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<b>Planning and Subdivision Guidelines - Schedule "A"</b>			
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<b>INTRODUCTION</b> .....	5
<b>SECTION 1 STATUS AND CONTEXT</b> .....	5
1.1 Purpose, Maintenance and Implementation.....	5
1.2 Relevance of Other Statutory and Policy Documents.....	5
<b>PLANNING AND DESIGN</b> .....	7
<b>SECTION 2 THE PROCESS OF OBTAINING PLANNING APPROVAL</b> .....	7
2.1 Plans to be Prepared for Multi-lot Subdivision.....	7
<i>General</i> .....	7
<i>Plan Preparation or Amendment Precedes Rezoning and Subdivision</i> .....	7
2.2 The Plan Preparation Process.....	8
2.3 Amendments to a Local Area Structure Plan or Outline Plan.....	10
2.4 Preparation and Amendment of Other Types of Land Use Plans.....	12
<i>Intermunicipal Development Plans</i> .....	12
<i>Municipal Development Plan</i> .....	12
<i>Major Area Structure Plans and Area Redevelopment Plans</i> .....	12
2.5 Redistricting and Subdivision.....	12
<i>Redistricting (Rezoning)</i> .....	12
<b>SECTION 3 PLAN FORMAT AND DESIGN CONSIDERATIONS</b> .....	14
3.1 Plan Content.....	14
<i>General</i> .....	14
<i>Conceptual Scheme</i> .....	14
<i>Aerial Photo</i> .....	15
<i>Mapping Format</i> .....	15
3.2 Site Assessment.....	15
<i>Current Plans and Policies</i> .....	15
<i>Physical Conditions</i> .....	15
<i>Phase 1 Environmental Site Assessment</i> .....	15
<i>Hazard Lands</i> .....	16
<i>Geotechnical Investigation</i> .....	16
<i>Hydrological Investigation</i> .....	16
<i>Environmental Review</i> .....	17

	<i>Natural Resources</i> .....	17
3.3	<b>Design Considerations</b> .....	18
	<i>General</i> .....	18
	<i>Conservation Design Principles</i> .....	19
	<i>Minimizing Impacts on Agriculture</i> .....	19
	<i>Minimizing Impacts on Community Services and Infrastructure</i> .....	19
	<i>Intensification of Existing Development</i> .....	19
	<i>Housing Density</i> .....	20
	<i>Affordable Housing Strategy</i> .....	20
	<i>Community Identity</i> .....	20
	<i>Mixed Land Uses</i> .....	21
	<i>Lake Community Design</i> .....	22
	<i>Buffering, Enhanced Standards and Compatible Development</i> .....	23
<b>SECTION 4 UTILITY SERVICING AND ACCESS CONSIDERATIONS</b> .....		24
4.1	<b>Preliminary Servicing Concept</b> .....	24
4.2	<b>Utility Infrastructure</b> .....	25
	<i>Storm Water Management Facilities</i> .....	25
	<i>Water Supply and Sewage Disposal Systems</i> .....	25
	<i>Franchise Utilities and Streetlights</i> .....	28
	<i>Green Infrastructure</i> .....	29
	<i>Rights-of-Way, Easements and Public Utility Lots</i> .....	29
	<i>Noise Abatement</i> .....	30
	<i>Waste Collection</i> .....	30
	<i>Topsoil Stockpiles</i> .....	30
	<i>Subdivision Staging</i> .....	30
4.3	<b>Roads</b> .....	31
	<i>General</i> .....	31
	<i>Street Classification and Layout</i> .....	31
	<i>Intersection Spacing</i> .....	32
	<i>Emergency Access</i> .....	32
	<i>Multi-Modal Transportation Options</i> .....	32
	<i>Crosswalks</i> .....	32
	<i>Industrial Streets</i> .....	33
	<i>Roadway Cross-section</i> .....	33
	<i>Paving of Roads in Multi-lot Subdivisions</i> .....	33
	<i>Street Naming</i> .....	33
	<i>Traffic Study</i> .....	34
4.4	<b>Trails</b> .....	35
<b>SECTION 5 PARKS AND RECREATION FACILITIES</b> .....		36
5.1	<b>Municipal and School Reserve Dedication</b> .....	36
	<i>General</i> .....	36
	<i>Commercial and Industrial Areas</i> .....	37
	<i>Credit for Usable Public Utility Lots</i> .....	37
5.2	<b>Park Sites</b> .....	37
	<i>Location of Park Sites</i> .....	37
	<i>Parks Plan and Other Landscaping</i> .....	38

<i>Park Design</i> .....	38
<b>SECTION 6 NATURAL AND CULTURAL CAPITAL</b> .....	39
6.1 <b>Primary and Secondary Conservation Areas</b> .....	39
6.2 <b>Dedication and Evaluation of Conservation Areas</b> .....	40
<i>Environmental Reserve Dedication</i> .....	40
<i>Environmental Review</i> .....	41
6.3 <b>Significant Historical and Cultural Capital</b> .....	41
<b>SECTION 7 PUBLIC SAFETY</b> .....	42
7.1 <b>General</b> .....	42
7.2 <b>Buffering of Residential Land Uses</b> .....	42
7.3 <b>Proximity to Railway Lines</b> .....	42
7.4 <b>Crime Prevention Through Environmental Design</b> .....	42
7.5 <b>'FireSmart' Principles</b> .....	42
7.6 <b>Water Supply for Public Fire Protection</b> .....	42
7.7 <b>Multiple Access Points</b> .....	43
7.8 <b>Road Design Standards</b> .....	43
 <b>SUBDIVISION</b> .....	 44
<b>SECTION 8 APPROVAL PROCESS AND APPLICATION FORMAT</b> .....	44
8.1 <b>Subdivision Application</b> .....	44
8.2 <b>Submission of a Complete Subdivision Application</b> .....	44
8.3 <b>Format and Content of a Proposed Plan of Subdivision</b> .....	45
8.4 <b>Additional Information Required in Support of a Subdivision Application</b> .....	46
8.5 <b>Processing of a Subdivision Application</b> .....	47
<i>Application Referral</i> .....	47
<i>Simultaneous Processing of Applications</i> .....	48
<i>Land Use and Zoning</i> .....	48
<i>Subdivision Considerations</i> .....	48
<i>Stages of Subdivision Approval</i> .....	49
<i>Preliminary Subdivision Approval</i> .....	49
<i>Endorsement of Subdivision Plan for Registration</i> .....	50
<i>Extension of Preliminary Subdivision Approval</i> .....	50
<i>Reserve Dedication</i> .....	50
<i>Property Taxes and Off-site Levies</i> .....	51
<i>Rural Development Fund</i> .....	51
<i>Road Dedication, Widening and Approaches</i> .....	51
<i>Existing Private Sewage Disposal Systems</i> .....	51
<i>Restrictive Covenants and Agreements</i> .....	52
<i>Subdivision Servicing Agreement (Development Agreement)</i> .....	52
<i>Security Deposit for Public Improvements</i> .....	52
<i>Engineering Plans and Construction Drawings</i> .....	53
<i>Construction Site Preparation (Preliminary Grading Permit)</i> .....	53
<i>Plan of Survey</i> .....	53
 <b>Appendix 'A'</b> .....	 54

<b>Definitions of Types of Plans.....</b>	<b>54</b>
<b>Appendix 'B'.....</b>	<b>55</b>
<b>List of Referral Agencies.....</b>	<b>55</b>

# **INTRODUCTION**

## **SECTION 1 STATUS AND CONTEXT**

### **1.1 Purpose, Maintenance and Implementation**

- 1.1.1 To provide guidelines and standards for the planning and subdivision of land in The County of Stettler No. 6 pursuant to the *Municipal Development Plan*.
- 1.1.2 The *Planning and Subdivision Guidelines* outlines the approval processes for plans and subdivision applications and provides the requirements for the preparation of these applications.
- 1.1.3 The *Planning and Subdivision Guidelines* reflects current policy specifically as may be contained in the *Municipal Development Plan* and other bylaws, and sound planning practices in general.
- 1.1.4 The Director<sup>1</sup> maintains and implements these *Guidelines* on behalf of the Subdivision Authority (i.e. the Municipal Planning Commission), including changes to this document that may result from bylaws or policies being adopted or amended by County Council from time to time or to otherwise maintain these *Guidelines* on a regular basis as required, in consultation with the Chief Administrative Officer, Council, the Directors of other County departments and other staff as may be deemed necessary.
- 1.1.5 Where the *Planning & Subdivision Guidelines* require that something be done to the satisfaction of the County or provide that something may occur at the discretion of the Director, this shall be interpreted to mean that the Director acts as the primary contact between the developer/landowner and the County, and shall consult with the Chief Administrative Officer and Council, the Directors of other County departments and other staff or government agencies as may be deemed necessary to satisfy the requirement. The purpose is to channel all matters and decision-making related to the planning and subdivision process through the Director, from where all decisions and actions of and by the CAO, Council and the various County departments can be coordinated. Ultimately the intent is to provide one contact between the developer/landowner and the County and in doing so improve and streamline the County's service to landowners and taxpayers and provide a transparent and user-friendly process for the developer/landowner.

### **1.2 Relevance of Other Statutory and Policy Documents**

- 1.2.1 A number of other documents are relevant to the planning and subdivision process and those should be consulted to gain an understanding of the broader context within which this document operates.
  - a) **The Municipal Government Act** outlines the purposes, powers and capacity of municipalities and gives broad authority to councils, for example to pass and amend by-laws, subdivide land, prepare plans and charge off-site levies.

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<sup>1</sup> *Director* means the Director of the Planning and Development Department for the County of Stettler No. 6, or his/her designate, acting in consultation with the Chief Administrative Officer of the County. Hereinafter called 'the Director'.

- b) **Intermunicipal Development Plans** - The County shares intermunicipal development plans with a number of other municipalities. These plans contain policies and/or land uses for the areas around those municipalities.
- c) **The Municipal Development Plan** outlines specific policies for various aspects of planning for land within the County's jurisdiction. Together with the *Land Use Bylaw* the *Municipal Development Plan* forms the foundation of land use and development policies. The MDP is a Countywide statutory policy plan pursuant to the *Municipal Government Act*.
- d) **The Land Use Bylaw** contains the various land use districts with permitted and discretionary uses and development regulations. The land use bylaw maps designate each property in the County's jurisdiction into a specific land use district.
- e) A **Land Use Plan** provides a framework and policies for future rezoning and subdivision in a specific area. Such a plan can be statutory (i.e. a major or a local area structure plan and an area redevelopment plan) or non-statutory (i.e. an outline plan). Appendix 'A' defines each type of plan and explains the difference between a statutory and non-statutory plan. Typically the County prepares area redevelopment plans and major area structure plans, while local area structure plans, outline plans, subdivision plans and site plans are prepared by the developer/landowner.
- f) **County of Stettler No. 6 Policy Manual** – the County's various departments maintain several policies relative to planning and subdivision, such as road dedication, minimum requirements for engineering drawings, the design and construction approval process, the requirements for the submission of as-constructed drawings, the installation of approaches and culverts, road construction, road specifications, and servicing. Refer to Sections 3.3.20, 4.1.2, 4.1.3(j), 4.3.4, 4.3.5, 4.3.24, 7.8.1, 8.3.1, 8.3.3(g), 8.5.26 to 8.5.30 and Sections 8.5.40 and 8.5.41 for more information.

The County of Stettler has adopted parts of the *'Design Guidelines and General Construction Specifications'* of Red Deer County (January 2006). Please refer to County of Stettler Council Policy PW 2.17 – Engineering Standards and Guidelines for more information.

- g) **Storm Drainage Master Plans** - A number of storm drainage master plans exist in certain areas of The County of Stettler No. 6 and local storm water management plans have to be consistent with these. The County may require the preparation of storm drainage master plans in other areas as deemed necessary, in consultation with Alberta Environment if needed.
- h) **Fee Bylaw** – This bylaw describes several fees that are required during the planning and subdivision process, including plan preparation/amendment, rezoning, subdivision and development agreement fees. Please refer to the Planning and Development Department for more information. The County maintains the schedule of fees from time to time.

