eg - Watershed has 80% tree coverage required,
- Lot requires a plan available for production;
- The MDP could restricts this district for future possibilities of subdivision and Administration will review for conformity between MDP and LUB;
- Requirement for development permits of all structures to ensure maximum square footage is not exceeded. Currently all Ag structures are exempt from a permit if within allowable setbacks;
- Removal of requirement for business plan statement (10.3.2 (b));
- Remove Permitted e) Intensive Livestock Operations;
- Remove Discretionary j) Intensive Livestock Operations;
- Include within 9.2.1 (a) to ensure limits of animal units is retained; and
- In relation to AHF district: assessments should reflect that 3 acres yard sites not included.

Resolution LUB20200114

LUB Committee recommends an updated draft be presented at the next Meeting, March 11, 2020 including the discussed changes.

3. New Business

3.1 Requirements for Utilities for Subdivisions – Report

- Ensure rights of ways are dedicated within multi lot subdivisions in the event that services are protected and provides ability if subdivisions are expanded;
- Consider size of lots/density of lots when requiring Utility Installations;
- Discussion of installation of gas and power not being required by developers;
- Giving opportunity to live “off grid”;

Offsite levy - checking with other municipalities on their requirements

Resolution LUB20200114

LUB Committee requests that Administration draft different policy options for the requirement s of Utilities within Multi-Lot Subdivisions, including the dedication of utility rights of ways without the actual requirement of utility installations.

3.2 Environmental Reserve Dedication – Report

- Minimum of 20 m setback from water ways based on Provincial Policy;
- If verification of distance is required, provide the opportunity to submit the proper geotechnical report;
- Determine if LUB is a better location for the guidelines or a policy; and
- Guidelines of hard rules re: water body, but the bank break is given opportunity for relaxation.

**Resolution LUB20200114**

LUB Committee requests Administration draft a policy and review and the upcoming LUB meeting.

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REEVE

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CHIEF ADMINISTRATIVE OFFICER
Agricultural Small Holdings (ASH)/Agricultural Hobby Farm (AHF) – Report

Meeting Date (Report Reference Only): 2020/03/11

Meeting (Report Reference Only): Council Planning & Development

Background

After the approval of the Agricultural Hobby Farm (AHF) District, there have been some concerns with the pre-requisite soil rating. This was recently addressed by increasing the soil rating from thirty (30) to forty (40) percent.

After making this amendment to the District, there appear to be two (2) circumstances that still require further consideration. Those include, how the yard site is viewed in the overall land equation for the area proposed and the higher potential use of small agricultural areas.

On January 14, 2020, the Planning Committee discussed the following background.

Yard Site Equation

The following provides some discussion about the yard-site being part of the land equation when considering the percentage under the eighty percent (80%) poor soil provision. One (1) option is that the yard site, which would be comprised of buildings, lawn, gardens, equipment/machinery storage, and corrals, be out of the equation. In this regard, the 80/20 equation would only involve the remainder of the land being considered. If this is to be considered, the question remains as to whether there should be a maximum area for a yard site. As an example, for Assessment reasons, a yard site is considered to be three (3) acres. Even though yard sites range in various sizes, it may be appropriate to consider a maximum equation exemption for the yard site similar to three (3) acres that would establish a fair standard for all landowners.

Higher Potential use of Small Agricultural Holdings

There remain, however, additional thoughts towards situations that would enable higher quality soils for more intensive agricultural land uses such as intensive vegetable or fruit farming or even higher intensive livestock or other animal operations without the need to have a large parcel of property. There are two (2) options to consider with one being that the existing AHF District be further amended or second, that a totally new district be adopted.
In 2016 and 2017, Administration, Planning Committee and Council had drafted a new land use District called Agricultural Small Holdings District (ASH). This District was not approved but was kept for reference and is attached for discussion by the Land Use Bylaw Committee.

As a result of the January 14, 2020 review by the Land Use Bylaw Committee, the discussion focused on moving forward with developing a separate unique district, which was based on the draft Agricultural Small Holdings (ASH) District. As indicated below, many of the points were related to the new District, however, some of the points also could apply to the existing Agricultural Hobby Farm (AHF) District. The following bullet points are provided for reference with comments indicating which points would apply to both districts:

- Addition of an Agricultural Small Holdings District as separate district;
- Limitation of square footage to ensure good soil is not encumbered by excessive buildings;
- Limitation of hard space (parking/pavement);
- No limit to soil quality;
- Shall not restrict the remaining quarter, not opposed to having multiple lots within a quarter as long as there is an ASP; *(Should apply to both districts)*
- Move the minimum acreage size to 10 acres, therefore 10 acre minimum and maximum 20 acre; *(Should apply to both districts)*
- ASP required for multiple subdivisions; *(Should apply to both districts)*
- Protection of soil, eg - Watershed has 80% tree coverage required; *(This ties in with a few of the other points listed. We may wish to given that our acreage size may be between 10 and 20 acres, we may wish to consider a minimum of 60% to 70% of the parcel being Agricultural area.)*
- Lot requires a plan available for production; *(typically a more intensive, added value, or higher potential agricultural concept)*
- The MDP could restricts this district for future possibilities of subdivision and Administration will review for conformity between MDP and LUB; *(The future review of the MDP will need to take into account such districts proposed)*
- Requirement for development permits of all structures to ensure maximum square footage is not exceeded. Currently all Ag structures are exempt from a permit if within allowable setbacks; *(In addition to the discussion about a minimum agricultural area,
the permitting requirement would be a control mechanism to ensure that maximum building coverage does not exceed the intent of the district.)

- Removal of requirement for business plan statement [10.3.2 (b)];

- Remove Permitted e) Intensive Livestock Operations; (because of more intensive, added value, or higher potential agricultural concepts)

- Remove Discretionary j) Intensive Livestock Operations;

- Include within 9.2.1 (a) to ensure limits of animal units is retained; and

- In relation to AHF district: assessments should reflect that 3 acres yard sites not included.

With these concepts, the attached file would be a draft District including Purpose, Proof of Viable Agricultural Operations (Prerequisites, the Permitted and Discretionary land uses and also, the respective regulations for the district – Agricultural Small Holdings district (ASH).

**Recommendations**

1. Administration recommends that the Agricultural Hobby Farm (AHF) include a provision for the yard site equation of a maximum exemption for the yard site of three (3) acres that would establish a fair standard for all landowners. Also, that the other highlighted background provisions that would apply to the new proposed district Agricultural Small Holdings (ASH) also apply to the (AHF) district; and

2. That the draft district Agricultural Small Holdings (ASH) be discussed by the Committee and subject to any amendments be approved to be brought for review by Council. This also would be pending review of compatible provisions under the Municipal Development Plan.
10.32 **Agricultural Small Holdings (ASH)**

10.32.1 **Purpose**

The purpose of this district is to provide for more intensive, added value or higher potential agricultural operation on parcels smaller than would otherwise be allowed. At the request of the owner, Council may classify land to this district if it is convinced that the proposed parcel will support a viable agricultural related operation.

10.32.2 **Lot Involving Proof of Viable Agricultural Operations**

Lots proposed on good agricultural land for viable agricultural operations shall only be approved if the following prerequisites are present:

a) If required under policy, an Area Structure Plan;

b) Demonstrated compatibility between the proposed land use and existing land uses;

c) Long term concept for the proposed land;

d) Include a planned footprint including agricultural area and existing and proposed buildings;

e) Details of the proposed parcel indicating existing and/or proposed minimum Agricultural area (minimum of 60%) not occupied by buildings or other non-productive features or structures; and

f) Any fragmentation of the remainder of the good agricultural quarter shall not be allowed unless further consideration is provided under existing policies or bylaws.

10.32.3 **Permitted Uses**

a) Agriculture, Extensive

b) Dwelling, Detached

c) Dwelling, Mobile – New

d) Dwelling, Modular – New

e) Dwelling, Moved-in-New (*amended by Bylaw 2019/44*)

f) Buildings and uses accessory to the above

10.32.4 **Discretionary Uses**

a) Dwelling, Communal

b) Dwelling, Moved-in- Used (*amended by Bylaw 2019/44*)

c) Dwelling, Mobile – Used
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d) Dwelling, Modular – Used
e) Dwelling, Secondary Suite
f) Agricultural, Intensive
g) Tree Farm
h) Bed and Breakfast
i) Kennel
j) Public Utility
k) Public or Quasi-Public Use
l) Resource Processing Operation
m) Recreational, Extensive
n) Abattoir
o) Greenhouse
p) Veterinary Clinic
q) Equestrian Center
r) Recreational Units Use (greater than 32.0 hectares (80 acres), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
s) Apiary (amended by Bylaw 2019/44)
t) Offsite Home Occupation (Type 1) (amended by Bylaw 2019/55)
u) Offsite Home Occupation (Type 2) (amended by Bylaw 2019/55)
v) Onsite Home Occupation (Type 1) (amended by Bylaw 2019/55)
w) Onsite Home Occupation (Type 2) (amended by Bylaw 2019/55)
x) Onsite Home Occupation (Type 3) (amended by Bylaw 2019/55)
y) Market Garden (amended by Bylaw 2019/55)
z) Buildings and uses accessory to the above

10.32.5 Lot size
The minimum and maximum lot size shall respectively be between 4.05 hectares (10 acres) to 8.1 hectares (20 acres)

10.32.6 Setbacks
a) Front yard: see Section 9.10.1
b) Side yard: 5.0 meters (16 feet)

c) Rear yard: 10.0 meters (33 feet)

10.32.7 Rezoning Requirements

a) Subject to the respective requirements of this Bylaw, there will be no more than two parcels districted to Agricultural Small Holdings per quarter section.

10.32.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.32.9 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12 (g), Recreational Units.

10.32.10 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.32.11 Enforcement

Offences and fines are outlined in Section 5, Contravention.

INCLUDE ASH WITHIN THE FOLLOWING LUB 2017/48 SECTIONS

(These would have to be referenced)

- 9.2 Animal Restrictions
- 1.3 Establishment of Districts
- 9.18 Accessory Buildings
- 3.12 Recreational Units
Requirements for Utilities for Subdivisions – Report

Meeting Date (Report Reference Only): 2020/03/11
Meeting (Report Reference Only): Council Planning & Development

Background

At our January 14, 2020 Land Use Bylaw Committee meeting, the Committee reviewed the following information on the provision of utilities for new subdivisions. Also, as a result of the discussion, the following comments were made for further consideration as follows:

- Ensure rights of way are dedicated within multi lot subdivisions in the even that services are protected and provides ability if subdivisions are expanded;
- Consider size of lots/density of lots when requiring Utility Installations;
- Discussion of installation of gas and power not being required by developers;
- Giving opportunity to live "off grid"; and
- Check with other municipalities on their requirements.

