

# Municipal Development Plan

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## Municipal District of Foothills No. 31

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## 1.0 INTRODUCTION

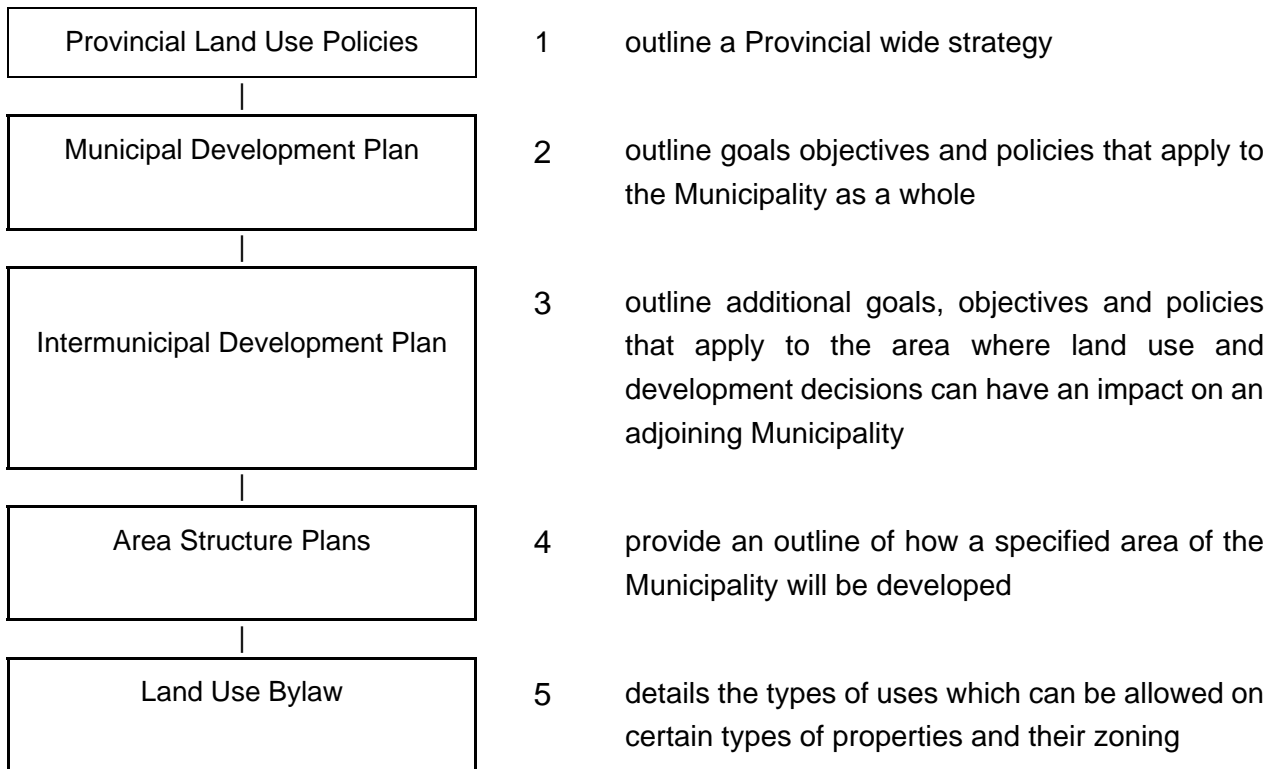
The Foothills Municipal Development Plan was developed to meet the requirements of the Municipal Government Act but more than that it was developed to provide an understandable guide to future Development within the Municipality. The goals, objectives and policies of this Plan reflect the views and concerns of the residents and landowners of the Municipality. As a guide to development the Plan is intended to support development decisions that are in the best interests of the public.

Council established a 14 member Public Advisory Committee made up of 2 people from each electoral division, none of whom sit on any other Municipal Board, to review and replace the existing General Municipal Plan and within the approved Terms of Reference develop a new long range planning document for the Municipality.

The Municipal Development Plan is the second step in the Planning Process established by the Province of Alberta and the plan must be consistent with Step One, The Land Use Policies of the Provincial Government. Step 3 is Intermunicipal Development Plans which will be established around Adjoining Municipalities with Step 4 being Area Structure Plans. Although there are other informal planning documents utilized in some instances the final formal step in the Planning Process is Step 5, The Land Use Bylaw. Each step is intended to provide a greater degree of detail as follows:

(Please see next page for chart)

**Step**



Note: Each step is required to be consistent with the preceding step or steps.

## **2.0 POLICY FRAMEWORK**

### **2.1 VISION STATEMENT**

The Foothills Municipal Development Plan is based on the following Vision Statement:

"To recognize that the Municipal District of Foothills No. 31 is a unique rural landscape where agriculture is the predominant land use and should remain so in the future. However, the Municipal District of Foothills No. 31 is subject to development pressures as a result of being located in an area of substantial urban activity and therefore must take proactive steps to manage development."

From this direction, the Municipality has identified a number of important long range goals which it believes should be pursued. These goals summarize the Municipality's intentions respecting future growth and development. They are also the basis upon which more specific objectives have been defined and policies created.

### **2.2 GOALS OF THE PLAN**

- 2.2.1 To recognize in all decisions that water is a limited resource, which must be used wisely and efficiently and that planning decisions shall attempt to minimize impacts upon existing water users.
- 2.2.2 To maintain, conserve and/or enhance natural landscapes, Environmentally Significant Areas, wildlife areas, fish habitats and areas identified on Map #01 and Appendix "A" within this document;
- 2.2.3 To promote in all planning decisions the maintenance of air quality within the municipality;
- 2.2.4 To minimize any noise and/or visual impact development may have;
- 2.2.5 To preserve and use agricultural lands wisely and protect the diversity of the agricultural industry;

- 2.2.6 Through planning policies & regulations, provide for the separation of incompatible land uses;
- 2.2.7 To partner with the agricultural industry to jointly achieve the goals contained within this plan and other Municipal and/or Provincial plans, statutes or regulations;
- 2.2.8 To manage Country Residential Development in order to maintain the Municipal District of Foothills No. 31's unique rural landscape;
- 2.2.9 To accommodate a wide variety of Residential Development mainly within the borders of an existing Hamlet;
- 2.2.10 To accommodate a wide variety of businesses in appropriate locations.