# **PLANNING AND DESIGN**

## **SECTION 2 THE PROCESS OF OBTAINING PLANNING APPROVAL**

### **2.1 Plans to be Prepared for Multi-lot Subdivision**

#### ***General***

- 2.1.1 These guidelines apply only to multi-lot subdivisions<sup>2</sup>. The subdivision of a first parcel out of an unsubdivided quarter section as defined in the *Municipal Development Plan* and the splitting of a parcel in an existing multi-lot subdivision typically do not require the preparation of a land use plan. Notwithstanding this, the Director may, pursuant to the *Subdivision and Development Regulation* under the *Municipal Government Act*, require the preparation of a conceptual scheme for any subdivision application. The requirements for a first parcel out subdivision application are outlined in Section 8 Approval Process and Application Format.
- 2.1.2 For multi-lot subdivisions a land use plan must be prepared to the satisfaction of the County prior to rezoning and preliminary subdivision approval. The purpose of the land use plan is to provide a framework for the subsequent subdivision and development of an area of land.
- 2.1.3 The planning process and the plan(s) that are required prior to rezoning and preliminary subdivision approval may vary from one area of the County to another, based on local circumstances, the development pressures and the complexity of relevant issues, as deemed appropriate by the County. Consequently and notwithstanding Section 2.1.2, and pursuant to the *Municipal Development Plan*, the Director may recommend to Council that a multi-lot subdivision consisting of not more than five new titles should be exempted from the requirement to prepare a local area structure plan or outline plan, or the Director may recommend that a particular area requires a major area structure plan or area redevelopment plan for a larger land area prior to the preparation of a local area structure plan or outline plan for a specific quarter section or other site. Therefore the developer/landowner should consult with the Director prior to preparing a local area structure plan or outline plan.
- 2.1.4 Typically, but subject to Sections 2.1.6 to 2.1.8, the County prepares major area structure plans and area redevelopment plans. Local area structure plans and outline plans are prepared by the developer/landowner.
- 2.1.5 Where the *Planning and Subdivision Guidelines* require that a local area structure plan or outline plan shall be consistent with directions contained in a major area structure plan or an area redevelopment plan and such plan has not been prepared or adopted, the County may provide such direction.

#### ***Plan Preparation or Amendment Precedes Rezoning and Subdivision***

- 2.1.6 When a land use plan pursuant to Sections 2.1.2 and 2.1.3 is required, the developer/landowner shall prepare a plan or plans to the satisfaction of the County prior to the multi-lot rezoning and subdivision application being considered by Council.

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<sup>2</sup> **Multi-lot Subdivision** means, regardless of the number of lots that are proposed to be subdivided, a subdivision that will result in the creation of a third or additional title(s) per quarter section, including existing parcels and the remainder of the quarter section, except when the application is to split a parcel in an existing multi-lot subdivision.

- 2.1.7 When the proposed multi-lot subdivision is located within the boundaries of an existing major area structure plan or area redevelopment plan, the developer/landowner shall, subject to Section 2.1.3, prepare a local area structure plan or outline plan to the satisfaction of the County prior to the multi-lot rezoning and subdivision application being considered by Council.
- 2.1.8 The County may determine that the context of the property that is the subject of the application, such as the surrounding lands, development pressures, the planning of a logical unit based on servicing, geography, landform, access or other considerations, and the complexity of the relevant issues, suggests that it is prudent that the local area structure plan or outline plan include adjacent lands for an area not exceeding 480 acres. For larger areas the County may determine that a major area structure plan or area redevelopment plan must be prepared, and with the approval of Council may prepare such plan or pay for the cost of preparing such a plan, or may require the developer/landowner to prepare such a plan at their cost.
- 2.1.9 The County will not pre-zone land. Rezoning and subdivision applications for a multi-lot development will not be considered until the developer/landowner has prepared a local area structure plan or outline plan to the County's satisfaction. The County may adopt a local area structure plan or outline plan and may simultaneously give second reading to a redistricting bylaw prior to the developer/landowner addressing details of water supply, sewage disposal, storm water management, access, traffic, road upgrades, etc. However, the County will not give third reading to the redistricting bylaw until the subdivision plan has been endorsed for registration (also see Section 2.5). The County will not endorse the subdivision plan until the developer/landowner has provided the required details regarding water supply, sewage disposal, storm water management, access, traffic, road upgrades, etc. through a servicing study<sup>3</sup> and construction drawings to the satisfaction of the County, and until the County is prepared to enter into a subdivision servicing agreement with the developer/landowner.

## 2.2 The Plan Preparation Process

- 2.2.1 The County will not assist a developer/landowner with any public consultation component of the planning process (e.g. assisting with contacting adjacent landowners or arranging a public open house) until the developer/landowner has submitted an application to prepare a local area structure plan or outline plan. The County will treat any discussions with the developer/landowner that may occur prior to an application being submitted as privileged information until an official application is submitted by the developer/landowner. The County expects that the developer/landowner will adopt the same approach, which includes that the developer/landowner will not contact or consult with the public in any official manner without apprising the County. If the developer/landowner chooses not to follow this approach, the County expects that the developer/landowner will publicly declare that the County is not involved in the proposed application in any manner whatsoever.
- 2.2.2 The formal plan review and adoption process includes the following steps in more or less chronological order. Note that the local area structure plan or outline plan will not proceed to Council until after the step outlined in Section 2.2.12.

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<sup>3</sup> *Servicing Study* - see Section 4.

- 2.2.3 Before preparing a local area structure plan or outline plan, or before having any consultation with the public on a proposed local area structure plan or outline plan, it is strongly recommended that the developer/landowner consult with the Director. The Director may deem it necessary to arrange a meeting with relevant stakeholders to review the developer's/landowner's objectives for the proposed subdivision. This may include the Infrastructure and Operations Department (related to services), Protective Services Department (emergency management), the Recreation Department (park design, trails and community amenities and facilities), the Agricultural Services Department and other affected parties such as school districts, utility companies, provincial agencies or local interest groups (e.g. landowners, environmental societies, etc.). This step provides an opportunity for the early identification of any issues related to the proposed plan.
- 2.2.4 As the next step, the County strongly advises and encourages the developer/landowner, and may require the developer/landowner, to host a neighbourhood information meeting or a design charrette or another type of participative workshop with all stakeholders at the developer's/landowner's cost, in consultation with the Planning and Development Department and other appropriate County departments, before moving to the next step in the process. The purpose of the meeting is to ensure that the residents in the area are aware of the proposed plan and subsequent subdivision and have an opportunity to comment on the proposal whether it is in a draft format or not, and for the developer/landowner to gain an understanding of local perspectives preferably before developing a proposed plan. The County will, where possible, assist the developer/landowner (at the developer's/landowner's cost) in contacting adjacent landowners and other stakeholders in the public consultation process, subject to Section 2.2.1.
- 2.2.5 Following the meetings referred to in Sections 2.2.3 and 2.2.4 above, the developer/landowner will prepare a draft plan and submit an editable, digital copy and five paper copies (or as otherwise directed by the Director to ensure that the plan is reviewed without cost to the County) of the local area structure plan or outline plan to the County, together with a completed application form and the correct processing fee.
- 2.2.6 The Planning and Development Department will review the proposal for conformity with statutory or other planning documents, for compliance with things agreed to or directions provided in previous discussions, for incorporation of community input and for sound planning considerations.
- 2.2.7 Once the Director is satisfied that the local area structure plan or outline plan incorporates input from relevant stakeholders, the developer/landowner will submit an editable, digital copy and five paper copies (or as otherwise directed by the Director to ensure that the plan is referred to agencies without cost to the County) of the local area structure plan or outline plan to the County.
- 2.2.8 The Planning and Development Department will circulate the local area structure plan or outline plan to relevant County departments and agencies for review and comment (refer to Appendix 'B').
- 2.2.9 The Planning and Development Department will prepare a summary of the review comments and forward it to the developer/landowner.
- 2.2.10 Following receipt of the review comments, at the developer's/landowner's request, the Planning and Development Department will meet with the developer/landowner in order to clarify concerns. Other stakeholders may be involved in order to facilitate comprehensive

- discussion. All of the concerns shall be addressed and resolved to the satisfaction of the County before proceeding to the next step.
- 2.2.11 Notwithstanding any previous neighbourhood meetings hosted pursuant to Section 2.2.4, prior to the local area structure plan proceeding to Council for a public hearing or the outline proceeding to Council for consideration, the developer/landowner, in consultation with the Planning and Development Department and other appropriate County departments, will host a neighbourhood open house in regard to the proposed local area structure plan or outline plan. The purpose of the meeting is to provide residents in the area an opportunity to review the proposed plan and subsequent subdivision and to provide their comments on the plan, and if applicable, to see how their previous input (see Section 2.2.4 above) has been incorporated. The County will, where possible, assist the developer/landowner (at the developer's/landowner's cost) in contacting adjacent landowners and other stakeholders in the public consultation process.
  - 2.2.12 The developer/landowner will prepare and submit for the County's review a summary of the open house feedback. The developer/landowner shall either resolve any concerns that may exist prior to proceeding to the next step, or provide rationale that is acceptable to the County for not resolving a concern. Where major changes to the plan are required in an attempt to resolve concerns the County may require the developer/landowner to host an additional neighbourhood meeting.
  - 2.2.13 In the case of a local area structure plan, the plan will proceed to Council for consideration of first reading, and a public hearing will be scheduled and advertised. In the case of an outline plan, which does not require a public hearing, the plan will proceed to Council for consideration.
  - 2.2.14 Once a local area structure plan bylaw has been given first reading the Director will forward the final draft local area structure plan to Council for public hearing and with a recommendation for Council's consideration.
  - 2.2.15 Following the public hearing Council will consider the local area structure plan or the outline plan and, respectively, may give second and third readings of a bylaw to adopt the local area structure plan with or without amendments, or pass a resolution to adopt the outline plan. If further revisions are required to a local area structure plan or outline plan, Council may defer third reading or the resolution to adopt an outline plan to provide the developer/landowner an opportunity to make those revisions. If the plan is refused, the developer/landowner may prepare a new plan and restart the review procedure.
  - 2.2.16 The Director may recommend that Council give first reading to a redistricting (rezoning) bylaw for lands within the proposed local area structure plan or outline plan on the same day as first reading of a bylaw to adopt the local area structure plan or on the same day as adopting the outline plan. Pursuant to Section 2.1.9 third reading of a redistricting bylaw will not be considered until the County has endorsed the plan of subdivision.
  - 2.2.17 The developer/landowner shall submit fifteen paper copies and one editable, digital copy, including mapping, of the adopted plan to the County. If the developer/landowner fails to submit these copies within fifteen days from the plan adoption, the Director will produce the same and charge all costs to the landowner.

## **2.3 Amendments to a Local Area Structure Plan or Outline Plan**

- 2.3.1 An amendment to an adopted local area structure plan or outline plan is required for any changes in the plan, such as:
- (a) any change in proposed land uses;
  - (b) a change to any public road or lane, or reclassification of a road;
  - (c) to reflect a change in other documents affecting planning and land use in the area (such as an amendment to a major area structure plan).
- 2.3.2 The developer/landowner will submit an editable, digital copy and five paper copies (or as otherwise directed by the Director to ensure that the plan is referred to agencies without cost to the County) of the proposed plan amendment to the County, together with a completed application form and the correct processing fee.
- 2.3.3 The Planning and Development Department will circulate the proposed amendment to County departments and agencies. Any concerns identified through this process must be resolved by the developer/landowner to the County's satisfaction.
- 2.3.4 Following the resolution of issues from the circulation process, the Director will determine if the amendment requires that the developer/landowner hosts a neighbourhood information meeting.
- 2.3.5 If a neighbourhood information meeting has been hosted, the developer/landowner will prepare and submit for the County's review a summary of the open house feedback. The developer/landowner shall either resolve any concerns that may exist prior to proceeding to the next step, or provide rationale that is acceptable to the County for not resolving a concern. Where major changes to the plan are required in an attempt to resolve concerns the County may require the developer/landowner to host an additional neighbourhood meeting.
- 2.3.6 In the case of a local area structure plan, the plan amendment will proceed to Council for consideration of first reading, and a public hearing will be scheduled and advertised. In the case of an outline plan, which does not require a public hearing, the plan amendment will proceed to Council for consideration.
- 2.3.7 Once a local area structure plan amendment bylaw has been given first reading the Director will forward the final draft local area structure plan to Council for public hearing and with a recommendation for Council's consideration.
- 2.3.8 Following the public hearing Council will consider the local area structure plan amendment or the outline plan amendment and, respectively, may give second and third readings of a bylaw to adopt the local area structure plan amendment with or without further amendments, or pass a resolution to adopt the outline plan amendment. If further revisions are required to a local area structure plan amendment or outline plan amendment, Council may defer third reading or the resolution to adopt an outline plan to provide the developer/landowner an opportunity to make those revisions. If the plan amendment is refused, the developer/landowner may prepare a new plan amendment and restart the review procedure.
- 2.3.9 The Director may recommend that Council give first reading to a redistricting (rezoning) bylaw for lands within the proposed local area structure plan or outline plan on the same day as first reading of a bylaw to adopt the local area structure plan amendment or on the

same day as adopting the outline plan amendment. Pursuant to Section 2.1.9 third reading of a redistricting bylaw will not be considered until the County has endorsed the plan of subdivision for registration purposes.