During the meeting, the guidance of the Committee was for Administration to draft different policy options for the requirements of utilities within multi-Lot subdivisions, including the dedication of utility rights of way without the actual requirement of utility installations.

Administration has checked with adjacent Municipalities for their requirement for developers to provide utilities and services and the following information was provided by those municipalities:

**Camrose County**

- Natural gas;
- Power; and
- Telephone services to lot edge.

**Ponoka County**

- Power;
- Natural gas to lot edge; and
- They do have a small number of developments with propane servicing due to supply issues, however, Administration strongly recommends against it. This does create concerns with Emergency Services (Fire).
**Leduc County**

- Power; and
- Natural gas to lots edge.

**Parkland County**

- Underground Power;
- Natural Gas; and
- Fiber Optic Cable.

**Clearwater County**

- It is the responsibility of the developer to bring shallow services but also note that Clearwater County is the developer in some cases.

From the neighbouring municipalities, it is summarized that it is the responsibility of the developer to provide power, gas, and in some cases other required utilities such as telephone or Fiber Optic Cable.

Furthermore, during the Committee discussion, the matter of lot density was brought forward such as those subdivisions such as the Dorchester subdivision. One of the questions that should be discussed would be establishing the distinction be between what subdivision densities should be required to provide utilities and which ones should not be required if there is to be a difference. This is a difficult question to determine as any subdivision ultimately will require services at one point or another.

Additionally, it was brought up that one (1) subdivision was proposed with the concept of not requiring gas. It should be qualified that the developer of Solara Acres did have the intention of having lot owners be off grid or be a green subdivision, however, he did decide ultimately to make the decision himself to require gas and power, knowing that potential lots owners also wanted the option to have gas and power. Obviously, the selling cost by a developer is reduced if the lots are not serviced. The question then, is will a potential lot owner want to purchase an un-serviced lot not knowing what the costs to service the lot versus buying a serviced lot. Will an individual want to purchase a lot located further into a subdivision knowing that it would simply be easier and cheaper to buy the very first lot in the subdivision? With no services, this reduces the options a potential lot buyer will consider. If a more attractive lot is located deep into the subdivision and that lot owner brings in utilities, will that lot owner receive any compensation from the other future lot owners that benefit and tie into those utilities?

During the discussion of the Committee discussion it was indicated that developers should not be required to provide power or gas regardless of location in the County. This included multi-
parcel subdivisions up to an-unlimited number. Administration has provided the following information that would provide concepts for a Policy draft.

**Developer not required to provide power and gas**

Essentially, the Policy would simply state that developers are not required to provide power and/or gas to the lots they develop. Should future lot owners wish to have gas and/or power, it will be the responsibility of future lot owners to provide these services at their own cost.

**Maximum requirement would be registering utility rights of way for future utility services**

Concurrent with the concept of developers not required to provide power and gas, developers would be required to register utility rights of way for future services. Developers will be required to dedicate Utility Rights of Way within multi-parcel subdivisions. This will be done concurrent with the registration of the Plan of Subdivision registering the lots proposed for registration at Land Titles.

**Recommendation**

Administration recommends that the Land Use Bylaw Committee review the information and determine if a Policy should be developed whereby both gas and power are not required by the developer of a multi-parcel subdivision or keep the status quo in relation to how proposed subdivision are serviced.
Environmental Reserve Dedication – Report

Meeting Date (Report Reference Only): 2020/03/11

Meeting (Report Reference Only): Council Planning & Development

Background

Following the Whitby approval and subsequent Municipal Government Board (MGB) Hearing, there has been some discussion about Environmental Reserve (ER) Dedications:

On January 14, 2020, the matter was brought forward for discussion by the Planning Committee with the information below. As a result, several points were outlined as followed:

- Minimum of 20 metre setback from water ways and water bodies based on Provincial Policy;
- If verification of distance is required, provide the opportunity to submit the proper geotechnical report;
- Determine if LUB is a better location for the guidelines or a policy; and
- Guidelines of hard rules re: water body, but the bank break is given opportunity for relaxation.

Furthermore, the Land Use Bylaw (LUB) Committee requested that Administration draft a Policy for review at an upcoming LUB meeting.

In considering the direction given, Administration believes that the information could be added into the existing Requirements for Area Structure Plan Policy 61.1.6 rather than creating an entirely new Policy. By adding the matter into this Policy, it would also provide direction to a developer or landowner at the beginning of the planning process.

Specifically, the information be added to the paragraph related to Environmental Reserve under “Provision of Environmental, Municipal and Conservation Reserves:” on pages 8 and 9.

Existing Paragraph:

"Provision of Environmental, Municipal and Conservation Reserves:

Environmental Reserve is to be dedicated to the County in any area where land is of a sensitive nature and needs to be protected from development. Examples of land dedicated as ER include: the shorelines of lakes, rivers and streams; wetlands, bogs, or marshes; steep slopes, gullies, or ravines; and floodplains.”
**Addition Wordings to be Added:**

In establishing Environmental Reserves, the County should observe the information contained in the Provincial Guideline, *Stepping Back from the Water*, to help determine the boundaries and setbacks of Environmental Reserves. With Environmental Reserve dedications and establishing their setbacks, 20 metres will be a minimum setback for all the features listed in the above paragraph.

Minimum setbacks distance(s) related to bank breaks may be adjusted if a bank break involves a varied or longer extended slope with the features described above. If verification of distance is required, a geotechnical report shall be submitted.

**Recommendations**

Administration recommends that the Land Use Bylaw Committee direct Administration to amend Requirements for Area Structure Plan Policy 61.1.6 based on the provided wording for Environmental Reserve Dedication and bring forward to Council for subsequent consideration and approval.

**Recommended Resolution**

that the Land Use Bylaw Committee direct Administration to amend Requirements for Area Structure Plan Policy 61.1.6 based on the provided wording for Environmental Reserve Dedication and bring forward to Council for subsequent consideration and approval.
Pavement and Per Lot Road Contribution Policy Review – Report

Meeting Date (Report Reference Only): 2020/03/11

Meeting (Report Reference Only): Council Planning & Development

Background

Administration has been reviewing and updating the departments policies for approval over the past year. One (1) of the remaining policies has been the attached Pavement and Per Lot Road Contribution Policy. In addition, is a copy of the proposed amended version which includes the following:

- Amendments and additions to the existing policy in Red and Blue text;
- Notes for the Committee in Blue text; and
- Updated per lot road contribution fee values supported by an engineering review by WSP.

Alternatives

1. To not accept the amendments; or
2. To accept, with or without additional amendments, the amended Policy.

Recommendations

Administration recommends that the Land Use Bylaw Committee accept the amended Policy as presented and have it brought forward for consideration by Council.

Recommended Resolution

that the Land Use Bylaw Committee accept the amended Policy as presented and have it brought forward for consideration by Council.
PAVEMENT AND PER LOT ROAD CONTRIBUTION FEE POLICY #6615

POLICY STATEMENT

The Council of the County of Wetaskiwin believes multi-parcel subdivisions are better served when situated closer to existing or potential water and sewer services and paved roads. To better accommodate higher densities proposed in our rural areas, the provision of pavement within those subdivisions, pavement linking subdivisions to existing pavement, and contributions to the improvement of County Roads required to give access to proposed multi-parcel subdivisions must all be considered part of developing a multi-parcel subdivision. (For the purpose of this Policy, the term “linking road” shall mean that segment of road between the subdivision or development area and a paved road.)

PROCEDURES

1. PAVEMENT FOR INTERNAL SUBDIVISION ROADS:

Pavement Standard Required:
Lots Proposed at ¼ acre (1,000 metres sq.) in size or less will require a full urban cross section including curb and gutter.

Pavement Standard Required:
Lots proposed between ¼ acre (1,000 metres sq.) to 1 acre (4,000 metres sq.) in size will require pavement with the option of a rural ditch cross section.

Rural Gravel Standard:
Lots proposed over 1 acre (4,000 metres sq.) in size will not be required to have pavement, instead will be allowed to be developed to a rural gravel standard.
Density and Internal Subdivision Road Paving Provisions:
Regardless of parcel size, pavement shall be required for residential developments proposing lot densities over 30 lots per quarter section of land. This shall include densities of 30 lots or less on partially developed quarter sections (first phase developments) if it is intended under an Area Structure Plan that the total number of lots in future phases will result in there being more than 30 lots per quarter section.

2. PAVEMENT FOR LINKING AND ABUTTING ROADS:
The following requirements are established in order to encourage multi-parcel development to be located close to existing and more accessibly managed infrastructure including paved roadways while at the same time recognizing the cost recovery challenges for pavement costs related to lower density subdivisions.

a. For multi-lot residential subdivisions with a proposed density up to and including twelve (12) lots, the Developer will not be required to pave a linking road unless other provisions apply or it is deemed necessary by Council;
b. Where 2. a. applies, the developer may be required to construct the road to a standard to allow for future pavement and/or pave a linking road in accordance with Section 2. c., where it is likely that other lands will be developed or subdivided in the future, near or adjacent to the developer’s development or subdivision and same linking road;
c. For multi-lot residential subdivisions with a proposed density between thirteen (13) and twenty four (24) lots, the Developer shall be required to pave a linking road from the subdivision to an existing paved arterial, collect or resource road identified in the County’s Rural Road Study or other paved County road if the linking road is within one (1) mile or less to such paved road; and
d. For multi-lot residential subdivisions with a proposed density of twenty five (25) or more lots, the Developer shall be required to pave a linking road from the subdivision to an existing paved arterial, collector or resource road identified in the County’s Rural Road Study or other paved County road.

A developer who paves a linking road in accordance with this Policy is still responsible for the payment of the per lot road contribution fee, unless payment of the per lot road contribution fee is specifically waived by Council.
3. PER LOT ROAD CONTRIBUTION FEE:

Road Contribution fees shall help with the improvement of County public roads required to give access to the development or subdivision, however, the payment of the fee does not guarantee immediate improvement including pavement of such roads and any improvements may be subject to the availability of matching, contributing or otherwise budgeted funds. It shall be recognized that Road Contribution fees may only be a portion of the funds needed for any improvement but such funds shall be managed in such a way to maximize the benefit to such roads.

All lots, excepting first parcel out (including 80 acre split of a quarter), shall be subject to the per lot road contribution fee.

Concerning the Per Lot Road Contribution Fee, the amount of this fee ($2,000.00 per lot) has been previously established in consultation with EXH Engineering and Public Works and has over the past two years been accepted by Developers as a reasonable per lot fee for funds towards maintenance and/or improvement of County roads providing direct or indirect access to the proposed multi-lot subdivision.