The above goals clearly indicate that the Municipality is accepting the fact that all types of development will wish to locate within our boundaries but we also recognize that development must be managed to minimize its impact on what is important to the people of this Municipality. ex: the environment (physical & visual), agriculture and water.

## 2.3 DEFINITIONS

**Adjacent** means contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

**Area Concept Plan** - A non-statutory document that is used primarily as a guideline to future development. It does not supersede, repeal or replace any statutory plan or hearing process related to development and is implemented only as a set of guidelines. It is adopted by a resolution of Council, a public hearing may be held at the discretion of Council.

**Area Structure Plan** - A statutory plan, adopted by bylaw, which provides a land use strategy for subsequent redesignation, subdivision and development of a specific area of land in the Municipality.

**Council** - The Council of the Municipal District of Foothills No. 31

**Confined Feeding Operation or “CFO”** means a confined feeding operation defined and regulated under the provisions of the *Agricultural Operation Practices Act* (“AOPA”)

**Country Residential Development** means development on a relatively small area of land (not exceeding 32 lots or units per quarter or 1 lot or unit per 5 acres of parent parcel) intended as a site for a private detached single family dwelling in a rural surrounding.

**Country residential parcel** means a parcel which provides for country residential development.

**Country residential use** means the utilization of a parcel primarily for the siting of a private detached single family dwelling in a rural surrounding, as permitted in the Municipal District of Foothills No. 31 Land Use Bylaw.

**Dwelling Unit** means self contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals.

**Environmentally Significant Areas** means those general areas identified on Map #01 of this General Municipal plan and as defined by Alberta Environmental Protection included in Appendix A. These areas are believed to contain special physical characteristics or are part of a system which in turn gives rise to special biological attributes.

**Equestrian Facility** - To be determined.

**Hamlet** - An unincorporated community as defined by the Municipal Government Act and as defined by the Municipal District of Foothills No. 31.

**Highway** - A road that is designated as a primary highway or a secondary highway pursuant to the Public Highways Development Act.

**Home Based Business, Major** means the secondary use of a dwelling and its accessory buildings by a permanent resident of such residence to conduct a gainful business activity or occupation which may generate up to (8) business related visits per day in an agricultural district and up to (4) business related visits per day in all other districts. The business use must be secondary to the

residential use of the building and shall not change the residential character of the dwelling and/or accessory building. The number of non-resident employees shall not exceed (5) at any one time. This does not include general retail stores or professional offices.

**Home Based Business, Minor** means the secondary use of a dwelling and its accessory buildings by a permanent resident of such residence (excludes any off site employees) to conduct a gainful business activity or occupation which may generate up to (4) business related visits per day. The business use must be secondary to the residential use of the building and shall not change the residential character or external appearance of the land and buildings.

**Industrial Park** - An industrial subdivision developed for the establishment of industries in accordance with Municipal requirements.

**Infrastructure** - Public and private utility systems in the Municipality that may include, but are not limited to the transportation network, water and sewer systems, solid waste management facilities and police, fire and ambulance services.

**Intensive Agricultural Operations** means systems of tillage and animal husbandry, which involve concentrated methods used on areas of land to raise crops or keep livestock, including poultry, swine and other animals, but does not include a Confined Feeding Operation;

**Lands - Agricultural** - Land that has either traditionally been used in an agricultural capacity or has the potential to be so used. Agricultural uses include growing of cultivated crops, ranching, animal husbandry, tree farming, market gardening, honey production and game ranching.

**Lands of Limited Agricultural Potential** - Land not included in the definition for Lands - Agricultural or lands included in that definition but due to their proximity to non-agricultural uses, parcel size or shape, and / or poor soil quality (CLI Class 4 or poorer) have serious limitations regarding their use for agriculture. Soil quality will not be considered in areas where agriculture is traditionally the dominant land use.

**Land Use Bylaw** - A bylaw of the Municipality passed by Council pursuant to the provisions of the Municipal Government Act and intended to prohibit, regulate and

control the use and development of land and buildings within the Municipality.

**Land Use District** - One or more divisions identified in the Land Use Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations for same.

**May** is an operative word meaning a choice is available, with no particular direction or guidance intended.

**Minimum Distance Separation or "MDS"** means, in respect of intensive agricultural operations, the minimum distance separation required in the Land Use Bylaw, and, in the case of CFOs, means the Minimum Distance Separation established by regulations enacted under the authority of the AOPA;

**Municipal Development Plan** - The Principal Statutory land use plan for the Municipality and accepted by Council; in accordance with Section 632 of the Municipal Government Act.

**Municipal Government Act** - Refers to the Municipal Government Act, Chapter M-26.1 and as amended from time to time.

**Municipal or School Reserve** - Land which the subdivision approving authority may require the owner of a parcel of land that is the subject of a proposed subdivision to be provided for municipal or school purposes, up to 10% of the area proposed for subdivision.

**Municipality** - The Municipal District of Foothills No. 31 and when the context requires; means the area contained within the boundaries of the Municipality.

**Natural Resource Extractive Industry** - An enterprise which is governed by natural geographic or geological features and may include, but is not limited to the extraction and processing of mineral deposits, petroleum and natural gas, or sand and gravel deposits.

**Principal Use** means the main or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**Public Use** means the use of land for a building, plant, public utility infrastructure,

material storage, maintenance yards, water towers and telecommunications towers, serviced, owned, operated or enfranchised by a municipal corporation, the provincial or the federal governments.

**Qualified Professional** - An individual with specialized knowledge recognized by the Municipality and/or licensed to practice in the Province of Alberta. Examples of qualified professionals include, but are not limited to agrologists, engineers, geologists, hydrologists and surveyors.

**Redesignation** - Refers to the reclassification by the Municipality of a land use designation in the Land Use By-law applicable to a specific area of the Municipality.

**Redesignate or redesignation** means the assignment by the Municipal District of Foothills No. 31 in its Land Use Bylaw No. 566 of a given area of land to a particular land use district.