- 2.3.10 The developer/landowner shall submit fifteen paper copies and one editable, digital copy, including mapping, of the final adopted plan to the County. If the developer/landowner fails to submit these copies within fifteen days from the plan adoption, the Director will produce the same and charge all costs to the landowner.

## **2.4 Preparation and Amendment of Other Types of Land Use Plans**

### ***Intermunicipal Development Plans***

- 2.4.1 Intermunicipal Development Plans (IDP's) are prepared jointly between the County and adjacent municipalities. These plans are reviewed annually or otherwise as determined in a specific plan, and no other amendments will be considered.

### ***Municipal Development Plan***

- 2.4.2 The *Municipal Development Plan* is reviewed annually by the County Administration. Developer/Landowner initiated amendments to the *Municipal Development Plan* will be included in this once-a-year amendment and amendments will not be considered at any other time, unless deemed necessary by the County.

### ***Major Area Structure Plans and Area Redevelopment Plans***

- 2.4.3 The County will initiate all major area structure plans and area redevelopment plans for the County. Pursuant to Section 2.1.8 the developer/landowner may be required to prepare such a plan at their cost. Amendments to these plans are required to follow the same procedure as in the initial adoption of the plan, which is similar to the process for local area structure plans and outline plans. The developer/landowner shall pay the amendment fee for any developer/landowner initiated amendments.

## **2.5 Redistricting and Subdivision**

### ***Redistricting (Rezoning)***

- 2.5.1 Subject to Section 2.1.3, consideration of first reading of a bylaw to redistrict a multi-lot subdivision area shall not occur prior to the developer/landowner preparing and submitting an area structure plan or outline plan that complies with these *Guidelines*. Once the local area structure plan or outline plan is deemed ready to proceed to first reading or to be adopted by resolution, land use redistricting *may* occur parallel to that process pursuant to Section 2.1.9.
- 2.5.2 Preliminary subdivision approval *shall not* occur prior to the holding of a public hearing and second reading for a bylaw to redistrict the subject property to a land use district that provides for the proposed subdivision. However, these approvals may be processed simultaneously. Notwithstanding this, a bylaw to redistrict the subject property into an appropriate land use district shall not be adopted by third reading until the plan of subdivision has been endorsed for registration. The developer/landowner shall agree to an extension of time on the subdivision application form to allow for the processing of a redistricting bylaw. The redistricting must conform to an applicable land use plan.

2.5.3 Once a subdivision application has received preliminary approval there are conditions to be complied with before the plan will be endorsed for registration in the Land Titles Office. These conditions may include the developer/landowner entering into a development agreement with the County and paying a security deposit to complete the required work and/or the actual completion of the work. Please refer to Section 8 Approval Process and Application Format for a detailed outline of the subdivision and development agreement process.

## SECTION 3 PLAN FORMAT AND DESIGN CONSIDERATIONS

### 3.1 Plan Content

#### *General*

3.1.1 A local area structure plan or outline plan must contain the information listed throughout these *Guidelines*, particularly Sections 3, 4, 5, 6 and 7. The County may determine that any of these requirements may be addressed at a conceptual level in the local area structure plan or outline plan, with the detailed information being provided as a condition of preliminary subdivision approval.

#### *Conceptual Scheme*

3.1.2 As part of the local area structure plan or outline plan the developer/landowner shall prepare a conceptual scheme and a land use table showing the following:

- a) The type, size and location of proposed land uses.
- b) Open space shall be categorized into municipal reserves, public utility lots, environmental reserves, and environmental reserve easements and/or conservation easements. Other land uses shall be categorized according to the land use districts based on the terminology used in the *Land Use Bylaw*, if this has been determined at the time. Alternatively, land uses shall be categorized generally as agricultural, residential (further broken down into categories of density or lot size, etc.), commercial, industrial, open space, roads and lanes.
- c) The percentage of the total land area allocated to each land use category, including roads, lanes and environmental reserves.
- d) Approximate total number of dwelling units broken down into housing types.
- e) A statement of the overall residential density calculation for the plan area.
- f) Proposed land uses may be shown in blocks rather than individual lots to allow flexibility for revisions to the lot layout as part of the subdivision process, without requiring an amendment to the local area structure plan or outline plan.
- g) The location and areas of roadways, lanes, municipal reserves and environmental reserves shall be clearly identified on the conceptual scheme.
- h) All storm water management facilities and other public utility lots shall be clearly identified on the conceptual scheme.
- i) A transportation plan, identifying the alignment of all proposed trails, lanes and roadways.
- j) Typical road cross-sections as required in Section 4.3.24.
- k) The location of temporary topsoil stockpiles shall be identified, together with a statement on the expected disposal timelines.
- l) In addition to the above-mentioned requirements, a local area structure plan or outline plan shall include any other items listed in these *Guidelines* or as may be otherwise required by the Director.

## ***Aerial Photo***

- 3.1.3 The local area structure plan or outline plan shall include an aerial photo with the conceptual scheme overlaid on it to scale, in order to ensure that primary and secondary conservation areas and other site features are accurately represented in relation to the conceptual scheme.

## ***Mapping Format***

- 3.1.4 The minimum mapping requirement for the finished conceptual scheme is a black and white (or grey scale) map on 8 ½" x 11" paper drawn to 1:5,000 scale for a plan comprising one quarter section and 1:7,500 for a two-quarter section plan. A coloured version of the conceptual scheme may be required for presentation purposes. Larger plan areas, for example that of a major area structure plan, will require other scales to a maximum paper size of 11' x 17".
- 3.1.5 Where colours are used to represent land uses, standard town planning practice<sup>4</sup> shall be followed.
- 3.1.6 All maps shall contain a bar scale to facilitate photocopy reproduction and enlargement.

## **3.2 Site Assessment**

### ***Current Plans and Policies***

- 3.2.1 The local area structure plan or outline plan must be consistent with and implement the relevant policies of any other applicable statutory or non-statutory plans, including the *Municipal Development Plan* and the *Land Use Bylaw*, and County policies.

### ***Physical Conditions***

- 3.2.2 The local area structure plan or outline plan shall provide an analysis of the site based on the information required in these *Guidelines*.
- 3.2.3 The analysis shall include the identification of existing conditions that may impact the site and the proposed subdivision design, including regional context, the land use and zoning of the site and surrounding lands (minimum 800 metres radius), site topography, low areas and high points, site drainage, vegetation, wetlands, creeks, rivers, riparian zones, other natural features, road access, utilities, railroads, airfields and airfield approach paths, historical and archaeological resources, and the site location in relation to an applicable major area structure plan or area redevelopment plan.
- 3.2.4 The local area structure plan or outline plan shall indicate how the proposed subdivision relates to the known or potential future use of surrounding lands, and any measures to be taken to reduce potential conflicts, ensure access to adjacent lands, etc.

### ***Phase 1 Environmental Site Assessment***

- 3.2.5 The local area structure plan or outline plan shall include a Phase 1 Environmental Site

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<sup>4</sup> *Standard town planning practice* is green for open space and parks, blue for institutional uses, yellow for residential, red for commercial, and purple for industrial. Where multiple categories occur within the main land use categories, shading (e.g. darker and lighter tones) or hatching of the main colour is used to distinguish between categories, e.g. light yellow for low density housing and brighter yellow or orange for medium density housing, and light purple for light industrial and dark purple for heavy industrial.

Assessment in accordance with the *Canadian Standards Association Z768-01*, which shall include but not be limited to, an assessment of significant natural features, contaminated soil problems, floodplain analysis, existing and former landfill sites, the presence of any sewage disposal component, the presence of any fuel or chemical storage areas, a high water table, active or abandoned oil, gas or water wells, pipelines or facilities, high-pressure pipelines, electric transmission lines, telecommunications facilities, other utilities, steep slopes and slope stability, and other applicable geotechnical information.

### ***Hazard Lands***

- 3.2.6 Based on the findings of the site analysis and the Phase 1 Environmental Site Assessment required pursuant to Section 3.2.5, the local area structure plan or outline plan shall recognize identified environmental hazards or significant natural features and shall indicate any remedial measures that will be undertaken in response to those conditions. If there is any knowledge of environmental hazards in the proximity of the subject site, the plan shall identify these hazards.
- 3.2.7 A local area structure plan or outline plan shall incorporate any information from the studies required in Sections 3.2.8 and 3.2.12 relevant to hazardous site conditions, including potential slope failure and high ground water table.

### ***Geotechnical Investigation***

- 3.2.8 At the discretion of the Director, the local area structure plan or outline plan shall include a geotechnical study report to the level of detail satisfactory to the Director, prepared by a qualified professional at the cost of the developer/landowner.
- 3.2.9 In addition to a standard geotechnical review of the site, the report will also address any specific issues relevant to the preliminary servicing concept requirements outlined in Sections 4.1.1 and 4.1.3 and Sections 4.2.1 to 4.2.12.
- 3.2.10 The geotechnical study report shall be based on '*Chapter 5: Guidelines for the Evaluation of Hazards to Residential Subdivisions from Valley Slopes*' of Alberta Environment's '*Draft Environmental Guidelines for the Review of Subdivisions in Alberta*'.
- 3.2.11 A local area structure plan or outline plan shall incorporate Alberta Environment's *Interim Guideline for the Subdivision of Land Adjacent to Steep Slopes* so that no permanent development will be located within 30 metres (100 feet) from the top or bottom of a slope that exceeds a 15% grade, in order to define and protect the valley crest and toe of slope and protect slope stability. A setback greater than 30 metres may be required where the top of the slope is higher than 10 metres. Lesser setbacks may be considered only when recommended by a qualified professional.

### ***Hydrological Investigation***

- 3.2.12 At the discretion of the Director, the local area structure plan or outline plan shall include a hydrological study report to the level of detail satisfactory to the Director, prepared by a qualified professional at the cost of the developer/landowner.
- 3.2.13 In addition to a standard hydrological review of the site, the hydrological study report will

also address any specific issues relevant to the preliminary servicing concept requirements outlined in Sections 4.1.1 and 4.1.3 and Sections 4.2.1 to 4.2.12.

- 3.2.14 The hydrological study report shall be based on *'Chapter 2: Guidelines for the Evaluation of Groundwater Supply for Unserviced Residential Subdivisions'* and *Chapter 3: Guidelines for the Evaluation of Water Table Conditions and Soil Percolation Rate for Unserviced Residential Subdivisions'* of Alberta Environment's *'Draft Environmental Guidelines for the Review of Subdivisions in Alberta'*, as well as the groundwater evaluation and licensing requirements of the *Water Act*.
- 3.2.15 A local area structure plan or outline plan shall be designed so that no permanent structures will be located within the 1:100 year flood plain of any river, stream or other water body, or on lands susceptible to a high groundwater level, unless proper flood proofing techniques are applied. If the latter option is feasible, the local area structure plan or outline plan shall contain policies to ensure that subdivision and development approvals adhere to these requirements, based on recommendations from a qualified professional<sup>5</sup>. For those areas where 1:100 year floodplain mapping does not exist, the County may require that the developer/landowner provide a study by a qualified professional confirming the 1:100 year flood plain of the affected river, stream, or water body as part of a subdivision or development application, and the local area structure plan or outline plan shall incorporate this requirement as a policy. The groundwater level must be determined as part of the hydrological study required in Section 3.2.12.