The per lot fee amount shall be adjusted to take into account the industry standard cost increases for contracts, materials and labour at the beginning of each year and adjusted accordingly no later than March 1st of each year. The adjustment shall be calculated by a qualified engineering firm.

4. WAIVING OF FEE IN LIEU OF PAVING OR PREPARATION FOR PAVING:

It should be noted, that if the Developer paved a County Public road or constructs the road to a standard to allow for future pavement, the Per Lot Road Contribution Fee may be waived up to but not over the cost of the pavement or preparation for pavement.

5. ENDEAVOURS TO ASSIST PROVISIONS:

a. Amounts to be recovered by Developers pursuant to the Endeavour to Assist provision, in a Development Agreement between the County and the Developer, shall be based on a per lot basis and reflect only those moneys put towards bringing a road from rural gravel standard to a preparation for pavement standard or from a rural gravel standard to a paved standard,

b. Reference to an Endeavour to Assist provision must be written into a Development Agreement if no waiver of the road contribution fee is requested by the Developer and a linking road is constructed to a standard prepared for pavement or to a paved standard.
c. An Endeavour to Assist provision shall not be written into a Development Agreement if road contribution fees are equal to the cost of construction and are waived by County Council in lieu of bringing a road up to preparation for pavement standard. Also, fees will be owed for the portion that are over and above the cost of such work. If cost are above the fees waived there will be no recovery by the Developer from the County, instead an Endeavour to Assist provision will be allowed in the Development Agreement.

d. A Developer may request an Endeavour to Assist provision clause to be added to a development agreement if the cost are above the value of waived road contributions fees but only for that amount over and above the value waived.

e. In all cases, Council has at their unfettered discretion the option to waive or not waive road contribution fees in lieu of construction costs.

f. A plan of subdivision by a benefiting Developer will not be allowed to be registered until such time as the Endeavour to Assist provision clauses are satisfied.

Administration believes that five (5) years should be used as an effective time period for Endeavour to Assist clauses. The County shall not be expected to assist a Developer with any recovery from future benefiting developers after a five year period.

6. DEVELOPMENT OR SUBDIVISION ABUTTING A PROVINCIAL HIGHWAY

When an access to a development or subdivision is required to link directly to a Provincial Highway, the County may impose an off-site levy bylaw to collect contributions towards County roads that will be used by and provide indirect access to the development or subdivision.

7. PAVEMENT STANDARDS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS:

Administration believes pavement should be required for all internal roads within Commercial and Industrial subdivisions where the lots are one (1) acre (4,000 metres sq.) or less unless the development accesses a paved road in which case pavement shall be required in all cases regardless of lot size. All other paving, linking road and road contribution fee provisions outlined above also apply to Commercial and Industrial Developments.

Exceptions:

1. Per lot road contribution fee applies to subdivision of multi-parcels but does not apply to first parcel out.
PAVEMENT AND PER LOT ROAD CONTRIBUTION FEE POLICY #61.1.615

1. POLICY STATEMENT

1.1. The Council of the County of Wetaskiwin believes significant development such as commercial, industrial and higher density residential or multi-parcel subdivisions are better served when situated closer to existing or potential water and sewer services and paved roads. To better accommodate higher densities proposed in our rural areas, the provision of improved road structure and surfaces, pavement within those subdivisions, pavement linking subdivisions to existing pavement, and contributions to the improvement of County Roads required to give access to proposed development or multi-parcel subdivisions must all be considered part of developing a development or multi-parcel subdivision. (For the purpose of this Policy, the term “linking road” shall mean that segment of road between the subdivision or development area and a paved road. This Policy is supported by Sections 650 or 655 of the Municipal Government Act.)

2. LEVELS OF DEFINED IMPROVEMENTS:

1. Gravel Improvements including shoulder pull, backslope improvements and/or backslope/right of way purchase, reconstruction of subgrade and or aggregate base course and/or overall road widening to minimum gravel standard;
2. Gravel Pre-paved Standard improvements; and,
3. Pavement

Committee Note: This is necessary as outlined in a portion of the Legal Opinion below.

"2. Collection of a Road Contribution Fee More than Once
The ability to collect a contribution pursuant to sections 650 and 655 of the MGA is not subject to the same “one-time” restriction that applies to off-site levies under section 648 of the MGA. However, merely characterizing a fee as a Contribution Fee and requiring an applicant to provide the contribution by way of an agreement is not necessarily determinative of the issue. Put simply, a determination of whether a charge is more properly characterized as an off-site levy or a charge under sections 650 or 655 rests with the courts.

If a court were to determine that a Contribution Fee was in fact a charge under either section 650 or section 655, the Municipality would not be limited to only collecting the Contribution Fee..."
once in respect to a parcel of land. However, while development charges may be imposed at both
the subdivision and development phases, a municipality cannot collect twice for the same
infrastructure. For example, if the Municipality determined that a 6 meter top paved road was
required in order to provide access to a 10 parcel multi-lot subdivision, the Municipality could
not require a parcel of land to pay a Contribution Fee for that road at both the subdivision and
development permit stages. However, arguably, if the Municipality collected a Contribution Fee
for that 6 meter road at subdivision and then, subsequently, a developer applied to develop one of
those 10 lots into some intensive purpose whereby it was determined that the roadway would
need to be upgraded to an 8 meter top paved road in order to provide access to that parcel, the
Municipality may be able to collect a new Contribution Fee for the additional upgrades to that
road.”

3. PROCEDURES

3.1. PAVEMENT FOR INTERNAL SUBDIVISION ROADS:

3.1.1. Pavement Standard Required:
Lots Proposed at ¼ acre (1,000 metres sq.) in size or less will require a full urban cross
section including curb and gutter.

3.1.2. Pavement Standard Required:
Lots proposed between ¼ acre (1,000 metres sq.) to 1 acre (4,000 metres sq.) in size will
require pavement with the option of a rural ditch cross section.

3.1.3. Rural Gravel Standard:
Lots proposed over 1 acre (4,000 metres sq.) in size will not be required to have pavement,
instead will be allowed to be developed to a rural gravel standard.

3.1.4. Density and Internal Subdivision Road Paving Provisions:
Regardless of parcel size, pavement shall be required for all residential developments
proposing lot densities over 30 lots per quarter section of land. This shall include densities
of 30 lots or less on partially developed quarter sections, typically known as (first phase
developments), if it is intended under an Area Structure Plan that the total number of lots in
future phases will result in there being more than 30 lots per quarter section.
Committee Note: Commercial and Industrial development and subdivision are addressed later
in this Policy.

3.2. PAVEMENT FOR LINKING AND ABUTTING ROADS:
The following requirements are established in order to encourage multi-parcel development to be located close to existing and more accessibly managed infrastructure including paved roadways while at the same time recognizing the cost recovery challenges for pavement costs related to lower density subdivisions.

3.2.1. For multi-lot residential subdivisions with a proposed density up to and including twelve (12) lots, the Developer will not be required to pave a linking road unless other provisions apply or it is deemed necessary by Council; (1 to 12 Lots = No Pavement required but fee must be paid). Doing so, will bank funds when a higher number of lots are proposed for the same benefitting road.

3.2.2. When applicable, the developer may be required to construct the road to a standard to allow for future pavement and/or pave a linking road in accordance with Section 2.2.3.e., where it is likely that other lands will be developed or subdivided in the future, near or adjacent to the developer’s development or subdivision and same linking road; (13 to 24 Lots = Pavement required if within one mile. If further away, the fee must be paid)

3.2.3. For multi-lot residential subdivisions with a proposed density between thirteen (13) and twenty four (24) lots, the Developer shall be required to pave a linking road from the subdivision to an existing paved arterial, collector or resource road identified in the County’s Rural Road Study or other paved County road if the linking road is within one (1) mile or less to such paved road; and (13 to 24 Lots = Pavement required if within one mile. If further away, the fee must be paid)

3.2.4. For multi-lot residential subdivisions with a proposed density of twenty five (25) or more lots, the Developer shall be required to pave a linking road from the subdivision to an existing paved arterial, collector or resource road identified in the County’s Rural Road Study or other paved County road. (25 Lots or more = Pavement regardless of distance. This encourages higher density multi-lot development to be closer to existing paved infrastructure)

A developer who paves a linking road in accordance with this Policy is still responsible for the payment of the per lot road contribution fee if such pavement cost is less than the fee, unless payment of the per lot road contribution fee is specifically waived by Council. Waiving the fee may include considering the pavement costs that are equal to or more than the fee.
4.3  PER LOT ROAD CONTRIBUTION FEE:

Road Contribution fees shall help with the improvement of County public roads required to give access to the development or subdivision. However, the payment of the fee does not guarantee immediate improvement including pavement of such roads and any improvements may be subject to the availability of matching, contributing or otherwise budgeted funds. It shall be recognized that Road Contribution fees may only be a portion of the funds needed for any improvement, but such funds shall be managed in such a way to maximize the benefit to such roads.

4.3.1  CALCULATION BY QUALIFIED ENGINEER:

The amount of the per lot road contribution fee is reviewed and calculated in consultation with a qualified engineering firm. This information takes into account the industry standard cost increases for contracts, materials and labour. The amount shall be adjusted when required from time to time. The Engineering firm WSP Group has provided a Cost Analysis update as of December, 2019 (attached as a Schedule to this Policy).

4.3.2  FEE AMOUNTS FOR RESPECTIVE DEVELOPMENT:

For non-Recreational development, the Per Lot Road Contribution Fee for subdivision or development shall be $4,745.00 to provide funds towards improvement of County roads providing direct or indirect access to the proposed multi-lot subdivision or development.

Concerning the Per Lot Road Contribution Fee, the amount of this fee ($2,000.00 per lot) has been previously established in consultation with WSP Group Engineering and Public Works, and was accepted by the County as a reasonable amount towards maintenance and/or improvement of County roads providing direct or indirect access to the proposed development or multi-lot subdivision.

Bareland lots and standard Condominium unit plans (except common lots) shall also be subject to the Fee except when the Fee has been already paid for the Lot previously subdivided or the road providing access has been previously improved or paved within a 15 year period.

For Recreational Zoned properties that involve recreational vehicle resort developments or campgrounds the Per Lot Road Contribution fee is a one-half rate of $2,372.50 $1,000.00 per lot or campsite. The recreational vehicle resort developments or campgrounds must not run more than six (6) months in a calendar year, or will be subject to the full Per Lot Road Contribution Fee of $4,745.00 $2000.00 per lot or site.
The per lot or site Fee may be further reduced to a one third rate, being $1,581.60, if it is shown by the applicant and as approved by the County that Recreation Vehicles are not removed from the property of the lot or site during a five (5) month period, thereby, showing a reduced impact on public roads providing access to the recreation property.