**Residential Development** - means the development of a parcel for the siting of a single family dwelling and/or dwellings at a density not less than 32 lots or units per quarter or 1 lot or unit per 5 acres of parent parcel.

**Rural Industrial Park** means an industrial subdivision developed for the establishment of rural industries in accordance with this Plan and the Municipal District of Foothills No. 31 Land Use Bylaw.

**Shall** is an operative word which means the action is obligatory.

**Should** is an operative word which means that in order to achieve local goals and objectives it is strongly advised that the action be taken.

**Unsubdivided Quarter Section** means a quarter section as defined in the Subdivision and Development Regulations.

## 3.0 THE ENVIRONMENT

### 3.1 INTRODUCTION

Issues related to the Environment are a significant consideration in planning decisions. These issues include water supplies, the cumulative impacts of uncontrolled / poorly designed development, the overall visual & environmental integrity of the Municipality, wildlife & wildlife corridors and quality of life issues such as dust, sewage disposal, traffic safety and noise. The effects on water supply will be a major consideration when development and redesignation decisions are made as well as the need to minimize air and water pollution. Government agencies responsible for controlling pollution will therefore be consulted when the Municipality receives applications for redesignation or development.

The M.D. is rich in significant natural landscapes, key wildlife areas and important fish habitats. These resources are part of the Municipality's heritage which should be conserved. Further study is required to clearly delineate wildlife corridors, fish habitat and significant natural landscapes. The guidelines adopted by Alberta Environmental Protection delineating Environmentally Significant areas is reprinted in Appendix "A". Following are examples of the types of habitat that will be considered as Environmentally Significant.

Parkland Environments of outstanding natural diversity in the context of the M.D.; and areas with a good diversity of water birds and upland birds.

Rivers & Streams are a major scenic and recreational resource as well as an important environmental corridor. They provide high quality habitat for deer and other wildlife species. They also support an important local sport fishery, function as a migration corridor for a number of species of fish including endangered species and provides substantial spawning areas.

The Foothills Portion of the Municipal District provides some of the most spectacular scenery in the Calgary region, outstanding undisturbed forests of Balsam Poplar and movement corridors for ungulates.

### 3.2 OBJECTIVES

3.2.1 To respond appropriately when development is proposed in areas that are

considered Environmentally Significant.

- 3.2.2 Minimize the impact of subdivision and development on surface and ground water.
- 3.2.3 Protect from subdivision and development lands with unstable slopes and lands with erosion potential.
- 3.2.4 Co-ordinate with Federal and Provincial agencies the reviewing of subdivision and development proposals.
- 3.2.5 Protect sites of archaeological and historical significance within the Municipality.

### 3.3 POLICIES

- 3.3.1 When considering the possible impacts of development on the environment, development and redesignation proposals will be referred by the Municipality to the appropriate government agencies and/or individuals or companies with the appropriate expertise for comments and/or recommendations.
- 3.3.2 The M.D. will require at a minimum, that applicants for development or subdivision follow the Municipal water policy, as shown in Appendix "B", for the purpose of establishing potential water supply.
- 3.3.3 Proponents of development or redesignation of land which the M.D. believes would be located wholly or partly within Environmentally Significant Areas, must demonstrate to the satisfaction of the M.D. that the proposal would not jeopardize or significantly damage the characteristics of the resource. To this end, the M.D. may require the conduct of specialized studies by appropriately qualified personnel at the proponent's expense.
- 3.3.4 Known Environmentally Significant Areas are shown on Map #1. These areas do not contain fixed boundaries, additionally this is not meant to indicate that there are no other Environmentally Significant Areas. They are meant to indicate that an important biophysical resource exists in that location.
- 3.3.5 To ensure that the natural qualities of the landscape or the wildlife habitat are protected within an Environmentally Significant Area, the M.D. may require any of the following at the Development Permit, Redesignation or Subdivision stage:
  - \* development setbacks from the water course;

- \* reduction in densities;
- \* buffers;
- \* dedication of Reserves (where feasible);
- \* preservation of shoreline vegetation;
- \* restrictive covenants to further control and/or restrict development.

3.3.6 The M.D. may require that protective measures be taken in instances where a proposed development or redesignation would be located in the following areas:

- a) fish spawning grounds;
- b) nesting, feeding and staging areas for birds;
- c) historical and archaeological resource sites;
- d) wintering areas for ungulates;
- e) wildlife corridors;
- f) wetlands.

3.3.7 Land contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

NOTE: Refer to Section 12.0 for information regarding Gas and Oil related Facilities such as Sour Gas.

## **4.0 AGRICULTURE**

### **4.1 INTRODUCTION**

Agriculture is the dominant land use in the Municipal District of Foothills No. 31. It is the largest employment generator (direct and indirect), within the district. Agricultural products are renewable resources which can continue to generate jobs and revenue indefinitely, if the land base is protected. Agricultural lands are important locally and nationally because of their limited declining amounts and capability. It is therefore important to promote the long term viability of agriculture.

Other land uses should therefore, be directed to lands of poor agricultural capability, both for farming and ranching. This approach will preserve good cropping and ranching land resulting in several benefits:

- \* it maximizes the amount of productive land available to agriculture;
- \* it prevents other land uses from conflicting with agricultural operations eliminating negative impacts for both;
- \* it stabilizes the land values in an agricultural area, providing resistance to pressures resulting in landowners turning away from farming.

### **4.2 OBJECTIVES**

4.2.1 To recognize that the preservation of agricultural land is a priority for the Municipal District of Foothills No. 31.

4.2.2 To minimize subdivision of agricultural lands.

4.2.3 To minimize conflicts between agricultural and non-agricultural land uses.

4.2.4 To foster growth and development of the agricultural industry.

4.2.5 To partner with the agricultural industry to protect lands that are environmentally significant.

4.2.6 To encourage the agricultural industry to adopt practices that promote soil conservation and the preservation of riparian habitats.