### ***Environmental Review***

- 3.2.16 A local area structure plan or outline plan shall demonstrate that the developer has considered the contents of Alberta Environment's *'Draft Environmental Guidelines for the Review of Subdivisions in Alberta'*.
- 3.2.17 Pursuant to the *Municipal Development Plan*, where the County has identified or is aware of the existence of significant environmental features or is of the opinion that there is potential for significant environmental features to exist within a local area structure plan or outline plan area, the County may require the developer/landowner to prepare and submit an environmental review with the local area structure plan or outline plan. See Section 6.2.6 for further details.

### ***Natural Resources***

- 3.2.18 The local area structure plan or outline plan shall provide an overview of information to identify any natural resources (trees, petroleum, sand, gravel, etc.) on or within 800 metres of the subject property. The sources of information shall also be provided.

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<sup>5</sup> ***Qualified Professional*** in the context of its use in this document may refer to a professional engineer or a qualified wetland environmental assessment specialist or a professional biologist, etc., but is not limited to these specific examples.

## 3.3 Design Considerations

### General

- 3.3.1 Respect for natural capital is paramount in the design of communities in The County of Stettler No. 6. Refer to Sections 3.3.7 and 3.3.8 and Section 6 Natural and Cultural Capital for more information.
- 3.3.2 Community planning and design in The County of Stettler No. 6 strives to create desirable and sustainable places for healthy living, working and recreation for families and individuals of all ages and with varying lifestyles, needs and interests.
- 3.3.3 People-friendly streets<sup>6</sup> and a sense of place<sup>7</sup> are essential components of community<sup>8</sup> building. The developer/landowner is encouraged to incorporate considerations and elements that enhance the sensed quality of the built environment. In a more urban setting<sup>9</sup> this means that the street and block layout should create opportunities to integrate sidewalks, trails, parks, streets and playground equipment with adjacent land uses and public or semi-public buildings into a coherent whole rather than unrelated individual parts. In a more rural setting<sup>10</sup> this may include designing the subdivision to conserve and incorporate significant natural features (e.g. native vegetation, tree stands, water bodies, wetlands, riparian zones, and unique landforms), providing opportunities for residents to interact in ways that maintain their desire for privacy and space, and creating a rural character that complements the surrounding agricultural lands and operations. In both urban and rural settings the sensed quality of the environment may be enhanced by including design considerations such as siting, orientation, visual sequences, landmarks, viewpoints, vistas, spatial connotation, proportion and scale.
- 3.3.4 The developer/landowner is encouraged to design the community or neighbourhood layout so that streets are predominantly oriented east-west to maximize the homeowner's opportunity to utilize solar heating potential. Builders and homeowners are encouraged to plan building sites and the orientation of dwelling units with the purpose of reducing energy consumption.
- 3.3.5 Community design should include a balance of public and private as well as passive and active recreation areas.
- 3.3.6 A commercial or industrial local area structure plan or outline plan should provide flexibility to accommodate changing trends in various commercial and industrial needs for space.

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<sup>6</sup> **People-friendly streets:** This means streets purposely designed to incorporate the functions of adjacent land uses and the needs of people who participate in all transportation modes in the ways and emphasis that the people use the streets.

<sup>7</sup> **Sense of Place:** This refers to the sensed quality of a place, which is a result of the interaction between the form of a place and its users. The form of a place is determined through natural and/or man-made elements and helps the user to create a coherent, meaningful image of that place.

<sup>8</sup> **Community** or neighbourhood means, , unless the contrary is evident or apparent from the context, in the sole discretion of the Director, a community formed by a group of residential properties and may include a spatial relationship to commercial and industrial areas. A local area structure plan or outline plan for commercial or industrial subdivision is not required to address the residential content outlined in these Guidelines, and vice versa.

<sup>9</sup> **Urban Setting:** This refers to an urban style subdivision in the County's hamlets and around urban communities, which may include a component of a more rural setting.

<sup>10</sup> **Rural Setting:** This refers to a more traditional country residential subdivision that stands alone within an agricultural context and is not associated with the County's hamlets or urban communities.

### **Conservation Design Principles<sup>11</sup>**

- 3.3.7 The County may negotiate density or other bonuses to encourage the developer/landowner to follow conservation design principles. For more information on the conservation design approach, refer to Sections 6.1.1 through 6.1.10.
- 3.3.8 A local area structure plan or outline plan for residential subdivision based on conservation design principles shall provide for a density and size of lots that allow for efficient servicing while maintaining a significant portion of the site in perpetuity as greenways<sup>12</sup>, green infrastructure<sup>13</sup> or agricultural use.

### **Minimizing Impacts on Agriculture**

- 3.3.9 A local area structure plan or outline plan shall contain a statement to make future residents aware of the fact that the purpose of the Agricultural District is to provide landowners with the right to farm, and that agricultural activities in the Agricultural District, including Confined Feeding Operations that are approved by the Natural Resources Conservation Board under the Agricultural Operations Practice Act, have precedence over non-agricultural land uses that may encroach into an agricultural area.
- 3.3.10 A local area structure plan or outline plan for non-agricultural subdivision shall consider options of minimizing the impact of such subdivisions on adjacent agricultural operations. This may include the provision of a buffer area or a 'soft edge' to provide for a transition from non-agricultural to agricultural land uses.
- 3.3.11 The local area structure plan or outline plan shall demonstrate strategies aimed at:
- conserving land and the environment in an undeveloped or agricultural state by demonstrating a conservation design approach and green infrastructure planning and design principles;
  - promote higher density country residential land use where appropriate; and
  - alleviate potential conflicts with agricultural uses.

### **Minimizing Impacts on Community Services and Infrastructure**

- 3.3.12 The local area structure plan or outline plan shall demonstrate a strategy aimed at reducing potential strains on existing community services and reducing pressure for the development of costly new community services and/or infrastructure in unplanned areas.

### **Intensification of Existing Development**

- 3.3.13 A local area structure plan or outline plan for existing hamlet residential subdivision or existing commercial and industrial subdivision shall incorporate opportunities for infill and

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<sup>11</sup> **Conservation Design Principles**, in its classic format, are based on first identifying the primary and secondary conservation areas, setting these areas aside for conservation, then locating building sites on the lands that are best suited for development, then connecting the building sites through a road system and finally drawing lot lines to delineate the extent of private or public ownership of parcels.

<sup>12</sup> **Greenways**: As defined in the American Natural Land Trust, means open space that can surround and separate individual subdivisions that are penetrated with slivers of green to access the open space. The open space can be natural, enhanced, or wetlands, and can be privately or publicly owned. Greenways are included as green infrastructure based on both Agriculture Canada and USDA definitions.

<sup>13</sup> **Green Infrastructure**: As defined by both Agriculture Canada and the USDA, means a wide range of natural and constructed landscape elements including natural areas, public and private conservation lands, over land storm water systems, recreation areas (e.g. golf courses), and rail networks. Green infrastructure may be public areas dedicated as municipal or environmental reserve or private conservation or recreation land. These green spaces provide indirect value to the ecology (quality of surface water, ground water and air), are aesthetically appealing and may be used as public amenities (e.g. parks or trails). Green infrastructure may also be incorporated into engineering standards such as the use of landscaped drainage swales along roads as opposed to curb and gutter with piped storm drainage systems. Typically, green infrastructure is a permanent land use.

future growth, as well as other factors that may be required or considered important by the County and existing hamlet or area residents.

- 3.3.14 A local area structure plan or outline plan for existing hamlet residential subdivision or existing commercial and industrial subdivision shall consider, amongst other items, the impact of new development or intensification on the capacity of existing infrastructure systems and community services.

### ***Housing Density***

- 3.3.15 Housing density shall reflect the prevalent community character of existing adjacent development to the satisfaction of the County.
- 3.3.16 A local area structure plan or outline plan shall provide for a variety of residential parcel sizes to encourage variety in building sizes, housing types and designs throughout the community or neighbourhood, thereby facilitating diversity in the built form as well as affordability of access to a rural lifestyle.

### ***Affordable Housing Strategy***

- 3.3.17 The County of Stettler No. 6 encourages and is open to accommodate innovative ways of providing affordable housing. In the absence of a clear and consistent definition of affordable housing across the province, the County expects that each developer/landowner shall define affordable housing in the context of the proposed local area structure plan or outline plan, and then make provision for such housing options within the subdivision to the satisfaction of the County. The local area structure plan or outline plan shall include a statement that outlines the developer's/landowner's strategy towards providing options for affordable housing.

### ***Community Identity***

- 3.3.18 Each community or neighbourhood of that community shall have an identifiable centre and edge<sup>14</sup> that contribute to establishing identity and a sense of place by, among other things, indicating arrival to and departure from the community or neighbourhood.
- 3.3.19 Community or neighbourhood identification as described in Section 3.3.18 is limited to a maximum of two quarter sections under one identity.
- 3.3.20 Subdivision and street naming may occur as part of local area structure plan or outline plan preparation or as part of subdivision processing. The County's '*Rural Addressing Policy*' and the '*Street and Community Naming Policy*' provide the requirements for street and community naming and the process to be followed.

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<sup>14</sup> **Centre and edge:** *this is based on the concept of a neighbourhood unit, having an identifiable centre and edge or boundary. The centre accommodates only neighbourhood oriented elements, for example in an urban village this may be a combination of a park, school site, church, transit stop and/or higher density housing arranged around a busy, memorable road intersection. The edge or boundary identifies the end of a neighbourhood and, where applicable, the start of the next one. The edge can be established in association with a natural or a man-made feature, including elements such as an attractive arterial roadway, an open space (e.g. a park, a tree stand, a wildlife corridor, etc), the rural landscape or the countryside. The neighbourhood edge is typically a permanent feature and is identifiable at the major entrances to the neighbourhood. It does not have to be a continuous and unbroken feature along the entire perimeter of the neighbourhood. In urban settings district and regional commercial land uses are usually located at the neighbourhood edge.*

3.3.21 If the developer/landowner wishes to include a community identification sign or feature at the entrance to a subdivision, the local area structure plan or outline plan must provide space for it outside of the standard road right-of-way.

### **Mixed Land Uses**

3.3.22 The following standards apply to the planning of commercial and residential mixed land use areas:

#### **3.3.22.1 Major Commercial Sites**

In all instances other than a neighbourhood convenience commercial site<sup>15</sup>, the developer/landowner shall identify whether the commercial land use will be separated from or integrated with adjacent residential land uses. Subsections (a) and (b) below respectively deal with the two different scenarios – separation and integration.

##### **a) Commercial and Residential Segregation**

Where the intent is to develop a commercial site adjacent to but segregated from residential land uses, the following standards apply:

- (i) Any existing residential land uses shall be ‘buffered’ from a proposed commercial site by providing residential land uses in the same or a lower density for at least one lot depth in accordance with the requirements for proposed residential lots described in Subsections (ii), (iii) and (iv).
- (ii) Proposed lots for low density residential use adjacent to a commercial site shall back onto the commercial site and the layout shall be laneless.
- (iii) Proposed lots for medium and high density residential use may front, back or flank a commercial site and the layout may be laned.
- (iv) Any proposed residential lots flanking or backing onto a commercial site pursuant to Subsection (a)(ii) or (iii) may be required to be ‘buffered’ as prescribed in Sections 3.3.26 to 3.3.30.
- (v) Linkages for alternative transportation modes<sup>16</sup> shall be provided from within the neighbourhood onto any commercial site, to the satisfaction of the County.

When the preference is to have residential uses front onto a commercial site in a situation that is not provided for in Subsection (a) then the commercial and residential land uses are required to be fully integrated as described under Subsection (b).