The per lot fee amount shall be adjusted to take into account the industry standard cost increases for contracts, materials and labour at the beginning of each year and adjusted accordingly no later than March 1st of each year. The adjustment shall be calculated by a qualified engineering firm.

Committee Note: Moved and reworded to 4.3.1.

5. ALTERNATIVE FEE STRUCTURE BY AREA:

The County has the discretion to require the Road Contribution Fee based on an area multiplied by the number of acres or hectares. Such cases may be based on the likelihood that a subdivided parcel or development would not be subdivided again or another or additional development would not occur. In this regard, it is advantageous to require payment of the Road Contribution Fee through this Policy or by an Off-site Levy. The following schedule outlines the Fees that are applicable on a per acre or hectare bases:

- 80 to 160 Acres (32.1 to 64.8 ha): The number of acres or hectares is multiplied by $4,745.00 per acre ($11,720.00 per ha). At Council’s discretion, the rate may be reduced to a one-half rate if the land use is of a low intensity impact to the road(s) required to provide access to the development or the subdivision;
- 0.1 to 79 Acres (0.04 to 32 ha): The number of acres or hectares is multiplied by $4,745.00 per acre ($11,720.00 per ha).

Committee Note: This is a significant upfront cost in any event whether there will be or not be potential future subdivision or development.

Committee Note: Section 10 Exemptions. Current and proposed exemptions to the Policy have exempt first parcel out situations. As an example, if we consider taking a fee based on area this would have to be reconciled by either simple not applying the area concept in such cases.

Committee Note: A second parcel out such as a second yard site, would be subject to the Fee. In such cases, a 5 acre second yard site will be require a payment of 5 times the Fee (current proposed would be 5 acres X $4,745.00 = $23,745).

6. WAIVING OF FEE IN LIEU OF PAVING OR PREPARATION FOR PAVING:

It should be noted, that if the Developer paves a County Public road or constructs the road to a standard to allow for future pavement, the Per Lot Road Contribution Fee may be waived up to, but not over the cost of the pavement or preparation for pavement. In regard, any fees owed over and above the cost of the improvement (pavement and/or preparation for pavement) should be paid to the County.
7.5. ENDEAVOURS TO ASSIST PROVISIONS:

i. When it is required that a Developer must construct a road to a pre-paved standard, and/or construct a road to a fully paved standard, an Endeavour to Assist may be written into the Developer’s Development Agreement whereby subsequent benefitting developers must pay a prorated cost to the original Developer.

ii. Amounts to be recovered by Developers pursuant to the Endeavour to Assist provision, in a Development Agreement between the County and the Developer, shall be based on a respective per lot basis and reflect only those moneys put towards bringing a road from an undeveloped road right of way or rural gravel standard to a prepared for pavement standard or from a rural gravel standard to a paved standard.

iii. An Endeavour to Assist will only be allowed when the Developer’s own Road Contribution Fee value exceeds the cost of construction.

iv. Reference to an Endeavour to Assist provision must be written into a Development Agreement if no waiver of the road contribution fee is requested by the Developer and a linking road is constructed to a standard prepared for pavement or to a paved standard.

v. An Endeavour to Assist provision shall not be written into a Development Agreement if road contribution fees are equal to the cost of construction and are waived by County Council in lieu of bringing a road up to preparation for pavement standard.

vi. Also, Further to 2.5.3, fees will still be owed for the remaining fee value portions that are over and above the cost of such work. Note: If costs are above the construction costs and/or fees waived, there will be no recovery by the Developer from the County, instead, an Endeavour to Assist provision will be allowed in the Development Agreement for future benefitting developers.

vii. A Developer may request an Endeavour to Assist provision clause to be added to a Development Agreement if the cost are above the value of waived road contributions fees, but only for that amount over and above the value waived.

viii. In all cases, Council has, at their unfettered discretion, the option to waive or not waive road contribution fees in lieu of construction costs.

ix. A plan of subdivision by a benefiting Developer will not be allowed to be registered until such time as the Endeavour to Assist provision clauses are satisfied.
Administration believes that ten (10) five (5) years should be used as an effective time period for Endeavour to Assist clauses. The County shall not be expected to assist a Developer with any recovery from future benefiting developers after a ten (10) five (5) year period.

8.6—DEVELOPMENT OR SUBDIVISION ABUTTING A PROVINCIAL HIGHWAY

When an access to a development or subdivision is required to link directly to a Provincial Highway, the County may impose an off-site levy bylaw or require the Road Contribution Fee as required under this Policy to collect contributions towards County roads that will be used by and provide indirect access to the development or subdivision. Such provision enables the County to help to address with an imposition on the County with intersectional improvements required by Alberta Transportation.

9.7—PAVEMENT STANDARDS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS:

Administration believes pavement should be required for all internal roads within Commercial and Industrial subdivisions where the lots are one (1) acre (4,000 metres sq.) or less unless the development accesses a paved road in which case pavement shall be required in all cases regardless of lot size. All other paving, linking road and road contribution fee provisions outlined above also apply to Commercial and Industrial Developments.

10. Exemptions:

10.1 The following first parcel out of a quarter section subdivision shall not be subject to the per lot road contribution fee:

- Single Family Residential (first farmstead);
- 80 acre split of a quarter section;
- Severed Agricultural;
- Agricultural Hobby Farm;
- Conservation and Watershed

1. Per lot road contribution fee applies to subdivision of multi-parcels but does not apply to first parcel out subdivisions.
County of Wetaskiwin No. 10

PAVEMENT AND PER LOT ROAD CONTRIBUTION FEE POLICY #6615

2019 FEE UPDATE

WSP
www.wspgroup.com

WSP File: 161-08331-00

Issued December 2019
This report is a summary of the assumptions and calculations of the proposed 2019 fee update for the County of Wetaskiwin Pavement and Per Lot Road Contribution Fee, Policy #6615.

Background

The previous pavement and per lot road contribution fee is $2,000 and was set in 2009.

Methodology

Section 3 paragraph five of the policy states that “the per lot fee shall be adjusted to take into account the industry standard cost increases for contracts, materials and labour at the beginning of each year and adjusted accordingly…”. The purpose of this update prepared by WSP is to set an adjustment for the per lot road contribution fee. This adjustment was determined by using published road construction costs that are prepared by Alberta Transportation. [1]

The following assumptions were used to prepare the 2019 Fee Update:

Assumptions

1. Fee is to be based upon the cost of upgrading linking road from gravel surface to paved surface. Widening and shoulder pulls are not included.
2. Top of road width is estimated at 8.0 meters
   a. 150 mm subgrade preparation
   b. 300 mm aggregate base course
   c. 100 mm asphalt concrete (2 lifts)
4. Cost scenario – Development is 3 miles from paved road, cost would be shared amongst 6 quarter section developments (assuming first development would recover cost from future developments via endeavor to assist) and assumes that the density of development is 75 lots per quarter section.
5. Cost for improvements is based upon Alberta Transportation Unit Price Average Report - 2019 construction prices
6. Engineering and contingency is 15% of the construction value
7. Assumes there is no contribution from the County for the cost of paving

Conclusion

Base on the assumptions above and the detailed cost analysis shown in Appendix A, WSP recommends the Pavement and Per Lot Road Contribution Fee be $4,745 / lot
# Appendix A Detailed Cost Analysis

<table>
<thead>
<tr>
<th>Specification</th>
<th>Conversion Factor</th>
<th>Revised Quantity/sq.m.</th>
<th>Width</th>
<th>Total Quantity/m. of road</th>
<th>AT Unit Price Average</th>
<th>Total Cost/m.</th>
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</thead>
<tbody>
<tr>
<td>Subgrade preparation</td>
<td>1.000 sq.m.</td>
<td>-</td>
<td>-</td>
<td>1.000 sq. m.</td>
<td>8.0</td>
<td>8.0 sq. m.</td>
</tr>
<tr>
<td>Aggregate Base Course</td>
<td>0.300 cu.m.</td>
<td>2.1 tonne/cu.m.</td>
<td>0.630</td>
<td>8.0 tonne</td>
<td>5.04</td>
<td>35.00 tonne</td>
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<tr>
<td>Asphalt Concrete</td>
<td>0.100 cu.m.</td>
<td>2.6 tonne/cu.m.</td>
<td>0.260</td>
<td>8.0 tonne</td>
<td>2.08</td>
<td>85.00 tonne</td>
</tr>
</tbody>
</table>

Subtotal: $ 369.20

Engineering and Contingency (20%): 43.84

Total Cost/L.m.: $ 443.04

Total cost for paving 1 miles (1.609 km) of gravel road: $ 712,851.36

Total cost for paving 3 miles (4.820 km) of gravel road: $ 2,135,452.80

### Fee Development Scenario

Density of 75 lots / quarter and there are 6 quarters abutting 3 miles of paved roadway: $ 4,745 / lot
Background

The original County of Wetaskiwin Municipal Development Plan (MDP) was adopted in 2010. The most recent amendment was adopted with Bylaw 2016/55.

During the recent Service Capacity Review, Transitional Solutions Inc. recommended the MDP be updated in accordance with Recommendation #32:

"Recommendation: The Municipal Development Plan should be updated as soon as possible. Priority – High
Owner – Planning
Timeline (TSI/County) – Q2/2020"

Secondly, on August 8, 2019, Council passed Bylaw 2019/44 which amended the Agricultural Hobby Farm District of the Land Use Bylaw from:

"10.3.2 Lots proposed under this concept must be shown to have....
   b) An area of at least eighty (80%) of the land showing no greater than thirty percent (30%) soil rating;”

To:

"10.3.2 Lots proposed under this concept must be shown to have....
   b) An area of at least eighty (80%) of the land showing no greater than forty percent (40%) soil rating;”

The initial thirty percent (30%) requirement was consistent with Objective 1.2 of the MDP which restricted rezonings and area structure plans from being approved on good agricultural land which by definition within the MDP, includes land which has an assessed soil rating of thirty percent (30%) or greater. When Council changed the Land Use Bylaw requirement from thirty percent (30%) to forty percent (40%), it created an inconsistency between the two (2) planning documents. Therefore, Administration proposes that the following amendment be made to the MDP as to reflect the recent change to the Land Use Bylaw:
Objective 1.2 Protect agricultural land to remain in production

1.2.2 Area structure plan or rezoning will not be considered if the land is classified as productive agricultural land as defined above except as allowed elsewhere in the Municipal Development Plan, or, if the proposed zoning is to Agricultural Hobby Farm. If Agricultural Hobby Farm is the intended districting, then the thirty percent (30%) soil assessment restriction is increased to forty percent (40%).