- 4.2.7 To encourage the wise use of water by the agricultural industry.
- 4.2.8 To encourage the agricultural industry to adopt practices that maintain and/or improve water quality throughout the district.
- 4.2.9 To encourage the agricultural industry to control surface runoff from livestock operations.
- 4.2.10 Confined Feeding Operations should be located only where the operator of the CFO owns the land included in the Minimum Distance Separation
- 4.2.11 To prevent Confined Feeding Operations where the operator does not own the Minimum Distance Separation.
- 4.2.12 To prevent development or the creation of Lots within the minimum distance separation of a confined feeding operation if they would inhibit future expansion of a confined feeding operation
- 4.2.13 To prevent Confined Feeding Operation “approvals”
- within 3.2 km of an Urban Municipality or Hamlet;
  - within .8 km of a lot zoned Country Residential District or Residential District;
  - within .8 km of a dwelling;
  - within .8 km of a water course or water body
- 4.2.14 To prevent Confined Feeding Operation “registrations” and “Authorizations”;
- within 3.2 km of an Urban Municipality or Hamlet;
  - within .4 km of lands zoned Country Residential or Residential;
  - within .4 km of a dwelling;
  - within .4 km of a water course or water body.

#### 4.3 POLICIES

- 4.3.1 The M.D. will strive to preserve agricultural lands for agricultural purposes. Other uses should be directed to lands of limited agricultural potential and where any conflicts with agriculture will be minimal.
- 4.3.2 The M.D. will discourage the unnecessary fragmentation of agricultural land.
- 4.3.3 Intensive agricultural operations and confined feeding operations must be located

where there will be minimal conflict with existing land uses or their expansion.

4.3.3A Confined Feeding Operations must comply with the AOPA and the regulations thereunder

4.3.4 Agricultural uses and uses which support the agricultural industry should be encouraged to locate in the Municipality. Non-agricultural uses should only be permitted on lands where the M.D. judges the proposal to have acceptable impacts on the agricultural resources.

4.3.5 When considering the conversion of agricultural lands to other uses the Municipality will consider the following:

- the present or proposed use of lands in the vicinity, including that of Confined Feeding Operations;
- the impact the proposed use will have on the existing or potential agricultural use of the property and properties that may be affected;
- the information contained within the farmland assessment records maintained by the Municipality;
- the response to referrals sent to Provincial Government Departments.

4.3.6 Referrals from Agriculture Food & Rural Development (Public Land), which request comments from the Municipal District of Foothills No. 31 on proposed developments on Crown lands within the municipality, will be reviewed against the General Municipal Plan's policies. The Provincial Government will be encouraged to have regard for the provisions of this Plan.

4.3.7 One parcel 5 acres or greater in size may be subdivided from an Agricultural District parcel of 21 acres or more providing:

- a. if, in the opinion of Council, the Policies of Section 3 and Section 4 are met;
- b. if, in the opinion of Council, the parcel created will meet the same criteria used to determine if Country Residential parcels are developable;
- c. a bylaw redesignating the land from Agricultural District to Country Residential District has received third reading.

4.3.8 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

## 5.0 COUNTRY RESIDENTIAL DEVELOPMENT

### 5.1 INTRODUCTION

The demand for Country Residential lots has remained fairly constant over the last ten years and it appears that the demand will continue into the foreseeable future. The Municipal District of Foothills No. 31 is committed to managing the Development of Country Residential Subdivisions in a manner that respects a desire to protect the Environment and Agriculture.

### 5.2 OBJECTIVES

- 5.2.1 Ensure that Country Residential Development proceeds in conformance with the Goals and Policies contained within this plan.
- 5.2.2 Direct Country Residential Development to lands where there is minimal impact on the Environment, Agriculture and Water.
- 5.2.3 Advocate a variety of Country Residential Developments.
- 5.2.4 Minimize the impacts of Country Residential Development on adjoining land uses.
- 5.2.5 Encourage Country Residential Development in locations that take advantage of existing infrastructure. For example: Fire Protection, Roads.

### 5.3 POLICIES

- 5.3.1 Proposals for Country Residential Development shall conform to the Policies outlined in this plan with particular attention paid to Section 3.0, Environment and Section 4.0, Agriculture.
- 5.3.2 Country Residential Developments shall meet the standards adopted by the

Municipal District of Foothills No. 31, including but not limited to Road Design, Proof of Water and Dedication of Reserves.

- 5.3.3 All Country Residential parcels should be approximately 4 acres in size but not less than 2 acres and shall contain one acre of developable land.
- a. the one acre cannot exceed 15% in slope.
  - b. the one acre is suitable for a septic system.
  - c. the one acre is not subject to a water table, within 7 feet of the surface.
  - d. the one acre is not subject to development restrictions such as those created by: sour gas, flooding, other oilfield products, hazardous properties, landfill or transfer stations.
  - e. the one acre is considered developable by the Municipal Council.
- NOTES: A developer may submit reports prepared by an appropriate Professional, stamped and sealed, substantiated by a professional picked by the Municipality (at the Developer's cost) to prove the suitability of the site for the proposed development despite the above criteria.
- 5.3.4 In determining density the Municipal District will consider the following:
- a. the quantity and quality of water available to service the subdivision;
  - b. existing densities in proximity to the proposal;
  - c. use of and impact on adjoining lands;
  - d. Section 4.3.6 of the Agricultural Policies;
  - e. condition, capacity and standards of Provincial and/or Municipal roads servicing the proposed development;
  - f. the suitability of the land to be developed for Country Residential Purposes;
  - g. the environmental significance of the land and adjoining properties;
  - h. the impact of the development on fish & wildlife.
  - i. Maximum density permitted not to exceed 32 lots or units per quarter section or 1 unit per 5 acres of parent parcel.
- 5.3.5 An Area Structure Plan drafted in accordance with the Guidelines adopted by the Municipality shall be required as part of a Country Residential proposal that would create 8 new lots or more except where the applicant does not intend to phase their proposal and the balance parcel can not be further Subdivided. For proposals of less than 8 new lots an Area Structure Plan may be required if in the opinion of Council one is necessary, due to:
- a. the impact the proposal may have on adjoining lands;
  - b. the need to review, in greater detail, the infrastructure requirements of this proposal;