##### **b) Commercial and Residential Integration**

Where the intent is to integrate commercial and residential land uses into a mixed use area, the following standards apply:

- (i) The developer/landowner shall illustrate that the mixed use area is designed to provide an appropriate interrelationship between residential and commercial land uses in accordance with practices that may be commonly described in

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<sup>15</sup> See Section 3.3.22.2.

<sup>16</sup> **Alternative transportation modes:** means alternatives to the car, e.g. walking, cycling, inline skating, using a wheelchair, etc.

relevant urban design and development literature, to the satisfaction of the County. This includes, but is not limited to, the consideration of complementary street front appearances, privacy, separate entrances, enhanced landscaping on parking lots, lighting, the relationship of building elevations to the spaces in between buildings, shop front orientation, and the location of building access, mechanical equipment, garbage containers, storage areas, etc. in a manner that promotes the successful integration of commercial and residential uses.

- (ii) Subsection (a)(i) applies to any existing residential lots that cannot be practically integrated into a mixed use area.
- (iii) The mixed-use area shall be designed to accommodate and integrate alternative transportation modes to the satisfaction of the County. This includes the provision of pathways within the street as well as pathways within semi-public areas such as parking lots.

#### 3.3.22.2 **Neighbourhood Convenience Commercial Sites**

Any type of residential lot may front, back or flank a commercial site that is intended to accommodate a neighbourhood convenience retail development, and the lots may be laned.

### **Lake Community Design**

- 3.3.23 A local area structure plan or outline plan for a lake community shall demonstrate that the developer has considered '*Chapter 6: Guidelines for the Evaluation of Lake Residential Subdivisions*' of Alberta Environment's '*Draft Environmental Guidelines for the Review of Subdivisions in Alberta*'.
- 3.3.24 A local area structure plan or outline plan for a lake community shall be designed to minimize the provision of lake front lots and direct them to those locations that do not offer good opportunities for public access to the shoreline (e.g. high elevations, poor beaches, etc.) and to provide multiple public access points to the environmental reserve or municipal reserve lots along the lake shoreline, including ample street frontage and parking.
- 3.3.25 A local area structure plan or outline plan for a Buffalo Lake community shall be designed to make optimal use of any public access points identified in the Buffalo Lake Integrated Shoreline Management Plan (administered by Alberta Sustainable Resource Development) that are adjacent to or reasonably accessible from the plan area. This shall be achieved by either dedicating municipal reserve within the plan area to facilitate development of and access to the public access point if it is adjacent to the plan area, or if it is not, by making a cash contribution to the County and/or paving existing roads and/or parking lots that provide access to the access point and/or construct new parking facilities at or near the access point and/or acquiring land at or near the access point, or a combination of all of the above, to the satisfaction of the County. These provisions may include roads, parking lots and public access points located in the Summer Villages of Rochon Sands and White Sands.

### ***Buffering, Enhanced Standards and Compatible Development***

- 3.3.26 The County may require that a local area structure plan or outline plan incorporates provisions to completely segregate any proposed commercial and/or industrial land uses from any existing or proposed residential or institutional land uses by a buffer strip with a minimum width of 17.5 m to accommodate a  $\pm$  2.5 m high berm with slopes designed at a ratio of 3.5 metres horizontal distance for each 1.0 metre vertical height. The County may require additional measures such as a fence, a wall, a vegetation screen and/or lighting to reduce noise and visual nuisance and to provide protection against loitering and littering.
- 3.3.27 Based on sound planning rational and with the support of the Recreation Department, the Director may agree to accept the buffer strip referenced in Section 3.3.26 as part of the municipal reserve dedication. However, normally the buffer strip shall not be provided as part of the required 10% minimum municipal reserve dedication for the plan area. If the developer/landowner chooses not to over dedicate municipal reserve to accommodate the buffer strip, the local area structure plan or outline plan shall identify the buffer strip as being part of the commercial or industrial parcel, and the registration of the buffer strip through a legal instrument on the title of the commercial or industrial lot will be a condition of preliminary subdivision approval.
- 3.3.28 A local area structure plan or outline plan shall allow for a minimum setback of 1 mile (1.6 km) from proposed residential property lines to the boundary of an existing or proposed industrial or commercial development or other activity that is deemed by the County to be a nuisance or of a noxious nature.
- 3.3.29 Commercial and industrial traffic must be directed away from residential streets.
- 3.3.30 Commercial and industrial development adjacent to highways and arterial roadways shall meet enhanced standards for building elevation, site planning and landscaping, satisfactory to the County.
- 3.3.31 A local area structure plan or outline plan adjacent to existing residential development shall be designed to be compatible to the adjacent residential development by matching the lot size, development density and character of the existing residential development for at least one row of new lots.

## SECTION 4 UTILITY SERVICING AND ACCESS CONSIDERATIONS

### 4.1 Preliminary Servicing Concept

- 4.1.1 The local area structure plan or outline plan shall include a preliminary servicing concept<sup>17</sup> and policies that require the developer/landowner to undertake, as part of the subdivision process, the necessary servicing studies<sup>18</sup> regarding aspects such as water supply, sewage disposal, storm water management, access, traffic, road layout and design, road upgrades, etc.
- 4.1.2 The intent of the preliminary servicing concept is to demonstrate the feasibility or viability of the proposed subdivision. Following approval of the local area structure plan or outline plan, the developer/landowner may proceed with a subdivision application and will then be required to provide a more detailed servicing study report for the proposed subdivision pursuant to Council Policy PW 2.17 – Engineering Standards and Guidelines.
- 4.1.3 The preliminary servicing concept in a local area structure plan or outline plan shall address the following aspects, in accordance with requirements which may be further detailed elsewhere in *Section 4 Utility Servicing and Access Considerations*:
- a) Proposed site grading.
  - b) Proposed plan for storm water management.
  - c) The availability and adequacy of the proposed water supply option (i.e. private individual wells or a public communal system).
  - d) The availability and adequacy of the proposed sewage disposal option (i.e. private individual systems or a public communal system).
  - e) Where a fire emergency service is available water supply must be adequate for minimum fire flow requirements. The use of a water storage pond for firefighting is an option that could be considered in site-specific situations.
  - f) The availability and adequacy of the proposed solid waste disposal system.
  - g) Proposed location of franchise utilities (i.e. power, gas, telephone and cable television).
  - h) Any major easements (e.g. electricity transmission lines) required within the plan area.
  - i) Proposed erosion and sedimentation control measures to address interim (e.g. relative to any topsoil stockpile) and ultimate site conditions.
  - j) Proposed internal roadway system and connections to the existing external roadway network, including intersection improvements, road widening requirements and road paving requirements resulting from increased traffic from the proposed subdivision. The alignment of roadways and trails shall be consistent with an applicable major area structure plan or area redevelopment plan. The transportation plan shall include an assessment of access requirements to adjacent lands to the satisfaction of the Director. The preliminary servicing concept shall include a road layout plan and shall identify each road type in accordance with County of Stettler Council Policy PW 2.10 –

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<sup>17</sup> A **'preliminary servicing concept'** is a conceptual analysis that identifies in general terms the proposed road, water, sewage disposal and storm water management systems and is required as part of a local area structure plan or outline plan.

<sup>18</sup> A **'servicing study'** is a more detailed study than a 'preliminary servicing concept', and is required as part of the subdivision process. The format of a servicing study may vary depending on the proposed method of subdivision servicing (i.e. private or public) – see Section 4.2.7(b).

Road Specifications.

## 4.2 Utility Infrastructure

### ***Storm Water Management Facilities***<sup>19</sup>

- 4.2.1 The storm water management concept shall:
- a) address the entire storm catchment area;
  - b) address the ultimate discharge location of post-development flows;
  - c) be designed to ensure that post-development flows are controlled to the pre-development flow rate and that existing downstream drainage systems and/or receiving water bodies are not adversely impacted;
  - d) address the improvement of the downstream quality of storm water runoff;
  - e) address the facilities required to implement any proposed storm water management plan, including:
    - (i) the location, footprint and depth of storm water management facilities; and
    - (ii) a conceptual layout of the minor storm system trunk mains and major overland drainage routes and any other associated municipal improvements as per County specifications and Alberta Environment and other regulatory guidelines and acts.
  - f) proposed erosion and sedimentation control measures.
- 4.2.2 The storage of storm water runoff in a road right-of-way is not permitted.
- 4.2.3 Where a storm drainage master plan exists, the storm water management approach for the preliminary servicing concept shall comply with the storm drainage master plan. Where the County requires the preparation of a storm drainage master plan in the absence of an existing plan, the preliminary servicing concept shall lay the basis for the preparation of such a plan as part of the subdivision process.
- 4.2.4 No more than one hectare (2.5 acres) of a storm water management facility may be credited towards the 10% municipal reserve requirement, and such credit shall only be allowed for that area within the storm water management facility that is to be developed and utilized as a formal sports field, playground or a passive recreation amenity including trails, benches, garbage receptacles or another public amenity to the satisfaction of the County. The need for storm water management facilities shall not result in an inconvenient location of public amenities within the context of the community or neighbourhood.

### ***Water Supply and Sewage Disposal Systems***

- 4.2.5 The preliminary servicing concept shall propose a water supply and sewage disposal servicing strategy based on the following approach:
- a) Subject to Section 4.2.6, a public communal water supply system and/or a public communal sewage disposal system that complies with all provincial regulatory and licensing requirements:

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<sup>19</sup> ***Storm water management facility:*** Includes a detention pond, retention pond, constructed wetland, underground storage, rooftop storage or a combination of these.

- (i) shall be required in all multi-lot subdivisions deemed by the County to be in proximity to an existing public communal system that has the capacity to accommodate the servicing of the proposed subdivision at a reasonable cost to the developer;
  - (ii) shall be required in all multi-lot subdivisions deemed by the County, in consultation with Alberta Municipal Affairs and/or Alberta Environment, to be in proximity to a sensitive receptor (e.g. a lake); and
  - (iii) may be encouraged in any other multi-lot subdivision.
- b) A privately owned communal water supply and/or sewage disposal system shall not be accepted in any multi-lot subdivision, including a bareland condominium. After the successful completion of any applicable warranty period, all communal water supply and/or sewage disposal systems must be transferred to the County, including ownership, operation and maintenance.
  - c) Where a multi-lot subdivision is serviced by private individual water wells or private individual sewage disposal systems in a location where municipal services may become available in the future, the County may require that the developer agrees to the registration of a deferred servicing agreement by caveat to require connection to public communal water supply and sewage disposal systems, at the cost of the landowners, if and when these become available in the future.
  - d) Private individual water well construction must comply with or exceed the installation and operational requirements of the *Nuisance and General Sanitation Regulation of the Public Health Act* and the licensing requirements of the *Water Act*.
  - e) Private individual sewage disposal systems must comply with or exceed the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*, as amended from time to time.
  - f) The installation of private individual water supply and sewage disposal systems is the responsibility of individual lot owners. The developer/landowner is responsible, prior to obtaining endorsement of a subdivision plan for registration, to prove that the lots are capable of being serviced with private individual water supply and sewage disposal systems.

4.2.6 Notwithstanding Section 4.2.5 (a), the following exceptions apply to the servicing approach for sewage disposal in a multi-lot subdivision:

- a) The County may waive the requirement for a communal sewage disposal system where it may be required in a multi-lot subdivision when a development proposal:
  - (i) proposes minimum lot sizes of 2 acres; and
  - (ii) can demonstrate to the satisfaction of the County, in consultation with Alberta Municipal Affairs and/or Alberta Environment, through the application of the 'Model Process for Subdivision Approval and Private Sewage – The Suitability and Viability of Subdivisions Relying on Private Sewage Systems' (February 1, 2011)' prepared by the Alberta Association of Municipal Districts and Counties in partnership with Alberta Municipal Affairs, that an alternative technology for enhanced private sewage disposal meets or exceeds the applicable regulatory standards required of such systems, including surface water and groundwater quality; and

- (iii) the alternative technology affords the municipality the same level of maintenance and management as a public communal system would.