Furthermore, given that there will be a complete review of the MDP based on the direction provided by Council, Administration seeks direction from the LUB Committee and offers the following options for consideration:

1. Submit to Council the minor amendment to Section 1.2.2 for Agricultural Hobby Farm only and recommend to Council to move forward with an internal MDP review, presenting to Council at a later date once complete.
2. Submit to Council the minor amendment to Section 1.2.2 for Agricultural Hobby Farm only and recommend to Council to move forward with an external MDP review, presenting to Council at a later date once complete.
3. Recommend to Council to complete an overall MDP review internally, include the Agricultural Hobby Farm changes, present all amendments to Council at once.
4. Recommend to Council to complete an overall MDP review externally, include the Agricultural Hobby Farm changes, presenting all amendments to Council at once.

On a broader question, the Committee may wish to discuss timing of an overall review of the MDP, which would include potential outcomes with the current review of West Central Planning Agency.

Recommendations

Administration recommends that the Land Use Bylaw Committee support Option 2 above, and the amendment of the MDP to Objective 1.2 Protect agricultural land to remain in production as follows:

1.2.2 Area structure plan or rezoning will not be considered if the land is classified as productive agricultural land as defined above except as allowed elsewhere in the Municipal Development Plan, or, if the proposed districting is to Agricultural Hobby Farm. If Agricultural Hobby Farm is the intended districting, then the thirty percent (30%) soil assessment restriction is increased to forty percent (40%).

AND

Recommend to Council to move forward with an external MDP review and present to Council at the next available meeting.
Recommended Resolution

that the Land Use Bylaw Committee support Option 2 above, and the amendment of the MDP to **Objective 1.2 Protect agricultural land to remain in production** as follows:

1.2.2 Area structure plan or rezoning will not be considered if the land is classified as productive agricultural land as defined above except as allowed elsewhere in the Municipal Development Plan, or, if the proposed districting is to Agricultural Hobby Farm. If Agricultural Hobby Farm is the intended districting, then the thirty percent (30%) soil assessment restriction is increased to forty percent (40%).

**AND**

Recommend to Council to move forward with an *external* MDP review and present to Council at the next available meeting.
County of Wetaskiwin No. 10

Municipal Development Plan

2010

Amended by Bylaw 2016/55
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Introduction

This Municipal Development Plan (MDP) provides a general guidance for land use in the County of Wetaskiwin No.10. A Municipal Development Plan is a long-range statutory plan document adopted as a bylaw which directs decision making for everyday development matters.

A Municipal Development Plan needs constant monitoring and revisiting in order to maintain its consistency with present policies and regulations, economic climate and social environment. The County's previous MDP was developed in 1995 and revised in 1998. In response to changes in the Provincial planning structure and the increasing pressure of non-agricultural development that were not anticipated by the 1998 plan, County Council has chosen to revise the MDP and its Land Use Bylaw.

The County formed a Planning Review Committee that consists of three councillors, West Central Planning Agency and County planning staff to oversee the MDP revision process. The Committee retained Scheffer Andrew Ltd., a planning and engineering firm, to undertake the MDP review and revision and the Land Use Bylaw update.

This MDP complies with the Municipal Government Act Section 632, which outlines the requirements of the Municipal Development Plan.

In this document, unless otherwise stated:

- “The Act” refers to the Municipal Government Act 2000, and all consequent operative amendments to it.
- “The MDP” refers to the County of Wetaskiwin No.10 Municipal Development Plan.
- “The County” refers to the County of Wetaskiwin No.10, the County of Wetaskiwin No.10 Council or the administration of the County of Wetaskiwin No.10, depending on the context.

Plan Structure

The Plan is organised into eight policy areas: Agriculture, Residential, Environmental Protection, Lakes, Industrial, Commercial, Intermunicipal, and County Services. Each policy area has Objectives and Policies within it.

The County’s #6600 series policy documents which have provided guidance to certain planning matters, are referred to in the MDP and kept in a Policy Manual.
Process

This Plan is developed following process outlined below.

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<tr>
<th>Date/ Season</th>
<th>Activity Description</th>
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<td>Start-up and issues identification</td>
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<tr>
<td>Fall 2008</td>
<td>Background information research</td>
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<tr>
<td>December 2008 / January 2009</td>
<td>Public Meetings – Input on strengths and issues</td>
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<td>February 2009</td>
<td>Establishing vision</td>
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<td>Winter 2009/2010</td>
<td>Public Meetings – Feedback on draft</td>
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<td>Final review by the County. Circulation to external agencies.</td>
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<td>Summer 2010</td>
<td>Public Hearing, Council approval</td>
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<tr>
<td>On-going Implementation and monitoring</td>
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Statement of Purpose

"The County of Wetaskiwin will strive to maintain a balanced approach to diverse development while protecting our agricultural heritage and rural environment."

The statement above was developed by the Strategic Planning Committee based on public input and issues raised by County staff.

Development and land use decisions will be guided by the Statement of Purpose. Land use planning requires a balancing between the rights of an individual landowner and the long term greater public interest. The County will try to avoid negative impact to environment and inefficient use of natural resources when making decisions.

The Plan's Statement of Purpose reflects on the County's overall Vision:

- Strong Proactive Leadership
- Safe Progressive Communities

In addition, the County encourages all development initiatives, including new area structure plans, in all areas of the County to take into account regional and Intermunicipal plans, including regional plan for North Saskatchewan Plan Region, as identified in the Province of Alberta's Land-use Framework.

The County believes its planning direction, as summarized in the previous Municipal Development Plan's goals below, is still supported by the residents.

1. To maintain a clean environment - to support development so long as there is no negative impact on air, natural resources, water or soil quality;
2. To support and encourage economic growth and development - to support growth and development in appropriate locations while avoiding inefficient use of natural resources such as coal, oil, natural gas and gravel; and
3. To support a high quality life - to weigh the needs of individuals in relation to the greater public interest.
Background

County of Wetaskiwin is a rural municipality located in the north-central Alberta, within the North Saskatchewan planning region as defined by the Province of Alberta Land-use Framework. The County is adjacent to the Capital Region, which encompasses a fast-growing area around Edmonton and determines the priority growth areas within the region.

Highway 2 and 2A run north-south through of the County, providing easy access to urban centres and to the Edmonton International Airport. The Canadian Pacific Rail line, which runs along Highway 2A and Highway 13 east of the City of Wetaskiwin also serve the County.

The lakes in the County, including Pigeon Lake, Wizard Lake and Buck Lake, provide recreational opportunities to the County residents and the visitors from outside. There are two Provincial grazing reserves located on the west part of the County.

The total population of the County in 2006 was approximately 10,500. Of the total population, the proportion of age groups 10 to 19 and 40 to 59 are the largest. The land area is approximately 3,130 km$^2$, the majority of which is in agricultural production.
Figure 1: Location Plan

Scale 1:1 500 000
Objectives and Policies

1 Agriculture

Agriculture is the predominant use of land in the County of Wetaskiwin. The 2006 Census shows that 30% of the labour force in the County was involved in agriculture and other resource-based industries, the largest proportion in the industry breakdown.¹ At the public meetings, the residents expressed the importance of farming and the challenge of keeping it economically viable.

The Province’s Land-use Framework², a recently prepared overall Provincial planning policy document, recognizes the protection of agricultural land from the fragmentation and the conversion to non-agricultural uses as an important part of successful planning in Alberta. As a rural municipality with an agricultural base, the County will take responsibility to maintain the farmland for viable agricultural production. The farmland also fosters clean air, water and wildlife corridors, as well as the open landscape that is an important cultural identity of the Province.

Protecting farmland from uncontrolled development; promoting the County’s agricultural heritage, and maintaining the agriculture industry’s viability are important goals for the County.

At the same time, land of lesser agricultural value near services may be suitable for conversion to industrial, commercial, residential or intensive agricultural business uses where such conversions are compatible with surrounding land uses. This ensures an opportunity to diversify the County’s economy.

Objective 1.1 Prevent fragmentation of farmland in the County

The County’s farming industry should be protected so that current and future generations of farmers can operate their farms without being compromised by non-agricultural uses within the agricultural area.

Uncontrolled subdivision and converting farmland to non-agricultural uses negatively impact the agricultural society by 1) reducing the productivity of traditional farming by fragmenting the agricultural land into smaller parcels; and 2) creating potential land use conflicts. The best way to protect the farmland is to keep farming profitable.³

1.1.1 Subdivision of an unsubdivided quarter section for non-agricultural purposes is discouraged.

1.1.2 An unsubdivided quarter section in agricultural land may be subdivided to create:

   a) a farm site with existing improvements;

   b) a parcel for future development; or

¹ Community Profile, Census 2006, Statistics Canada
³ Fact Sheet - Farmland Protection Toolbox, American Farmland Trust, 2002
c) two 32 ha (80 ac.), more or less, parcels of equal size.

1.1.3 There should be no more than one subdivided lot plus a remainder on a previously unsubdivided quarter section in agricultural land unless rezoning or an area structure plan is approved.

1.1.4 In addition to Section 1.1.3, another subdivision is allowed subject to redistricting when:

a) creating a parcel to separate one additional existing residential farmsite, as defined in the current land use bylaw, and in accordance with Policy 6607 Second Yard Subdivisions, as amended; which requires improvements to be more than ten years old; or

b) there are natural or man-made barriers creating a natural severed split such as a river or stream, lake, road, or railway and pose difficulties to farm as one parcel.

1.1.5 The parcel size and the configuration of a new subdivision on an unsubdivided quarter section should be such that the least amount of land is taken out from agricultural production. The recommended parcel size is 2.0 ha (5 ac.).

1.1.6 In order to minimize the impact on the adjacent farming operation, a new parcel on a quarter section is encouraged to locate:

a) where the land is not suitable for agricultural production; and

b) where there is/are existing farmsite(s) on a corner of the adjacent quarter sections; or

c) near where existing improved roads (paved or gravel) intersect.

**Objective 1.2 Protect agricultural land to remain in production**

Traditional extensive crop farming is the strong backbone of the County's farming industry, which relies on high capability agricultural soil. Once the land is converted to non-agricultural use, it is very difficult to convert it back to productive farmland due to the change in soil characteristics, fragmentation, and possible contamination. At the same time, lower rated land in the western part of the County has traditionally been used for grazing. A typical ranching operation requires a large tract of land to be viable.

Non-agricultural land uses and the more intensive agricultural practices, such as greenhouses, or intensive livestock operations, do not require a large tract of land or highly productive soil but still can be profitable. These land uses have a lesser reliance on the soil capability, and may be directed away from high capability, unsubdivided agricultural land.