- c. the proposal being a continuation of an existing subdivision and leads to a density greater than 8 lots per quarter section;
  - d. the proposal, in the opinion of Council, being phase 1 of a development that will create 8 new lots or more.
- 5.3.6 An Area Concept Plan may be required as part of Country Residential if deemed necessary by Council.
- 5.3.7 Country Residential developments will be required to be located, designed and serviced in ways which will minimize costs to the M.D.
- 5.3.8 Country Residential parcels and roads should be designed and developed such that:
- a. land use conflicts are minimized;
  - b. reasonable privacy is afforded to present and future residents;
  - c. the disturbance and/or removal of topsoil and vegetation cover are minimized;
  - d. dwellings have direct legal and physical access, of a standard acceptable to the M.D., to an internal subdivision road rather than the M.D. road system;
  - e. roadways and reserve parcels are designed to link functionally with those dedicated or to be dedicated on adjoining lands;
  - f. Multi-Lot Developments shall be designed utilizing Lot Clustering.
  - g. adequate distances are maintained between intersections along M.D. road allowances;
  - h. the natural features of the site are retained to assimilate the development into the rural landscape;
  - i. there is efficient use of land;
  - j. access to the proposed building site is suitable for access by emergency vehicles.
- 5.3.9 Where Country Residential Development is proposed adjacent to a watercourse, the M.D. will require that development be set back from a watercourse or escarpment. This will ensure that the watercourse or escarpment is protected in order to maintain ungulate migration corridors, allow for continuous public access and avoid natural hazards. The M.D. may request the subdivision approving authority to dedicate Municipal Reserve or Environmental Reserve as appropriate to accommodate the above.
- 5.3.10 Where a parcel less than 21 acres in size is proposed to be redesignated, the applicant will be required to submit detailed information addressing the following:
- 1. the impact of the proposed Lots on adjoining lands;

2. the number of (or potential for) access points onto the M.D's road system;
3. the impact on the road system including road capacity and condition;
4. existing or potential land use conflicts;
5. provision of water and treatment of sewage;
6. how the development may fit into an integrated municipal and/or environmental reserve system;
7. Lot layout;
8. Topography.

Note: The Municipality may request additional information needed to properly evaluate the proposed development.

- 5.3.11 the policies of this plan apply equally to applications for redesignation or subdivision.
- 5.3.12 Area Structure Plans shall meet the guidelines for Area Structure Plans as adopted by the Municipal District as outlined in Appendix "C".
- 5.3.13 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

## **6.0 RESIDENTIAL DEVELOPMENT**

### **6.1 INTRODUCTION**

Residential Development within the rural portion of the Municipality has been centered around golf course developments such as Heritage Pointe and Priddis Greens. With the addition of Blackie and Cayley the possibility of High Density Residential Development has increased substantially. The Municipal District will need to review, complete or initiate planning studies for all existing Hamlets to determine the potential for Residential Development within or adjoining the boundaries of Hamlets.

### **6.2 OBJECTIVES**

- 6.2.1 Ensure that Residential Development proceeds in conformance with the Goals and Policies contained within this plan.
- 6.2.2 Direct Residential Development to lands where there is minimal impact on the Environment, Agriculture and Water.
- 6.2.3 Advocate a variety of Residential Development.
- 6.2.4 Minimize the impacts of Residential Development on adjoining land uses.
- 6.2.5 Encourage Residential Development in locations that take advantage of existing Infrastructure with excess capacity. For example: water systems, sewer systems and roads.

### **6.3 POLICIES**

- 6.3.1 Proposals for Residential Development shall conform to the Policies outlined in this plan with particular attention paid to Section 3.0, Environment and Section 4.0 Agriculture.

- 6.3.2 Residential Development shall meet the standards imposed by the Municipal District of Foothills No. 31 including but not limited to Design of Roads, Water System, Sanitary Sewer System and Storm Water System.
- 6.3.3 Proposals for Residential Developments shall conform to an adopted Area Structure Plan. Area Structure Plans shall conform to the Guidelines for Area Structure Plans (Appendix "C") as adopted by the Municipality.
- 6.3.4 Proposals for Residential Developments shall be accompanied by Professional Reports evaluating the suitability of the site. Topics to be addressed in the evaluation are as follows:
- a. proposed water supply;
  - b. handling of sanitary sewage;
  - c. handling of storm runoff;
  - d. supply of utilities, i.e. power, gas and telephone;
  - e. topographical constraints;
  - f. soil structure;
  - g. water table;
  - h. impact on the existing road system & other traffic related concerns; example: noise, dust and safety.
  - i. location and use of reserve lands;
  - j. other restrictions to development such as sour gas & flooding.
  - k. wildlife habitat
- 6.3.5 Residential Development shall not contain lots in excess of 2 acres in size unless the lot forms part of a condominium plan.
- 6.3.6 Outside of the boundaries of a Hamlet, the maximum allowable density may be determined on a site-specific basis to the satisfaction of Council, based on the compatibility and impact of the density on the surrounding lands and the ability to service the land with an adequate water supply and an adequate sewage disposal system. The density of this district may exceed 32 lots or units per quarter section. This shall be developed in conjunction with a significant recreational development such as, but not limited to, a golf course.
- 6.3.7 Residential Development shall be required to be located, designed and serviced in ways which will minimize costs to the M.D.
- 6.3.8 Residential parcels and roads should be designed and developed such that:

- a. land use conflicts are minimized;
- b. reasonable privacy is afforded to residents;
- c. dwellings have direct legal access to an internal paved road system;
- d. the internal road system connects to a surfaced Municipal road.
- e. the design does not preclude the possible development of adjoining lands;
- f. the natural features of the site should be retained to assimilate the development into the rural landscape;
- g. there is efficient use of land;

6.3.9 Where residential development is proposed adjacent to a watercourse, the M.D. will require that development be set back from a watercourse or escarpment. This will ensure that the watercourse or escarpment is protected in order to maintain ungulate migration corridors, allow for continuous public access and avoid natural hazards. The M.D. may request the subdivision approving authority to dedicate Municipal Reserve or Environmental Reserve as appropriate to accommodate the above.