If the County is accredited to issue permits under the Safety Codes Act at the time of waiving the communal sewage disposal system requirement, then the requirement to install individual sewage disposal systems would be the responsibility of the individual property owner at the time of applying for a permit under the Safety Codes Act. If the County is not accredited, then the requirement to install individual sewage disposal systems is the responsibility of the developer under the development agreement.

- b) Any development with lots smaller than 0.45 acres (19,600 ft<sup>2</sup>) are required to be communally serviced for sewage disposal.
- 4.2.7 The preliminary servicing concept of a local area structure plan or outline plan shall conceptually address the type, availability and adequacy of the proposed water supply and sewage disposal systems, including, as may be applicable:

- a) Water supply as follows:

- (i) If private individual water wells are being proposed and a groundwater evaluation report ***is not*** being submitted in support of water diversion rights pursuant to Section 23 of the *Water Act* and relevant guidelines issued by Alberta Environment, the preliminary servicing concept shall include a policy requirement that such report shall be a condition of approval for each subdivision phase to the satisfaction of the County;
- (ii) If private individual water wells are being proposed and a groundwater evaluation report ***is*** being submitted in support of water diversion rights pursuant to Section 23 of the *Water Act* and relevant guidelines issued by Alberta Environment, the preliminary servicing concept shall include such information and any relevant recommendations from that report into the local area structure plan or outline plan as policy requirements for implementation as part of the subdivision process, to the satisfaction of the County. Alberta Environment may require 'certification' from a qualified professional regarding the quantity of water available for diversion, which would mean that the diversion of 1,250 m<sup>3</sup> of water per year for household purposes for each of the proposed lots would not interfere with any existing household uses, licensees or traditional agricultural users. Where other subdivisions exist or have been proposed on surrounding lands, the groundwater evaluation report must consider the cumulative effects on the availability of groundwater supplies;
- (iii) If connections to a public communal water supply system are being proposed, the preliminary servicing concept shall include a system capacity assessment relative to the proposed subdivision, as well as plans identifying the proposed location of water supply facilities and lines required to connect the proposed subdivision to the existing system.

- b) Sewage disposal as follows:

- (i) If private individual sewage disposal systems are being proposed, the

preliminary servicing concept shall include information supported by the report of a qualified professional respecting the intended method of providing sewage disposal facilities to each lot in the proposed subdivision, including the suitability and viability of that method through an assessment of subsurface characteristics, testing for soil conditions and percolation rate and depth to water table testing pursuant to relevant guidelines issued by Alberta Environment. The local area structure plan or outline plan shall incorporate any relevant recommendations from that report as policy requirements for implementation as part of the subdivision process, to the satisfaction of the County. The local area structure plan or outline plan shall incorporate a policy statement that requires the developer/landowner to provide, as part of the subdivision process, the relevant detailed information on the proposed private individual sewage disposal system in accordance with the '*Model Process for Subdivision Approval and Private Sewage – The Suitability and Viability of Subdivisions Relying on Private Sewage Systems*' (February 1, 2011)' prepared by the Alberta Association of Municipal Districts and Counties in partnership with Alberta Municipal Affairs, as part of a more detailed servicing study to the satisfaction of the County;

- (ii) If connections to a public communal sewage disposal system are being proposed, the preliminary servicing concept of a local area structure plan or outline plan shall include a system capacity assessment relative to the proposed subdivision, as well as plans identifying the proposed location of sewage disposal facilities and lines required to connect the proposed subdivision to the existing system.

4.2.8 A local area structure plan or outline plan and the layout of lots shall incorporate the requirement that, as part of the subdivision process, any existing private sewage disposal system has to meet the minimum standards of the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*. As part of the subdivision process, written confirmation of the same is required from an accredited Safety Codes Officer prior to a subdivision plan being endorsed for registration.

4.2.9 A local area structure plan or outline plan and the layout of lots shall incorporate the requirement that, as part of the subdivision process, any existing private sewage disposal system shall not discharge outside of existing or new parcel boundaries. The effluent disposal component of an existing private sewage disposal system must be set back from existing and new parcel boundaries, buildings or structures and water bodies and water sources in accordance with the minimum standards of the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*. As part of the subdivision process, written confirmation of the same is required from an accredited Safety Codes Officer prior to a subdivision plan being endorsed for registration.

### ***Franchise Utilities and Streetlights***

4.2.10 Streetlights are not permitted in a multi-lot subdivision without approval from the County.

4.2.11 All franchise utilities (power, gas, telephone and cable television) in any residential multi-lot subdivision shall be provided underground. In a commercial or industrial subdivision the County may at its sole discretion approve overhead power poles. If the County approved the installation of streetlights in the commercial or industrial subdivision, overhead power poles

will not be approved and power utilities must be provided underground.

### **Green Infrastructure**

4.2.12 The preliminary servicing concept shall take into consideration possible ways to conserve and integrate the natural features of the site in context with ecological systems that may extend onto adjacent lands. In particular an approach to site grading and storm water management that focuses on conserving natural landforms and ecological systems and provides groundwater recharge shall be given preference over more traditional approaches<sup>20</sup>.

### **Rights-of-Way, Easements and Public Utility Lots**

4.2.13 Based on the preliminary servicing concept a local area structure plan or outline plan shall identify any corridors that may be required for the routing of utility mains, secondary emergency access, walkways, and major drainage outside of road rights-of-way.

4.2.14 Where the corridor is proposed to be used for access, a walkway and/or major drainage, it must be provided as a Public Utility Lot. The public utility lot is usually 6.0 metres wide with a 2.0 metres easement on each side for a total right-of-way width of 10.0 metres.

4.2.15 Where the corridor is only required for the routing of utility mains, it should be contained in an easement. The easement is usually 10.0 metres wide with 8.0 metres on one lot and 2.0 metres on the adjacent lot. The following conditions apply to any easement that has deep utilities routed through it:

- a) the property owner will not be permitted to use the easement area for any purpose other than lawn/garden;
- b) the property owner will not be permitted to place, erect or build any concrete or asphalt driveway, pad, or path or any rock garden, building, structure, or private water or sewage disposal facilities whatsoever within the boundaries of the easement;
- c) the property owner will not be permitted to plant any tree, hedge or other vegetation which in any way may prevent or hinder the County of its rights to maintain all utilities within the easement;
- d) if the area is to be fenced, the property owner is required to install a 7.0 metre gate to allow access for maintenance vehicles;
- e) the property owner will not be permitted to park private cars, trucks or recreation vehicles upon the easement;

4.2.16 In order that utility rights-of-way and easements do not prevent the installation of minimum landscaping requirements on individual lots, franchise utility rights-of-way and easements along lot frontages shall be designed to accommodate multiple service providers and shall not exceed 4.0 metres in width unless the County accepts a wider right-of-way or easement.

4.2.17 Those rights-of-way and easements that are required to accommodate franchise utilities shall be provided at no cost to the County.

4.2.18 Subject to Section 5.1.13 a utility right-of-way may be included in a linear park that is either a public utility lot or a municipal reserve lot, provided that such linear park has a minimum

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<sup>20</sup> *More traditional approaches to site grading include topsoil stripping and grading practices that alter the natural lay of the land, and more traditional approaches to storm water management do not include bio-swales and rain gardens, which promote groundwater recharge.*

width of 7.0 metres.

- 4.2.19 The area of land required for roads, lanes and public utility lots within a subdivision design shall not exceed 30% of the net developable area unless the developer/landowner requires such excess and is willing to provide it to the County at no cost.

### ***Noise Abatement***

- 4.2.20 Residential lots shall be designed to back onto a highway, a Township Road or a Range Road, and a subdivision design may be required to include measures for noise mitigation.
- 4.2.21 At the discretion of the County a noise study may be required as part of the local area structure plan or outline plan process, if a proposed subdivision is to be located adjacent to a provincial primary or secondary highway, an arterial roadway, a railway, an industrial development, a commercial development, and/or another potential noise generator.

### ***Waste Collection***

- 4.2.22 Where lots in a hamlet or small lot multi-lot subdivision are serviced with a rear lane, waste and recycling materials will be collected in the lane. Where lots in a hamlet or small lot multi-lot subdivision do not have lane access, collection will be from the street. Subdivision designs that cause some of the lots in a contiguous block to require lane collection and others front collection, shall not be permitted.

### ***Topsoil Stockpiles***

- 4.2.23 A local area structure plan or outline plan shall identify the location of temporary topsoil stockpiles and state the expected disposal timelines.
- 4.2.24 The preliminary servicing concept shall include topsoil stockpile erosion and sedimentation control measures.
- 4.2.25 Topsoil stockpiles are not permitted on municipal/school reserve, except when the stockpile is limited to the volume of topsoil required to landscape the municipal/school reserve lot with a specific completion date.

### ***Subdivision Staging***

- 4.2.26 Each stage of subdivision shall be clearly identified in the local area structure plan or outline plan.
- 4.2.27 The proposed sequence of development must be based on the logical extension of roads and/or utilities. The need for construction traffic to travel through established development areas to access a new phase of development must be avoided. Construction of temporary access roads may be required for interim access to a proposed development.
- 4.2.28 Subdivision may occur based on sub-phases of a subdivision stage that may not have been so identified in a local area structure plan or outline plan, without requiring an amendment to the local area structure plan or outline plan, provided it is so identified in a subdivision servicing agreement.

## 4.3 Roads

### *General*

- 4.3.1 The layout of subdivision roads contribute greatly to the community or neighbourhood character. Road alignment and design should endeavour to optimize the existing features of the site and/or its surroundings and to complement future land uses within the subdivision. The developer/landowner is encouraged to apply the conservation design approach in the layout of the street system. This implies that conservation areas and desired building sites are identified before the road layout is determined. Refer to Section 6.1 for more information.
- 4.3.2 Roads are an integral part of community space and provide routes for all modes of transportation. In compact residential subdivisions roads should be designed to standards that ensure all users, including pedestrians, cyclists, inline skaters, wheelchair users, electric scooters and cars, are accommodated.

### *Street Classification and Layout*

- 4.3.3 The preliminary servicing concept of a local area structure plan or outline plan will provide a road system layout that determines the alignment of roadways based on topography, natural features, community or neighbourhood design objectives, and road function in relation to adjacent land uses.
- 4.3.4 The preliminary servicing concept of a local area structure plan or outline plan will identify the type of roads in the street system using the available road types pursuant to County of Stettler Council Policy PW 2.10 – Road Specifications.
- 4.3.5 The preliminary servicing concept of a local area structure plan or outline plan shall provide a road system concept designed to accommodate any road widening requirements to the satisfaction of the County. The required road right-of-way widths for each road type are described in County of Stettler Council Policy PW 2.10 – Road Specifications.
- 4.3.6 Minimum curve radii for the horizontal alignment of streets must be as listed in Transportation Association of Canada Geometric Design Guide for Canadian Roads (current edition).
- 4.3.7 Normally individual lots shall have access from internal subdivision roads. Direct access from primary roads<sup>21</sup> shall not be allowed, except under special circumstances and conditions as may be agreed to by the County (e.g. large parcels, acceptable spacing of access points, etc).

### *Interconnectivity*

- 4.3.8 Linkages by way of roads and trails consistent with a major area structure plan or area redevelopment plan, or otherwise to the satisfaction of the County, shall be provided between adjoining communities or neighbourhoods to ensure the circulation

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<sup>21</sup> *'Primary Roads'* means Township Roads and Range Roads.

of pedestrian and vehicular traffic.

- 4.3.9 Where the road pattern increases the distance of indirect travel for alternative transportation modes<sup>22</sup>, the subdivision design must provide a dedicated direct shortcut.
- 4.3.10 An emergency access is required within 90 metres of the end of a dead-end road or otherwise where deep utilities are routed along the entrance road to a subdivision or a P-loop within a subdivision.

### ***Intersection Spacing***

- 4.3.11 The minimum distance between opposing intersections along an internal road in a residential, industrial or commercial subdivision is 45 metres measured from the centerline to the centerline of the respective intersections; however, spacing of less than 80 metres should be avoided if possible.
- 4.3.12 The Land Use Bylaw contains additional provisions for setback distances of access points at road intersections. Please consult with the Director.