At the same time Farmland value should be established for fair evaluation of the ranching or non-traditional agricultural operations.

1.2.1 Productive agricultural land includes:

a) land in production with a farmland assessment value of 30% or more;

b) grey-wooded soil producing hay, forage or other crops; and
c) land currently used for grazing.

1.2.2 Area structure plan or rezoning will not be considered if the land is classified as productive agricultural land as defined above except as allowed elsewhere in the Municipal Development Plan.

1.2.3 Agricultural uses that do not depend on good soil quality or a large tract of land are encouraged to locate:

a) where the Canada Land Inventory (CLI) soil class for agricultural capability or farmland assessment rate (FAR) value is low (CLI class 4 and lower, FAR below 30%); or

b) on a previously subdivided quarter section.

Objective 1.3 Raise public awareness and share the responsibility of protecting farmland in the County

Farmland is not only used for food production but also fosters various public goods such as open landscape; clean air and water; and wildlife habitat and riparian areas. Although it is difficult to quantify these benefits, it is recognized by most Canadian provinces, including the Province of Alberta, through "right to farm" legislation. The County will continue to foster a positive stature of farming with other land uses.

The general public benefits from the environmental value and also enjoy the beautiful landscape of farmland, but the responsibility of maintaining healthy farmland is primarily carried by the farmers and ranchers. Seasonal variation of earnings or its susceptibility to the weather and other external factors make it hard to maintain a steady income for farmers. Subdividing the farmland is one of the few ways to create lump-sum cash when needed, such as for retirement.

1.3.1 The County may provide regular public notices through various media to inform the public that the farming operation in the County may cause slow moving traffic, noise, dust, odour, aerial spraying, extended working hours, and manure production and application.

1.3.2 The County may require a caveat to be registered on title for a new lot to advise of the impacts of farming operations such as slow moving traffic, noise, dust, odour, etc. in the County.

1.3.3 The County may consider introducing programs to protect farmland from subdivision or conversion to non-agricultural uses. Such programs may include the transfer of development credit, tax rate freezes for agricultural land in high-demand areas, conservation easement incentives, and cluster zoning provision.

1.3.4 The County will continue to recognize the importance of agriculture in its planning documents.
Objective 1.4  Minimize the land use conflict with Confined Feeding Operations and surrounding land uses

While the Confined Feeding Operations are under Provincial jurisdiction\(^4\), it is the County's intent that any negative effect from the Confined Feeding Operation should be minimized. The Municipal Government Act requires the municipality to identify where new Confined Feeding Operations should locate.

An Intensive Livestock Operation is a Confined Feeding Operation that is smaller than the threshold size that falls under Provincial jurisdiction, as determined by the Provincial guideline.

1.4.1 The minimum distance setback of Alberta Agriculture Code of Practice, as amended, should be maintained.

1.4.2 For an Intensive Livestock Operation, the Minimum Distance Separation is determined by using the threshold level of the animal or the combined effects of the different kind of animals that are kept on one premise.

1.4.3 Any size of new Confined Feeding Operation (including Intensive Livestock Operation) must not locate within the following setback distances as illustrated in Figure 3.

a) 2.4km (1.5 miles) from the boundary of any city, town, village, hamlet, and school and hospital.

b) Under no circumstances can a new CFO be located within 1.6km (1 mile) of the following named lakes: Battle Lake, Buck Lake, Coal Lake, Pigeon Lake, Red Deer Lake, Wizard Lake and Twin Lakes.

c) All other unspecified environmental features, including but not limited to lakes not specified in (b), wetlands, and watercourses shall have setbacks in accordance with Alberta Operation Practices Act and Regulations (AOPA) as amended.

1.4.4 A new residence is not permitted within the Minimum Distance Separation of an existing Confined Feeding Operation/Intensive Livestock Operation, unless the residence is associated with the operation.

1.4.5 Within the Millet-Wetaskiwin Acreage Study Area, the setback distance outlined in 1.4.4 may be relaxed by up to 25% of the minimum distance separation required by Alberta Agricultural Code of Practice.

2 Residential

The County is experiencing a growing demand for residential development in non-urban areas. When carefully located, residential development within agricultural land can be a positive addition to the County. At the same time, the cost of providing Municipal and community services in remote locations is much higher than focusing service delivery to one area. Uncontrolled residential subdivisions scattered across the community can become a financial burden to the municipality.

The County is immediately outside of Capital Region, where the Capital Region Plan does not allow typical country residential development within its plan area. Some urban centres with strong growth boundary policies unintentionally triggered leapfrog development outside the growth boundary. The County may see increased pressure for residential subdivision due to its proximity and accessibility to the Capital Region, particularly along Highway 2 and Highway 2A due to the Capital Region Plan’s strict approach to country residential development. Nevertheless, it is understood that the land along Highway 2 is difficult to accommodate multi-lot residential development because of the lack of water supply and access limitation requirements by Alberta Transportation.

It is the County’s intention that future residential development be clustered and located where services already exist or can be logically and economically extended.

Objective 2.1 Cluster residential development to hamlets and close to services

Hamlets in the County are: Alder Flats, Buck Lake, Falun, Gwynne, Mulhurst Bay, Village at Pigeon Lake, Westerose, and Winfield.

Currently, Municipal sewer services exist in Alder Flats, Falun, Gwynne, Mulhurst Bay and Winfield. A proposed regional sewer system is planned to serve the Summer Villages and the surrounding area by Pigeon Lake. Municipal water services exist in Gwynne and Winfield and limited infrastructure capacity of water services exists in Mulhurst Bay.

2.1.1 Multi-lot residential development should locate in or near hamlets where Municipal water and sewer services and paved road already exist or can easily be extended.

2.1.2 Multi-lot residential development should locate close to existing services including paved roads, water and sewer services.

2.1.3 New development should connect to existing water and/or sewer systems where capacity exists.

2.1.4 Residential development in hamlets should be of the density to allow efficient Municipal and community service delivery.
2.1.5 Multi-lot development that does not meet the Section 2.1.1 through 2.1.3 may be considered at the discretion of the County and comprehensive plan has been prepared for the area.

**Objective 2.2** New multi-lot residential development is located to minimize the negative effects on adjacent land uses

The collective effect of small scale development can and will impact a large area in the long-term. Non-farming residential development created within farming communities has caused conflicts between the new and existing residents due to different expectations and lifestyles.

At the same time, there are cases where multi-lot residential development may be a better use of less productive agricultural land that has desirable features for residential development. The County will examine the location of proposed multi-lot residential development to minimize the negative impact while weighing the positive aspects of the proposal.

2.2.1 Multi-lot residential development in agricultural land should not be allowed on productive agricultural land, as defined in Section 1 of the MDP.

2.2.2 The poor soil assessment for a portion of a quarter section does not apply to the entire quarter section thereby making the entire quarter section developable. Only those portions with poor soil can be considered for land uses other than agriculture.

2.2.3 Multi-lot residential development in agricultural land should have the following characteristics:

   a) a scenic view, tree stands, ravines, water course or water body;
   b) be easily serviced by emergency and school bus services;
   c) paved road access to the land, or the developer will provide one; and
   d) it is not on productive agricultural land.

2.2.4 Multi-lot residential development in agricultural land should not adversely affect existing and future land uses of the area.

2.2.5 Multi-lot residential development in agricultural land should not locate within:

   a) the setback distance of the Confined Feeding Operation or Intensive Livestock Operation unless otherwise stated in the Municipal Development Plan;
   b) the setback distance of environmentally sensitive areas, as determined by an environmental study;
   c) the setback distance from an existing resource extraction operation;
   d) the urban fringe area where future urban expansion is considered unless the proposed development is built in accordance with the urban standards;
   e) a reasonable distance from the land designated for future commercial or industrial uses, as determined by the County; and.
Objective 2.3 Multi-lot residential development conforms to the County's policies

The County has developed several policies to guide the applications for a new multi-lot residential development. New development is required to follow these existing policies and any other new policies that the County may prepare in the future. The conformity to the Plan or other policies does not relieve a person of the duty or obligation to obtain any other permits, licenses or other authorization required by other regulations.

2.3.1 The maximum density of the multi-lot subdivision is decided subject to the following:

a) an increase in density will not negatively impact surrounding areas and infrastructure;

b) a sufficient water supply exists within the subdivided portion;

c) public access acceptable to the County; and

d) other tests which may be required as the County deems necessary.

2.3.2 Residential development that results in there being more than three (3) lots out of a quarter section requires an area structure plan and redistricting in accordance with the Requirements for Area Structure Plans Policy #6606.

2.3.3 An area structure plan may be required to include adjacent quarter sections and/or road network.

2.3.4 Multi-lot subdivisions shall be comprehensively designed to ensure the following matters are satisfactory addressed including appropriate roadway systems, lot density and servicing compatible with the characteristics and servicing available in the area and unless otherwise stated by the County, a provision for reserve dedication and pedestrian trail system.

2.3.5 Multi-lot residential development should be serviced by paved roads or contributions shall be made towards the improvement of roads providing access to that development in accordance with the Pavement and Per Lot Road Contribution Fee Policy #6615.

2.3.6 Re-subdivision of existing residential lots should comply with the Re-subdivision in Multiple-Lot Subdivisions Policy #6605.

2.3.7 A new multi-lot residential development on agricultural land is not allowed unless otherwise identified by comprehensive area specific planning studies such as:

a) Millet Wetaskiwin Acreage Study Area Structure Plan as illustrated in Figure 4; or

b) Future statutory or non-statutory plans, including area structure plans, or area concept plans.
Objective 2.4 Municipal reserve is provided to benefit the current and future generations of the County

As provided in the Municipal Government Act, Section 666, the County may require up to 10% of net developable area as municipal reserve dedication from the land owner at the time of subdivision. The municipal reserve land and/or the fund dedicated in lieu of the land (cash-in-lieu) are used to create and enhance Municipal park and trail systems to ensure a public land base for future open space needs.

2.4.1 Municipal reserve dedications are to be made by dedications of land rather than cash-in-lieu payment unless stated otherwise by Council.

2.4.2 An area structure plan or non-statutory plan (outline plan, area concept plan) must identify the location of the future reserve land within the plan area.

2.4.3 The reserve land shall be located to provide maximum benefit for future generations. Considerations should include recreational and school uses, wildlife habitat, and watershed protection.

2.4.4 In the absence of a plan, the County will choose the location, configuration, quality and characteristics of the land for reserve to maximize the benefit to future generations.