6.3.10 The policies of this plan apply equally to applications for redesignation or subdivision.

6.3.11 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

## **Hamlets**

6.3.12 The Municipal District recognizes that growth is possible in a number of the Hamlets and developments which are complementary to the function and character of the Hamlet will therefore be encouraged where they can be adequately serviced.

6.3.13 An Area Structure Plan should be completed for each Hamlet prior to significant development taking place within or adjoining the Hamlet.

6.3.14 Although the creation of a new Hamlet is not encouraged an Area Structure Plan shall be required prior to the creation of a Hamlet.

6.3.15 A major review of the planning documents for Blackie and Cayley should take

place prior to any expansion of the boundaries of these Hamlets.

NOTE: Area Structure Plans have been completed and adopted for Aldersyde, Millarville, Priddis Greens and Heritage Pointe. An Area Structure Plan has been drafted for Priddis. DeWinton, Naphtha, Hartell, Blackie and Cayley are the other Hamlets that will require an Area Structure Plan.

## **7.0 RECREATION**

### **7.1 INTRODUCTION**

Recreation in the Municipal District takes place in a myriad of forms both private and public from passive to organized. New recreational developments will probably continue this diversity but must be managed to minimize impacts on adjoining land uses and municipal infrastructure.

### **7.2 OBJECTIVES**

- 7.2.1 Ensure that Recreational Development proceeds in conformance with the Goals and Policies contained within this plan.
- 7.2.2 To allow for Recreational Development in appropriate locations.
- 7.2.3 To minimize conflicts between Recreational Developments and existing land uses.
- 7.2.4 Direct Recreational Development to lands where there is a minimal impact on the Environment, Agriculture, Water and Municipal Infrastructure.

### **7.3 POLICIES**

- 7.3.1 Proposals for Recreational Developments shall conform to the Policies outlined in this Plan with particular attention paid to Section 3.0 Environment and Section 4.0 Agriculture.
- 7.3.2 Recreational Developments shall meet the standards set by the Municipal District of Foothills No. 31 including but not limited to road design, proof of water and utilities design.
- 7.3.3 In determining the development limits of Recreational Developments, the Municipal District will consider the following:
  - a) the quantity of water available to service the development;
  - b) use of and impact on adjoining lands;
  - c) agricultural capability of the lands;
  - d) condition of provincial and/or municipal roads servicing the proposed development;

- e) the suitability of the land to be developed for Recreational purposes;
  - f) the environmental significance of the land and adjoining properties;
  - g) the impact of the development on fish and wildlife.
- 7.3.4 Recreational Developments will be required to be located, designed and serviced in ways which will minimize costs to the Municipal District.
- 7.3.5 Recreational Developments should be sized, designed and developed such that:
- a) land use conflicts are minimized;
  - b) reasonable privacy is afforded to existing residences;
  - c) the disturbance and/or removal of topsoil and vegetation are minimized;
  - d) the development has direct legal and physical access of a standard acceptable to the Municipal District;
  - e) the natural features of the site are retained to assimilate the development into the rural landscape.
- 7.3.6 Where Recreational Development is proposed adjacent to a watercourse, the Municipal District of Foothills No. 31 No. 31 may require that:
- a) shore line vegetation be preserved to maintain water quality, wildlife habitat and aesthetics;
  - b) development to be set back from the watercourse or escarpment to ensure that the water course is protected in order to maintain ungulate migration corridors, allow for continuous public access and avoid natural hazards.
- 7.3.7 Recreational Developments will be located in such a way as to minimize conflicts with adjacent land uses. Consideration will be given to noise, odour, traffic dust and the visual impact.
- 7.3.8 Recreational Developments in the vicinity of primary highways will be set back a reasonable distance to reduce the visual impact and to protect future right of way requirements.
- 7.3.9 Lands contained within the boundaries of an approved, Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.
- 7.3.10 Area Structure Plans for Recreational Developments shall meet guidelines for Area Structure Plans as adopted by the Municipal District as outlined in Appendix "C".

7.3.11 The policies of this plan apply equally to applications for redesignation or subdivision.

#### EQUESTRIAN FACILITIES

7.3.12 Equestrian Facilities shall locate on lands serviced by adequate Municipal Infrastructure.

7.3.13 Equestrian Facilities shall be operated in a manner that minimizes impacts on adjoining land uses.

7.3.14 Equestrian Facilities are subject to all the policies of this section.

7.3.15 Applications for Equestrian Facilities shall be accompanied by a waste disposal plan.

## **8.0 COMMERCIAL**

### **8.1 INTRODUCTION**

Although Commercial Developments are considered desirable, location will be the determining factor when deciding on proposals. In almost all cases lands to be used for Commercial purposes, other than Commercial Developments directly related to agriculture such as equestrian facilities, will be shown as such in an approved Area Structure Plan, and will be located along Primary or Secondary Highways, in a Hamlet or in a Residential Development.

In addition, there has been interest in commercial development proposals as accessory uses to the dominant use on a site. Examples of these types of uses include a veterinary office accessory to a residence, a retail outlet ancillary to a greenhouse, sporting equipment rental and sales outlet supplying equipment to a recreational development. Ancillary commercial uses may be provided for in the future but will be dependent upon the nature of the use, the suitability of the site for the intended development and the potential impacts of the proposal on the surrounding land use.

### **8.2 OBJECTIVES**

- 8.2.1 Ensure that Commercial Development proceeds in conformance with the Goals and Policies contained within this Plan.
- 8.2.2 To allow for commercial development in an appropriate location.
- 8.2.3 To allow for commercial development as an ancillary use to the primary use on a site, when appropriate.
- 8.2.4 To allow for commercial development within Hamlets or Residential Developments
- 8.2.5 To allow for a concentrated pattern of Commercial development as opposed to scattered development.