### ***Emergency Access***

- 4.3.13 Typically not more than ten lots will be allowed on a subdivision road without an emergency access.
- 4.3.14 An emergency access is required within 90 metres of the end of a dead-end road or otherwise where deep utilities are routed along the entrance road to a subdivision or a P-loop within a subdivision.
- 4.3.15 An emergency access with a gate or drop down bollards may be accepted as a second access to a multi-lot subdivision.

### ***Multi-Modal Transportation Options***

- 4.3.16 Road and trail design shall facilitate easy and safe access for all users to the satisfaction of the County.

### ***Crosswalks***

- 4.3.17 Where it is required that a trail crosses a primary roadway the trail must be routed to a safe crossing location with appropriate marking/signalization. Mid-block pedestrian crossings on primary roadways are not permitted.
- 4.3.18 On internal subdivision roads mid-block pedestrian crosswalks may be considered only where the County deems it appropriate, and then based on the following criteria to the satisfaction of the County:
- a) either ban on-street parking adjacent to the crosswalk or use curb extensions to provide clear pedestrian approaches and shorten the crossing distance;
  - b) enhance the visibility of the crosswalk and the pedestrian (e.g. different pavement texture and colour, lighting, clear pedestrian approaches); and
  - c) consider angling/orienting the sidewalk/trail approaching the crosswalk towards oncoming traffic in order to encourage the pedestrian and driver to make eye contact.

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<sup>22</sup> ***Alternative transportation modes:*** means alternatives to the car, e.g. walking, cycling, inline skating, using a wheelchair, etc.

### ***Industrial Streets***

- 4.3.19 Industrial traffic shall be diverted away from residential uses, residential lanes, and residential streets.
- 4.3.20 Roadways within an industrial subdivision shall be laid out so as to discourage their use by through traffic.
- 4.3.21 Typically, industrial areas will not be required to include sidewalks and/or separate trail systems; however, the County may require that an industrial local area structure plan or outline plan identify sidewalks or separate trails, if deemed necessary due to proximity to residential areas, commercial sites, schools, leisure and amenity facilities or other points of interest, in accordance with an applicable major area structure plan or area redevelopment plan, if any, and/or any County policy documents.
- 4.3.22 Industrial street design should facilitate convenient and safe access for vehicular traffic and, where so required by the County, also for pedestrian traffic and persons using mobility devices.
- 4.3.23 Industrial road layout should consider and incorporate topography, natural features and roadway function to accommodate industrial traffic.

### ***Roadway Cross-section***

- 4.3.24 The preliminary servicing concept of a local area structure plan or outline plan shall provide a typical cross-section design for each type of road in the subdivision, as well as a road layout plan and shall identify each road type in accordance with County of Stettler Council Policy PW 2.10 – Road Specifications.

### ***Paving of Roads in Multi-lot Subdivisions***

- 4.3.25 The preliminary servicing concept of a local area structure plan or outline plan shall provide for the developer/landowner to upgrade the internal roads in a multi-lot subdivision and/or a Township Road and/or a Range Road to a paved or hard-surfaced standard, or to provide for dust control measures, or a combination of these measures, at the developer's/landowner's cost and to the County's satisfaction, when:
  - a) a proposed multi-lot subdivision is deemed by the County to contain lots of a depth that is insufficient to allow the placement of dwellings away from the road in order to avoid dust concerns;
  - b) the access to a multi-lot subdivision is proposed within 1.6 kilometer (one mile) of existing pavement; or
  - c) the County has adopted another plan, a bylaw or a policy that proposes to bring pavement within one mile of the access to a proposed multi-lot subdivision.

### ***Street Naming***

- 4.3.26 The Director will, where deemed necessary, require changes to the road layout during the preparation of a local area structure plan or outline plan to facilitate convenient and logical road naming. Also see Section 3.3.20.

## **Traffic Study**

- 4.3.27 Subject to the requirements of the Director of Infrastructure & Operations<sup>23</sup> and Alberta Transportation a traffic study may be required as part of the preliminary servicing concept where a proposed local area structure plan or outline plan is located adjacent to a provincial primary or secondary highway, a primary roadway, a railway, an industrial development, a commercial development, established subdivisions, and/or another potential traffic generator.
- 4.3.28 The objective of the traffic study is:
- a) to document the existing and projected traffic flows on adjacent primary and residential/industrial/commercial roadways as a result of the proposed subdivision being implemented; and
  - b) to recommend the access points, the intersection and road geometry, and the internal road layout required to meet the demand of the proposed subdivision, while minimizing the traffic and parking impact to the neighbouring subdivisions and roads.
- 4.3.29 The traffic study must include the following information for peak hours on all impacted intersections and roadways:
- a) projected traffic volumes generated by the proposed subdivision;
  - b) a drawing showing the subdivision trip distribution pattern; and
  - c) a drawing showing the turning movement volumes.
- 4.3.30 The traffic volumes must be detailed as follows:
- a) existing traffic;
  - b) projected fifth year background traffic;
  - c) additional traffic generated by the proposed subdivision;
  - d) through traffic (shortcutting); and
  - e) the total traffic volume.
- 4.3.31 The traffic study must include a drawing showing the internal and external road improvements required to accommodate the projected traffic volume and pattern. Among other items, the drawing must identify the following:
- a) the internal street layout;
  - b) the external access points and intersection locations;
  - c) the number of lanes and the length of any turn bays required for each major intersection.
  - d) the length of the controlled access inside the subdivision area and around each major intersection;
  - e) any addition, deletion or revision required of/to any traffic control device, including parking, pavement markings, signs, traffic signals and/or phasing, and timing revisions.
- 4.3.32 The traffic study must indicate the year or development level in which the recommended improvements are required.
- 4.3.33 The traffic study must include an analysis showing the volume-capacity ratio of all impacted roadways and intersections with and without the recommended improvements.

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<sup>23</sup> *Requirements for a traffic study: refer to Design Guidelines & General Construction Specifications.*

- 4.3.34 It is the developer's/landowner's responsibility to obtain any background information that may have a impact on the traffic study.

#### **4.4 Trails**

- 4.4.1 Trails that are accessible to all users should be considered and developed as integral components of the transportation system.
- 4.4.2 In order to assist the developer/landowner in preparing acceptable trail designs, the County shall endeavour to identify the desired location of future trail linkages.
- 4.4.3 The County encourages separate trails within linear parks.
- 4.4.4 The planning of the trail system internal to each community or neighbourhood shall accommodate and incorporate existing natural features to the satisfaction of the County.
- 4.4.5 Trails shall be designed in an aesthetically pleasing manner as well as provide educational and interpretive signage where appropriate.
- 4.4.6 The preliminary servicing concept of a local area structure plan or outline plan shall identify the design standards for trails to the satisfaction of the County.

## SECTION 5 PARKS AND RECREATION FACILITIES

### 5.1 Municipal and School Reserve Dedication

#### *General*

- 5.1.1 The local area structure plan or outline plan shall determine the municipal and/or school reserve requirements and the method of providing for the required reserve.
- 5.1.2 A local area structure plan or outline plan must incorporate the dedication of reserves to provide open space for the development of parks, the protection of culturally significant features, the preservation of environmentally significant or sensitive areas, and to provide setbacks from hazardous areas through consultation with:
- the School Divisions;
  - recreation board;
  - the local community and other interest groups; and
  - government agencies.
- 5.1.3 Municipal and/or school reserves must be dedicated at a minimum of 10% of the subdivision area minus land identified for environmental reserve dedication. The County will not waive the 10% municipal and/or school reserve dedication entitlement in whole or in part, except for parcels created for public or quasi-public uses such as churches/cemeteries, public recreational facilities, or public utilities, but at the County's discretion only.
- 5.1.4 The developer/landowner is encouraged to designate more than the required 10% of municipal reserve within a community or neighbourhood plan, particularly when these areas contain large portions of significant secondary conservation areas<sup>24</sup>.
- 5.1.5 The County will not defer the dedication of municipal and/or school reserves, and instead will accept cash-in-lieu of land, pursuant to Section 5.1.6. Only in a phased multi-lot subdivision where municipal and/or school reserve are not provided in a current phase and are planned for subsequent phases, the County may consider the deferment of municipal and/or school reserve, and then only if it is reasonably certain that all phases of the subdivision will be completed within a reasonable time frame to ensure residents of the subdivision enjoy the benefits of municipal and/or school reserve.
- 5.1.6 The County may accept cash-in-lieu of land for municipal and/or school reserve dedication, but only in the following circumstances:
- where the amount of land to be dedicated as reserve is too small to be useful;
  - the area is unlikely to benefit from municipal and/or school reserve land dedication in the foreseeable future;
  - in industrial or commercial areas; or
  - in a back lot lake subdivision.
- 5.1.7 If the applicant and the County cannot agree on a land value to determine the amount of cash-in-lieu of land for municipal and/or school reserve dedication, the applicant is required to provide a market value appraisal certified by a qualified appraiser, pursuant to the *Municipal Government Act*, based on the market value of the land as of a specific date occurring within 35 days following the date on which the application for subdivision is made.

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<sup>24</sup> *Secondary Conservation Areas* – refer to Section 6.1.1.

The amount of money to be paid as cash-in-lieu of land must be agreed upon before subdivision approval is considered.

- 5.1.8 Municipal reserve lands must be located to optimize the benefit to the maximum number of residents and not necessarily to achieve a central location.
- 5.1.9 Municipal reserve may be considered as a buffer between incompatible land uses.
- 5.1.10 For new residential subdivisions adjacent to lakeshores and river or stream banks, municipal reserve must be linked with shoreline environmental reserve parcels to secure public access to the water body and protect riparian zones associated with the water body. The location, size and configuration of municipal reserve parcels must recognize its potential public access function.

### ***Commercial and Industrial Areas***

- 5.1.11 Typically in respect of commercial and industrial subdivision the County requires money in lieu of municipal reserve dedication; however, the County may request that municipal reserve land be dedicated within those areas. For example, in cases where there is a mixed use commercial/residential area, or where a landmark site exists within an industrial area, or where there is a need to provide separate trails within an industrial area, or where it is appropriate to conserve natural areas in an industrial area, the County may require that municipal reserve land be dedicated within those areas.

### ***Credit for Usable Public Utility Lots***

- 5.1.12 Subject to Section 4.2.4 a storm water management facility may receive up to one hectare (2.5 acres) of credit towards municipal reserve dedication.
- 5.1.13 Existing major easements, e.g. for gas or electricity transmission, may remain as easements and/or may be marked as municipal reserve or utility lot, but under no circumstances will these be included in the 10% municipal reserve calculation.

## **5.2 Park Sites**

### ***Location of Park Sites***

- 5.2.1 The County encourages the development of parks and/or public facilities, by the developer, on municipal and/or school reserve parcels in compact country residential subdivisions or hamlets that are physically suited and/or of a size that accommodates such development to the satisfaction of the County.
- 5.2.2 Park sites and linear park linkages will be distributed throughout the subdivision area and shall be conveniently located in relation to the most probable users to the satisfaction of the County.
- 5.2.3 The County may encourage resident groups to assume management of local park facilities through a variety of management strategies.

### ***Parks Plan and Other Landscaping***

- 5.2.4 The County may require the developer/landowner to prepare a parks plan as part of the local area structure plan or outline plan in consultation with the Recreation Department. The parks plan shall include such detail sufficient to ensure that proposed structures, amenities, trails, equipment and landscaping can be accommodated as shown.
- 5.2.5 The parks plan shall accommodate and incorporate existing natural features to the satisfaction of the County.
- 5.2.6 If so required the parks plan shall include a landscaping plan to the satisfaction of County.
- 5.2.7 The parks plan shall be prepared at scale and contain a phasing plan for the development of leisure facilities and amenities, including the following:
  - a) Location of proposed park amenities
  - b) Incorporation of standard safety setbacks
  - c) Location of off-street parking
  - d) Identification of existing natural features to be conserved
  - e) Conceptual layout of proposed landscape treatment
  - f) Alignment of proposed trails

### ***Park Design***

- 5.2.8 Parking to accommodate the needs of park users will be considered during the preparation of the parks plan.
- 5.2.9 Playgrounds shall be installed to conform to CSA-Z614-07. Particular attention shall be paid to protective surfacing zones, 'no encroachment' zones and the anticipated routes of travel of the playground users. The developer/landowner may be required to fence the park around playground equipment and place appropriate signs to improve traffic safety.
- 5.2.10 Where appropriate, emphasis should be placed on natural planting and native species to enhance the natural environment and minimize ongoing maintenance costs.
- 5.2.11 Park design and development shall minimize the disturbance and removal of vegetation and topsoil, and shall retain the natural features of the site to the satisfaction of the County.
- 5.2.12 Park design shall incorporate Crime Prevention Through Environmental Design (CPTED) Principles.
- 5.2.13 A local area structure plan or outline plan shall provide direct legal and physical access to all park sites.