2.4.5 The value of the land for the purpose of cash-in-lieu of municipal reserve calculation is determined by the County based on the present use of the land in accordance with Typical Farmland Values for Subdivision Reserve Allocation Policy #6602.

2.4.6 The developer has the option of obtaining a market value appraisal of the land at his expense or agreeing with County on another method for determining the value of the land.
3 Environmental Protection

Protecting the natural environment from over-development is another focus of this Plan. Concerns regarding lake water contamination, fish population decrease and ground water decline were expressed by the public during the Plan preparation.

Although there are concerns over the negative impact of resource industries, the oil and gas activities are regulated by the Province and outside of the County's jurisdiction.

Objective 3.1 Protect environmentally sensitive areas of the County

Maintaining proper distance from environmentally sensitive areas will protect the County residents from potential damage as well as ecological integrity of the area. A professionally prepared report determines the environmental value or the geotechnical integrity of the land and identifies appropriate impact mitigation measures. While it would initially add to the cost of development, this is an important component that would ultimately benefit the County and future residents of the development.

3.1.1 Prior to the approval of a rezoning, subdivision and/or development application, the developer may be required to prepare environmental reports such as biophysical report, slope stability report, or environmental site assessment, prepared by a qualified professional:

a) near environmentally sensitive areas such as lakes, water courses, steep slopes, flood plains, or protected species habitat; or
b) on land with potential contamination from the previous or adjacent uses.

3.1.2 The environmental report for the purpose of the above policies should address:

a) the suitability of the site for proposed development;
b) the impact on wildlife and plant species habitats; and
c) conservation or mitigation measure recommendations.

3.1.3 Natural areas, including creeks, natural drainage channels, ponds, ravines, springs, and wetlands should be dedicated as environmental reserves, in accordance with the Act, Provincial Guidelines, or as recommended by a professional report.

3.1.4 The owner of the land adjacent to an environmental reserve must act responsibly to ensure these reserves remain natural.

3.1.5 When a significant area of environmental reserve is dedicated, Council will consider reducing the municipal reserve contribution.

3.1.6 Council may consider proposals from ratepayers or public groups for the maintenance and protection of reserve land.

3.1.7 The County may use other conservation tools such as environmental reserve easements, conservation easements and restricted covenants to achieve the purpose stated in 3.1.3.
3.1.8 Where County jurisdiction applies, the restoration of environmentally sensitive areas shall occur by natural means or be restored by a third party where a third party has caused an unauthorised change.

**Objective 3.2 Prevent water contamination of lakes in the County**

Water quality of lakes in the County is a concern for the residents, as well as for visitors who use the lakes for recreation. Of particular concern is the development around Pigeon Lake and Buck Lake where residential development pressure is high. Domestic waste water can be a significant risk to water contamination, especially when the private sewage systems are not properly operated. Sewage near major lakes should be collected in a piped system or held in cisterns and transported and treated at Municipally and Provincially approved lagoons.

3.2.1 Development near lakes must comply with the Requirement for Sewer Service Policy #6611 to prevent the contamination of lake water from domestic waste water.

3.2.2 New development is required to prepare and construct sewer collection systems compatible with a regional sewer treatment system (existing or planned) and in accordance with Sewer Policy #6611.

3.2.3 Existing development may also be required to have sewer collection systems compatible with a regional sewer treatment system if access to a transmission line exists or is planned to be near the existing development.

**Objective 3.3 Protect ground water supplies for current and future residents**

The County requires proof of sufficient potable water supply prior to approving new development. Recently completed Regional Groundwater Assessment recommends a well water level monitoring program in order to properly assess the perceived water level decline.

3.3.1 For a new multi-lot residential development without Municipal water service, a ground water analysis and pump test is required at the developer's expense to prove the sufficient water supply is available, in accordance with Policy #6606.

3.3.2 Each new multi-lot residential development without municipal water service must provide its own water supply on-site. Trucking water into the site is not a viable option and development applications with such concept may not be accepted.

3.3.3 Both surface and ground water supplies must not be over-committed to accommodate one proposed development over another. The approval of individual development must carefully consider the cumulative effect.

3.3.4 A well water monitoring program may be initiated in consultation with Alberta Environment.

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6 Regional Groundwater Assessment; Parts of Tp044 to 048, R22 to 28, W4M & Tp045 to 047, R01 to 07, W5M; Groundwater Consulting Environmental Sciences, Hydrogeological Consultants Ltd; 2008
3.3.5 Where there is potential for a municipal water service, new development must plan for future water pipelines (i.e. reserving the pipeline right of way)

**Objective 3.4 Storm water is maintained to protect natural drainage pattern**

Where possible, and subject to Provincial and Federal policies and regulations, the County will require all new development which may affect or to be affected by existing surface and storm water resources to enhance and protect the quality of water courses.

3.4.1 All watercourses must be protected from negative impact of development and should the damage occur, they must be restored.

3.4.2 Appropriate storm water management design is required to prevent flooding and contamination of the nearby water bodies by conserving and/or regulating the run-off and snow melt.

3.4.3 Where appropriate, development shall incorporate natural drainage course or natural water features, such as bio swales or ditches, for storm water management as opposed to installing piped systems.

3.4.4 Both surface and ground water supplies should not be over-committed to one proposed development over another.

**Objective 3.5 Retain existing tree-cover**

Tree-covered land near the major lakes, rivers and streams has an important role to protect and filter the water. The County has been encouraging land owners near water courses and water bodies to maintain the existing tree cover through several conservation districts.

3.5.1 The land within 1.6 km (1 mile) from a river, stream, watercourse or lake is protected for watershed protection and may be re-districted to appropriate land use districts.

3.5.2 Clearing of the existing tree or natural vegetation for residential development is limited only to establish minimum building sites in the area established in 3.5.1.

3.5.3 The County encourages the land owners near the watercourse to re-vegetate the land along the water body.

3.5.4 Natural vegetation and treed areas adjacent to water bodies, watercourses and on steep slopes shall not be cleared.

3.5.5 Environmental Reserves must remain their natural state.

4 Lakes

Lakes in the County are recognized as a great asset by residents and attract many visitors. Activities around the lakes and development of the lakeshore land have increased.

There are Provincial and Municipal regulations to prevent water contamination from sewage discharge entering the lake while Provincial and Federal regulations control the recreational
use of the lakes. The County will continue to work with Provincial and Federal governments to bring regional solutions for sewage collection and treatment systems.

Buck Lake Management Plan (2002), Pigeon Lake Watershed Management Plan (2000) and Wizard Lake Management Plan (2000) were prepared for the County. These plans provide general guidelines for development around the lakes.

**Objective 4.1 Lakes in the County are categorized according to their respective primary roles**

The lakes in the County are categorized according to the intensity of the intended use of each lake.

4.1.1 The types of lakes are established as follows:

- **Type 1:** Development – These lakes accommodate various lake shore recreational and residential development.
- **Type 2:** Low-impact Development – These lakes accommodate low impact and small scale development on the lakeshore. These lakes are suitable for wildlife habitat and wilderness conservation.
- **Type 3:** Protection – Lakeshore development is not allowed due to various constraints such as access, size, depth, surrounding land uses.

4.1.2 County's named lakes are categorized as follows:

- **Type 1:** Development – Buck Lake, and Pigeon Lake
- **Type 2:** Low-impact Development – Battle Lake, Bearhills Lake, Town Lake, and Wizard Lake
- **Type 3:** Protection – Bittern Lake, Bloomfield Lake, Coal Lake, Eyot Lake, Labyrinth Lake, Long Lake, Red Deer Lake, Samson Lake, Twin Lakes, and Watelet Lakes

**Objective 4.2 Lakes in the County are well managed according to their respective primary roles as established**

While activities on the lake are controlled through Provincial regulations, land use regulations could still effectively control the activities on the lake. For example, prohibiting the development of a boat-launch can limit the excessive motor boat use.

For the purpose of this objective, lake shore land is defined as 0.8 km (1/2 mile) from the bed and shore of the lake.

4.2.1 The County may consider updating existing lake management plans for Pigeon Lake and Wizard Lake, in consultation with Leduc County and the Summer Villages.

4.2.2 Maintain communication and cooperation with surrounding municipalities for any statutory or non-statutory plan preparation concerning the lakes in the County that borders on other municipalities.
4.2.3 Development around all lakes including Buck Lake and Pigeon Lake should follow Policy #6611 for sewer systems.

4.2.4 At Long Lake, Watelet Lakes and Wizard Lake where coal or gravel deposits are known to exist beneath these lakes, the developer has to prove that extraction is uneconomical prior to land development.

4.2.5 Lake shore residential subdivision may be considered for Battle Lake, Town Lake, Coal Lake and on the sand ridges inland from Bearhills Lake only if an area structure plan and rezoning are prepared compatible with other County policies including this plan.

4.2.6 Small scale, non-intensive recreational use may be allowed for Battle Lake.

4.2.7 At Red Deer Lake, when considering raising the lake level, land lying below the 774.2 m (2,540 ft) contour will be protected.

4.3.1 County will strive to maintain public access to the lake through municipal and environmental reserve dedication from subdivisions adjacent to lakes.

4.3.2 An area structure plan for the proposed development near the lake should address lake access.

4.3.3 Developers should contribute to provide lake access for back lot cottages.

4.3.4 Environmental reserve abutting lakes or other environmentally sensitive areas should be a minimum of 30 m or greater unless the site specific study is provided to support the relaxation of the setback and such relaxation is supported by the Province.

5 Industrial

Oil and gas and other industrial activities are also present in the County. While agriculture is the primary industry of the County, there are areas where rural-oriented industrial uses that benefit from the exposure to highway traffic may be developed in the County.

Protecting the County residents from environmental pollution or contamination, or any other negative effects from industrial activities is a fundamental role of the municipality.

5.1 Follow the existing County policy direction for industrial development

The County is a partner of the Joint Economic Development Initiative (JEDI) with the Town of Millet and the City of Wetaskiwin.
5.1.1 The industrial and commercial development in the County should compliment the JEDI agreement with partner municipalities.

5.1.2 Industrial and highway commercial development may be developed in accordance with Commercial and Industrial Development in the Highway 2 Corridor Policy #6612. The area is shown in Figure 2.

**Objective 5.2 The negative impact from industrial development and resource extraction activity is minimized**

Appropriate locations for industrial use vary by the type of the industry, surrounding land use, and the impact from the proposed development. The County will review each development application to avoid adverse effects from the proposed industrial use.

5.2.1 The County will continue to rely on the referral process with respect to sour gas facilities.

5.2.2 Industrial development is encouraged to locate in or adjacent to hamlets where such land use is compatible with an urban area.