### **8.3 POLICIES**

- 8.3.1 Commercial developments shall be developed in such a way that they are compatible with the surrounding area and existing land use. The M.D. will consider such things as the size, design, and the nature of the development.
- 8.3.2 The location of a commercial development will be subject to the developer demonstrating to the satisfaction of the M.D. the existence of a proven potable water supply and sewage disposal capacity adequate to meet the needs of the development.
- 8.3.3 Commercial developments will be sited in a way which provides for reasonable and safe road access to the satisfaction of the Municipality and, where required, Alberta Transportation.
- 8.3.4 Commercial developments should be located in Hamlets or in Residential Developments as outlined in an approved Area Structure Plan and must take into account concerns particular to that location.
- 8.3.5 The location of Commercial lots and the design of the parcels and roads will be such that:
- a. land use conflicts are minimized;
  - b. reasonable privacy is afforded to residents;
  - c. they have direct legal access to an internal paved road system;
  - d. the internal road system connects to a surfaced Municipal road.
  - e. the design does not preclude the possible development of adjoining lands;
  - f. the natural features of the site should be retained to assimilate the development into the rural landscape;
  - g. there is efficient use of land;
- 8.3.6 The M.D. will require the preparation of an Area Structure Plan for Commercial developments which are proposed adjacent to highways or which would be significant in size, (over 5 lots). This Area Structure Plan will conform to the M.D's guidelines for the development of an Area Structure Plan as outlined in Appendix "C".
- 8.3.7 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

8.3.8 Compatible Commercial uses will be allowed in Industrial Areas.

8.3.9 Commercial development in the vicinity of highways will be set back a reasonable distance to reduce the visual impact and to protect future right-of-way requirements.

## **9.0 INDUSTRIAL**

### **9.1 INTRODUCTION**

In the past, industrial development in the Municipal District of Foothills No. 31 has been somewhat limited. It has primarily consisted of industry related to natural resource extraction (oil and gas as well as sand and gravel) and, to a lesser extent, to processing and distribution of agricultural products.

The M.D. is interested in encouraging more industries to locate within its boundaries. An Area Structure Plan has been prepared for the purpose of providing a location for an industrial park along Highway 2A south of the Hamlet of Aldersyde. The Municipality hopes to accommodate almost all industrial development in this area. Other sites for rural industrial parks are not anticipated but some site specific industrial uses are expected.

### **9.2 OBJECTIVES**

- 9.2.1 Ensure that Industrial Development proceeds in conformance with the Goals and Policies contained within this plan.
- 9.2.2 To encourage industries to locate within the Highway 2A industrial area.
- 9.2.3 To manage the development of extractive resources and ensure proper & timely reclamation.
- 9.2.4 To minimize conflicts between industrial developments and existing land uses.
- 9.2.5 To allow for a concentrated pattern of industrial development as opposed to scattered development.

### **9.3 POLICIES**

- 9.3.1 Industry other than hazardous, and natural resource extractive should locate in an industrial park.
- 9.3.2 Industrial developments will be located in such a way as to minimize conflicts with adjacent land uses. Consideration will be given to noise, odour, traffic, dust and

the visual impact.

- 9.3.3 Industrial development will be discouraged from locating in close proximity to urban centres wherever possible.
- 9.3.4 Proposals for Industrial Development shall conform to the Policies outlined in this plan with particular attention paid to Section 3.0, Environment and Section 4.0, Agriculture.
- 9.3.5 The location of a industrial development will be subject to the developer demonstrating to the satisfaction of the M.D. that a potable water supply could be provided and waste and sewage disposal capacity is adequate.
- 9.3.6 Where it is believed by the M.D., that approval of a groundwater supply system for a industrial development could have a negative impact on groundwater supplies for the surrounding agricultural land uses, residential land uses, or an urban centre, the M.D. may require an alternative water supply, or may refuse the industrial proposal on these grounds.
- 9.3.7 Industrial developments should not be allowed to contribute to the degradation of watercourses or groundwater aquifers. The M.D. will therefore work with the appropriate authorities to ensure that the highest standards are imposed on industries in order to minimize contamination, pollution or reduction in the value of the Municipality's watercourses and aquifers.
- 9.3.8 Industrial development should not occur in Environmentally Significant Areas as defined or identified on Map 01.
- 9.3.9 The location of industrial parks and the design of the parcels therein will be such that:
- a. land use conflicts are minimized;
  - b. reasonable privacy is afforded to future residents;
  - c. they have direct legal access to an internal paved road system;
  - d. the internal road system connects to a surfaced Municipal road.
  - e. the design does not preclude the possible development of adjoining lands;
  - f. the natural features of the site should be retained to assimilate the development into the rural landscape;
  - g. there is efficient use of land;

- 9.3.10 To provide good transportation services, minimize the need for costly road infrastructure and help reduce the extent of intrusion and conflict with adjacent land uses, industrial parks should be located within one mile of a primary highway.
- 9.3.11 Industrial development in the vicinity of primary highways will be set back a reasonable distance to reduce the visual impact and to protect future right-of-way requirements.
- 9.3.12 The M.D. will require the preparation of an area structure plan for industrial parks which are proposed adjacent to highways or which would be significant in size in Council's opinion (over 5 lots). This area structure plan will conform to the M.D.'s guidelines for the development of an Area Structure Plan as outlined in Appendix "C"
- 9.3.13 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

#### NATURAL RESOURCE EXTRACTIVE INDUSTRIES

- 9.3.14 The Development of Natural Resources Extractive Industries shall comply with Sections 9.3.2, 9.3.3, 9.3.4, 9.3.7 and 9.3.13.
- 9.3.15 Where the M.D. believes that natural resource extractive industry may have negative impacts on area residents, an Environmentally Significant area, a critical wildlife habitat, an important fish spawning area, or a historical or archaeological resource, the developer will take the necessary measures to mitigate possible impacts.
- 9.3.16 Developers of natural resource extractive industries will be required to enter into a Development Agreement with the Municipality respecting road construction surfacing, maintenance, control of noise or dust, and necessary measures to reduce land use conflicts.
- 9.3.17 Developers of natural resource extractive industries will be required at the time of application for a Development Permit to demonstrate to the satisfaction of the M.D. that the necessary permits and approvals have been obtained from the appropriate provincial government agencies.

- 9.3.18 Natural Resource Extractive Industries may locate in a Environmentally Significant Area subject to demonstrating to the satisfaction of the Municipality that the impacts are within acceptable limits.
- 9.3.19 Reclamation of sites utilized for natural resource extractive purposes shall be reclaimed in phases and shall conform to an approved reclamation plan.
- 9.3.20 Natural Resource Extractive Industries in the vicinity of Primary and Secondary Highways will be set back a reasonable distance to reduce the visual impact and to protect future right-of-way requirements.

## **10.0 HOME BASED BUSINESSES**

### **10.1 INTRODUCTION**

All of North America has seen a tremendous increase in the number of home-based businesses and predictions are that this trend will continue. Many of the businesses operated out of the home have little or no impact in the Community while others create many of the concerns associated with Commercial or Industrial type developments.

It has become necessary to put in place policies that guide the growth of this economic activity and to retain its high level of acceptance within the Community.

### **10.2 OBJECTIVES**

- 10.2.1 Ensure that home-based business proceeds in conformance with the Goals and Policies contained within this Plan;
- 10.2.2 To minimize conflicts between home-based businesses and existing land uses;
- 10.2.3 Ensure that the intensity of a home-based business is compatible with the area it is located in and has minimal impact on the Environmental, Agriculture, Water and Municipal Infrastructure.

### **10.3 POLICIES**

- 10.3.1 Proposals for home-based businesses shall conform to the Policies outlined in this Plan with particular attention paid to Section 3.0 Environment and Section 4.0 Agriculture.
- 10.3.2 When considering proposals for home-based businesses the following shall be considered:
  - a) Impact on adjoining land uses;
  - b) Impact on the environment;
  - c) Traffic generation;
  - d) Water consumption;
  - e) Sewage disposal;

- f) Dust, odour, noise and/or visual impacts.
- g) impact on area residents

10.3.3 Lands contained within the boundaries of an approved Intermunicipal Development Plan shall be subject to the Goals, Objectives and Policies contained within the Intermunicipal Development Plan and the Municipal Development Plan.

10.3.4 Minor home-based businesses may be located subject to development permit approvals on any lands within the Municipality where a dwelling exists.

10.3.5 Major home-based businesses may be located, subject to a land use bylaw amendment and development permit approval, on lands within the Municipality.

## **11.0 URBAN CENTRES**

### **11.1 INTRODUCTION**

The Municipal District has partnered with the Urban Centres to deliver a variety of services, for example: Ambulance, Fire, 911 and Landfill. The Urban Centres have an important role in providing goods and services to the residents of the Municipal District and conversely the Municipal District provides numerous opportunities for residents of the Urban Centres.

The Municipal Government Act encourages the Municipal District to formulate Intermunicipal Development Plans to deal with development proposals in an area surrounding the Urban Centres. The Municipal District is committed to this process and hopes to finalize these agreements by the end of 1998.

### **11.2 OBJECTIVES**

- 11.2.1 To negotiate an Intermunicipal Development Plan with the City of Calgary, Towns of Black Diamond, High River, Okotoks, Turner Valley and the Village of Longview.
- 11.2.2 To work with our Urban partners to maintain a high standard of Development that respects the Environment and the needs of our residents and landowners.
- 11.2.3 To co-operate with our Urban Partners so that they may achieve their Goals and objectives within their corporate boundaries.

### **11.3 POLICIES**

- 11.3.1 The Municipal District of Foothills No. 31 will attempt to negotiate with the Councils of urban municipalities for the establishment of Intermunicipal Development Plans.
- 11.3.2 Development proposals that may affect the urban centres will be referred to the affected municipality for comment as outlined in the Intermunicipal Development Plan.

## 12.0 GAS & OIL PIPELINES & FACILITIES

### 12.1 INTRODUCTION

Presently there is a substantial amount of sour gas and other oil & gas pipelines and facilities within the Municipality. The Alberta Energy and Utilities Board (AEUB) govern the operation of all oil and gas facilities.

### 12.2 OBJECTIVES

- 12.2.1 To cooperate with Utility Companies who operate sour gas facilities in ensuring the safety of Municipal District residents.
- 12.2.2 To ensure new developments comply with setback requirements as determined by AEUB and the Subdivision and Development regulations.

### 12.3 POLICIES

- 12.3.1 Operators are required to formulate and implement emergency response plans for sour gas facilities if required by AEUB.
- 12.3.2 Operators are encouraged to consult with the Municipality prior to establishing new facilities or pipelines.
- 12.3.3 Minimum separation distances from sour gas facilities as outlined by the Alberta Energy & Utilities Board, should be maintained between proposed land uses and sour gas facilities, unless alternative separation distances are recommended by the Alberta Energy & Utilities Board. If the latter is the case, setbacks as suggested by the Alberta Energy & Utilities Board should be maintained.
- 12.3.4 Persons applying for Building Permits for land which would be located in the vicinity of sour gas facilities are encouraged to consult with the operator of the sour gas facility to ensure that adequate setbacks are maintained.
- 12.3.5 Although there is not stated setbacks for pipelines carrying other products the developer should consult with Alberta Energy & Utilities Board and the pipeline

operator to determine if it would be prudent to impose development setbacks.

- 12.3.6 Existing facilities providing water to the oil and gas industry should be protected from development and existing development should be protected from proposed water pumping facilities.

Sour Gas pipelines and facilities are shown on Map #2

## 13.0 RESERVES - MUNICIPAL, SCHOOL & ENVIRONMENTAL

### 13.1 INTRODUCTION

In the majority of cases reserve land is acquired at the time of subdivision or cash-in-lieu of land is given for recreation or school purposes. Council has developed policies that guide the taking of reserves and those policies are attached in Appendix "D". In addition, Council has reached agreements with the Public and Separate School Divisions regarding their share of the reserves (cash or land).

#### 13.2.0 OBJECTIVES

13.2.1 To develop a system of interconnected reserve lands to facilitate the movement of wildlife & people and protect Environmentally Significant lands.

13.2.2 Through the acquisition of reserve lands and/or cash in lieu reserves provide suitable sites and facilities for Recreational purposes or buffers between incompatible land uses.

13.2.3 Through the acquisition of reserve lands or cash-in-lieu of reserves provide suitable sites for schools in the rural area.

#### 13.3.0 POLICIES

13.3.1 Reserves shall be taken in conformance with the policies outlined in Appendix "D".