5.2.3 Some industrial development may be allowed away from hamlets when it is essential to locate in a rural area.

5.2.4 Industrial development and resource extraction facilities should be located on poor agricultural lands.

5.2.5 Industrial and resource extraction development are discouraged to locate within 1.6 km (1 mile) from water bodies or environmentally sensitive areas.

5.2.6 Where sour gas facilities exist, development must comply with the setback recommendations set out by Energy and Resources Conservation Board or its successor body.

5.2.7 Development of a resource extraction operation is reviewed for its impact on infrastructure and resident quality of life in accordance with Requirements for Resource Extraction Operations Policy #6614.

5.2.8 Pipelines are encouraged to be constructed along property lines or within existing right-of-ways.

5.2.9 Abandoned resource extraction facilities should be reclaimed by the licensee.

5.2.10 The County will continue to constructively engage the oil and gas industry to minimize the impact on lands within the districts for watershed protection.

**Objective 5.3 Support the agro-industrial activities**

Agro-industrial activities such as the processing or shipment of agricultural products will benefit the agricultural industry and create additional employment in other industrial sectors. Locating such uses close to the material source and transportation corridors is important for a successful operation.
5.3.1 A separate land use district or a direct control district may be created to accommodate agro-industrial activities.

5.3.2 Regardless of any previous subdivision, Council may allow the subdivision of a parcel from a quarter section of agricultural land for an agro-industrial use.

5.3.3 The developer of a proposed agro-industrial subdivision may be required to demonstrate the economic viability of the proposed use prior to subdivision approval.

Objective 5.4 To ensure that natural resources deposits are protected for the benefit of future generations

Parts of the County between Highway 2 and Secondary Highway 795 are underlaid by surface mineable coal. The deposits are the south-easterly extension of the same coal seam mined at Genesee and around Lake Wabamun.

Gravel is in constant demand in the County as gravelling is a major component of the County's road maintenance. The County has a program to identify and secure gravel reserves for the next hundred years.

5.4.1 The area between Highway 2 and Secondary Highway 795, is identified to have surface coal according to Provincial records and designated as Surface Coal area as shown in Figure 6A. For information purposes only, the approximate Oil and Gas Fields are shown in Figure 6B. These matters are regulated by the Province’s Energy Resources Conservation Board.

5.4.2 Multi-lot residential development is not allowed in the Surface Coal area.

5.4.3 Land in Surface Coal area should remain in large parcels.

5.4.4 If a parcel of land is believed to have significant, usable amounts of gravel, a developer may be required to prove otherwise before proceeding to develop the land.
Figure 5: Potential Development Locations in the Highway 2 Corridor

Scale 1:150 000
6 Commercial/Recreational

Commercial and other economic development opportunities exist in the County in hamlets and recreational and resort-based industries near the lakes. Limited highway commercial development may be developed along highways for the travelling public.

Objective 6.1 Commercial development is directed to locations with high success potential

While the County believes some commercial activities are better suited in urban municipalities, some commercial development may locate within the County's hamlets and other appropriate locations so that they can provide services to agricultural industry and to the local residents.

6.1.1 Retail development should be located in hamlets.

6.1.2 Highway commercial development should locate adjacent to highways.

6.1.3 Regardless of a previous subdivision on the quarter, Council may allow the subdivision of a parcel from a quarter section of agricultural land for a rural/highway commercial use.

6.1.4 The developer of a proposed rural / highway commercial development may be required to provide the information on economic viability of the proposed use prior to subdivision approval.

Objective 6.2 Recreational development respects the existing community character

Recreational development has various degrees of impact on adjacent lands. In addition to boat launches and parks at the lakes, there are several golf courses and campgrounds as well as museums and trails in the County which act as visitor attractions.

6.2.1 Low-impact, passive recreational uses such as trail systems that do not require permanent structures or have the potential to contaminate soil or groundwater may be permitted on good agricultural land.

6.2.2 Recreational uses should be located on poor agricultural land.

6.2.3 Notwithstanding any previous subdivision, the subdivision of a parcel from a quarter section may be allowed for a recreational use.

6.2.4 Developers may be required to demonstrate the economic viability of the proposed recreational use prior to subdivision approval.

6.2.5 Developers are required to provide information on water supply, proposed sewer systems, transportation and other relevant services as well as environmental impact assessment prior to subdivision approval.
Objective 6.3  Support the designation of historic resources through the Provincial historic site designation

The development of historic sites as tourist attractions benefits the County's economic base and preserves the County's historical heritage for future generations.

6.3.1 Council may allow the subdivision of a parcel of land for a registered or Provincial historic resource.

6.3.2 Notwithstanding previous subdivision and soil quality, and subject to rezoning if necessary, Council may allow the subdivision of a parcel of land for a use that has the potential to be designated as a historic resource.

7  Intermunicipal

Adjacent municipalities to the County of Wetaskiwin are:

- Urban Municipalities: City of Wetaskiwin and Town of Millet;
- Rural Municipalities: Leduc County, Camrose County, Ponoka County, Clearwater County and Brazeau County;
- Summer Villages: Argentia Beach, Crystal Springs, Ma-Me-O Beach, Grandview, Ma-Me-O Beach, Norris Beach, Poplar Bay, and Silver Beach; and
- First Nation Indian Reserves: Samson, Pigeon Lake, Buck Lake (Paul), Louis Bull, and Ermineskin.

Many of the issues such as farmland protection programs, identifying areas for residential development, and lake shore development, require input from adjacent municipalities and First Nations.

Objective 7.1  Coordinate development in the fringe area with adjacent municipalities and First Nation Indian Reserves

Maintaining constant communication with adjacent communities is an important part of achieving well planned communities. Development near the municipal boundary influences both municipalities. Neighbouring communities should be properly informed regarding development activities within the fringe area.

7.1.1 Fringe area is established as 1.6 km (1 mile) from the municipal boundary, the established hamlet boundary, or the First Nation Reserve boundary.

7.1.2 All area structure plans, zoning bylaw amendment, subdivision, and discretionary development applications need to be referred to the adjacent municipalities and First Nations within the fringe area for their comment.

Objective 7.2  Preserve the lands adjacent to urban centres for long-term conversion to urban uses

The County adopted an Intermunicipal Development Plan with the City of Wetaskiwin in 1998 (Bylaw 98/66) and South Pigeon Lake Intermunicipal Development Plan in 2002 (Bylaw 2002/50) with Summer Villages of Crystal Springs, Grandview, Norris Beach and Poplar Bay. The areas for Intermunicipal development plans are shown in Figure 7 and Figure 8. The County has also completed the Millet-Wetaskiwin Acreage Study Area
Structure Plan with input from the town to determine areas for potential residential development.

7.2.1 Development adjacent to the City of Wetaskiwin and Summer Villages at Pigeon Lake will follow the respective Intermunicipal Development Plans.

7.2.2 With the absence of an Intermunicipal Development Plan, a development proposal in a fringe area of urban municipalities should allow eventual conversion of the subject lands to urban uses if the land is annexed.

7.2.3 Residential development in the fringe areas around the Town of Millet is required to meet the development standard that would not encumber potential future annexation of the County land.

7.2.4 Low density uses such as multi-lot residential development in agricultural land may be allowed in urban fringe areas if an approved area structure plan designates the land for such development.

7.2.5 For the subdivision in urban fringe areas, which are likely to be built with a higher density, the municipal reserve dedication should be made by land, not by cash in lieu payment. If the location of reserves cannot be determined, they will be deferred to the remainder of the land.
8 County Services

In addition to planning, the County contributes to a range of Municipal services including roads, water, sewer, waste management, agricultural and the protective services. The County operates Winfield Agriplex and Grounds and contribute to several community halls across the County. The Wetaskiwin School Division is the education authority in the County. Health care services are provided in the City of Wetaskiwin or hamlets in the County by Alberta Health Services. Hamlets are suitable for new multi-lot residential development as they can benefit from the existing services. (Residential Policy 2.1)

Objective 8.1 Transportation network in the County is well maintained

The predominant transportation system in the County is the road network. It provides connections within the County and to the adjacent communities. The Canadian Pacific Railway also serves the County.

Skilled labour and general public will benefit from existing or potential transit services between the key locations such as major employment centres.

8.1.1 Transportation network issues with the City of Wetaskiwin will be addressed in accordance with the Intermunicipal Development Plan.

8.1.2 High density subdivision and hamlet designs will recognize how public transit services will be accommodated.

8.1.3 An approach to a parcel is installed in accordance with Policy #6601 for each parcel in the County.

Objective 8.2 Community services are provided in a manner that is fair to all County residents

The County is moving towards user-pay for some Municipal services in an effort to achieve long term fiscal sustainability. Preferably, any proposed development should generate revenue to cover the cost of providing Municipal services. The County may establish an evaluation process to determine the level of Municipal services offered.

8.2.1 The developer or the owner of the lot is financially responsible for connecting to Municipal water and sewer.

8.2.2 Waste management in hamlets and rural subdivisions can be provided for a fee.

8.2.3 All residential development in the County must have a sewer system in accordance with the Sewer Policy #6611 if in an applicable area, and Provincial regulations.

8.2.4 The County and the School Division may negotiate to reach an agreement for the transfer of municipal reserve land and/or cash-in-lieu should a need for a new school site arise.
Implementation of the Plan

Development applications are reviewed for three principles – site suitability, proposed use compatibility, and compliance to the current rules, policies and regulations.

The important part of the planning process is implementation. The implementation tool for the Municipal Development Plan is the Land Use Bylaw, which provides detailed development guidelines for the County. Other policy documents can provide guidance for development in specific areas or on specific issues. Area Structure Plans can provide development concept for land in various sizes – including multi-lot subdivision to more general conceptual development patterns for an area as big as several quarter sections, such as Millet-Wetaskiwin Acreage Study Area Structure Plan. Through these existing and future policy documents, the County will strive to achieve its Statement of Purpose. The County will also seek partnerships from time to time to achieve these goals.

The County will undertake projects and studies to implement the Municipal Development Plan.

- Land Use Bylaw
- Some areas in the County merit special attention to prepare large-scale plans, either statutory (area structure plan) or non-statutory (outline plan, area concept plan), to guide the development concept (see Figure 9: Areas for Growth Potential). Such areas include but are not limited to:
  - Millet-Wetaskiwin Acreage Study Area
  - Along Highway 2 and 2A;
  - Along Highway 20 and 22;
  - Pigeon Lake/Westerose;
  - Wizard Lake;
  - Buck Lake; and
  - Other areas as determined by the County.

The following studies may be considered depending on available resources:

- Lake Management Plans update for Pigeon Lake and Wizard Lake.
- Groundwater monitoring
Figure 9: Areas for Growth Potential