## SECTION 6 NATURAL AND CULTURAL CAPITAL

### 6.1 Primary and Secondary Conservation Areas

- 6.1.1 Pursuant to Section 3.3.7 a local area structure plan or outline plan shall demonstrate a strategy to conserve, interpret and incorporate the primary and secondary conservation features or areas<sup>25</sup> as integral components of the conceptual scheme and preliminary servicing concept, based on the principles of conservation design and to the satisfaction of the County. Where this is not practical, such decisions are required to be supported by sound planning and/or engineering principles.
- 6.1.2 A local area structure plan or outline plan shall identify<sup>26</sup> and evaluate significant natural features<sup>27</sup> within and directly adjacent to the plan area and, if a functional relationship exists with on-site or adjacent significant environmental features, those features further away on adjacent lands.
- 6.1.3 The first objective of conservation design is to dedicate all the areas containing primary conservation areas as either environmental reserve parcels or environmental reserve easements or as municipal reserve parcels. The second objective is to conserve all areas, or large portions thereof, that contain secondary conservation areas. The developer/landowner shall seek to achieve this by dedicating land as municipal reserve, incorporating land into conservation easements, common land parcels in a bareland condominium subdivision or a land trust, or, where the County deems it appropriate, land acquisition by the County through land purchase or other similar arrangements.
- 6.1.4 A local area structure plan or outline plan shall incorporate the primary and secondary conservation areas on the site in such a manner that maximum connectivity is retained<sup>28</sup>, natural resource lands are not taken out of production, the proposed subdivision does not conflict with existing resource activities such as farming, forestry and mining, or that road development servicing the proposed subdivision does not fragment open space, affecting important environmental features and leaving islands of natural habitat that may not be large enough to sustain biodiversity.

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<sup>25</sup> **Primary and secondary conservation areas** refer to natural, historical and cultural capital, including but not limited to ground water/aquifer recharge areas, water courses, 1:100 year floodplains, riparian buffers, vernal pools, wetlands, lakes, natural grasslands, steep slopes, tree stands, mature forests, rock outcroppings, unique plant and/or animal habitats, unusual diversity of plant and/or animal communities, rare or endangered species, combinations of habitat and landform that may be of scientific research or conservation educational interest, important wildlife corridors, archeological/palaeontological sites, cultural, historic and prehistoric sites and structures, productive or potentially productive agricultural lands or natural resources (e.g. farming, the extraction of gravel and sand, or forestry), and features that define rural character, including large expanses of forest, pastoral or rural landscapes, scenic views and other important cultural features. Primary conservation areas are those areas that perform important environmental, ecological or hydrological functions, are undevelopable and/or qualify as environmental reserve, and have non-negotiable conservation value. Secondary conservation areas are those areas that have a significant conservation value and need to be either conserved or carefully developed, but that do not qualify for dedication as environmental reserve. In the context of the conservation design approach, leaving land "undeveloped" means that no alteration of grades occurs, except for the placement of a water well or on-site sewage disposal system in the non-disturbance area, and that no disturbance of vegetation occurs, except that provision shall be made for the selective cutting of vegetation to maintain its health.

<sup>26</sup> **Natural Features** may be identified by site analysis and other resources such as the Red Deer River Corridor Integrated Management Plan or the County's Environmentally Significant Areas report and subsequent studies. The Municipal Government Act defines what types of natural features may qualify as environmental reserves.

<sup>27</sup> **Significant natural features:** Generally this refers to primary and secondary conservation areas as described in Section 6.1.1 and more specifically refers to areas that perform important environmental, ecological or hydrological functions, such as aquifer recharges, areas containing unique habitats, unusual diversity of plant and/or animal communities, rare or endangered species, or combinations of habitat and landform that may be of scientific research or conservation educational interest, and also include areas that provide important wildlife corridors.

<sup>28</sup> In its classic form, the conservation design approach intends to achieve connectivity of undeveloped land by retaining conservation areas under single ownership, which may be held by an individual, a condominium corporation, a land trust or a municipality.

- 6.1.5 Where it is not practical to retain conservation areas under single ownership the local area structure plan or outline plan design may propose to achieve maximum connectivity through conservation easements on private lots with maximum building site disturbance areas established and minimum road development to avoid impact on the primary and secondary conservation areas.
- 6.1.6 Primary and secondary conservation areas will be showcased through the development of nature trails, at the cost of the developer/landowner, to the satisfaction of the County.
- 6.1.7 The local area structure plan or outline plan shall include an aerial photo with the conceptual scheme overlaid to scale, in order to ensure that primary and secondary conservation areas and other site features are accurately represented in relation to the conceptual scheme.
- 6.1.8 Education and/or incentives and/or controls will be considered for landowners to prevent removal or diminishment of primary and secondary conservation features prior to development occurring in an area.
- 6.1.9 The developer/landowner is encouraged to use significant natural features, ranging from native tree and wetland areas to planted trees and shrub beds, as green infrastructure.
- 6.1.10 The developer/landowner will ensure that natural areas falling within the boundaries of the net developable area are safe for public use.

## **6.2 Dedication and Evaluation of Conservation Areas**

### ***Environmental Reserve Dedication***

- 6.2.1 Setback distances from environmentally significant features or areas containing hazard lands or undevelopable lands that meet the requirements of the *Municipal Government Act* must be dedicated as environmental reserve.
- 6.2.2 Typically the County requires environmental reserve dedication to protect all primary conservation areas. The dedication of an [environmental reserve](#) parcel or environmental reserve easement is required for those lands and natural features described in the *Municipal Government Act*, to the satisfaction of the County. The width of the [environmental reserve](#) parcel or environmental reserve easement shall be determined based on the guidelines contained in the *'Standard Recommendations to Municipal Subdivision Referrals'* issued by Alberta Sustainable Resource Development (September 2007) attached as Schedule 'A' to the *Municipal Development Plan*. A variation in the recommended width of an [environmental reserve](#) parcel or environmental reserve easement may be accepted based on the recommendations of a qualified professional or for minor water features such as an unnamed creek or a Class 1 or Class 2 wetland based on the Stewart and Kantrud Wetland Classification System. Retention or new planting of natural vegetation is encouraged within the [environmental reserve](#) parcel or environmental reserve easement as a means of enhancing surface water runoff quality through sediment and contaminant removal and biodegradation. Also see Section 3.2.11.

- 6.2.3 An environmental reserve easement instead of an environmental reserve parcel may be considered only where public access is not desirable and where municipal enforcement and management is not required.
- 6.2.4 Pursuant to the *Municipal Government Act*, certain public developments may be allowed to exist on environmental reserve lands only if such development can be accessed and used by the public.
- 6.2.5 A conservation easement may be considered to preserve significant natural features and areas that do not qualify as environmental reserve under the *Municipal Government Act*. The use and control of these features and areas must be clearly stated in the easement agreement.

### ***Environmental Review***

- 6.2.6 Pursuant to Section 3.2.16 any requirement to undertake an environmental review/biophysical assessment shall be determined at the local area structure plan or outline plan stage and, if required, shall be included as part of the plan application. The environmental review shall identify and evaluate the environmental significance and sensitivity of existing vegetation, water bodies, wetlands, riparian zones, wildlife habitat and unique physical features, and shall recommend appropriate measures for preservation. The environmental review recommendations applicable to the subject lands shall be incorporated into the local area structure plan or outline plan and the subdivision design.
- 6.2.7 The *Red Deer River Corridor Integrated Management Plan* and the *Environmentally Significant Areas of the Counties of Lacombe and Stettler (November 1988)* or subsequent studies or other assessments and findings, professional or otherwise, as may be relevant to the site of the area structure plan or outline plan or other land that may be affected by the proposed subdivision, shall be used as a guideline and incorporated into the environmental review.

## **6.3 Significant Historical and Cultural Capital**

- 6.3.1 The local area structure plan or outline plan shall be designed to conserve any unique and significant historical, heritage and cultural capital<sup>29</sup> to the satisfaction of the County and the Historic Resources Management Branch, Alberta Culture and Community Spirit.
- 6.3.2 Historic Resources Management Branch, Alberta Culture and Community Spirit may require the preparation of a historical capital impact assessment if the proposed subdivision may impact a known historic resource, undisturbed land or if it encompasses more than 25 acres. The developer/landowner will be advised through the plan referral process if an assessment is required, to the satisfaction of Historic Resources Management Branch, Alberta Culture and Community Spirit.

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<sup>29</sup> **Significant historical, heritage and cultural capital:** *Includes but is not limited to heritage or cultural structures and historic and prehistoric sites, including those features that may be identified in the Land Use Bylaw and archeological and palaeontological sites.*

## **SECTION 7 PUBLIC SAFETY**

### **7.1 General**

7.1.1 Public safety considerations should be incorporated into the design for all components of community and neighbourhood planning. Examples include the consideration of proximity between residential and industrial areas and railway tracks, the impact of lighting, appropriate plantings, fire fighting, and location and design of storm water management facilities.

### **7.2 Buffering of Residential Land Uses**

7.2.1 Appropriate berms and any additional measures that may be required shall be provided to the satisfaction of the County as a buffer, screen and/or barrier to separate industrial uses from adjacent residential areas. For design standards refer to Section 3.3.26 to 3.3.30.

### **7.3 Proximity to Railway Lines**

7.3.1 Where a local area structure plan or outline plan is situated in close proximity to a railway line, the plan shall incorporate provisions to meet the guidelines of the relevant railway company regarding setbacks, buffering, screening and/or building practices that mitigate noise.

### **7.4 Crime Prevention Through Environmental Design**

7.4.1 A local area structure plan or outline plan should demonstrate consideration for and application of the principles of '*Crime Prevention Through Environmental Design*'.

### **7.5 'FireSmart' Principles**

7.5.1 In order to address the issues related to potential wildfires and their interface with development, a local area structure plan or outline plan shall incorporate the FireSmart guidelines and wildfire mitigation measures advocated by Alberta Sustainable Resource Development to the satisfaction of the County.  
(<http://www.srd.gov.ab.ca/wildfires/firesmart/>)

### **7.6 Water Supply for Public Fire Protection**

7.6.1 The County requires fire flows to comply with the recommendations of the Fire Underwriters Survey publication entitled '*Water Supply for Public Fire Protection*'. The water supply to a large multi-lot subdivision or a large commercial or industrial development should meet the minimum fire flow requirements. If piped water supply of sufficient volume for the required fire flow is not readily available the developer/landowner may explore the possibility of interior fire sprinkler protection and static water storage with draft hydrants. Draft hydrants are suitable only for on-site application.

## **7.7 Multiple Access Points**

- 7.7.1 A subdivision layout shall be integrated with the existing roadway network so that there are at least two points of access in all phases of subdivision, and adequate vehicle turning facilities to the satisfaction of the County. An interim or temporary access may be used in a subdivision stage where a permanent access is designed to occur in a subsequent stage.
- 7.7.2 Emergency access with a gate or drop down bollards may be accepted as a second access to a multi-lot subdivision. Typically not more than ten lots will be allowed on a subdivision road without an emergency access.
- 7.7.3 An emergency access is required within 90 metres of the end of a dead-end road or otherwise where deep utilities are routed along the entrance road to a subdivision or a P-loop within a subdivision.

## **7.8 Road Design Standards**

- 7.8.1 Road design standards, including minimum turning radii, should be suitable to accommodate emergency vehicles. This typically means all weather access roads that conform to the *Alberta Fire and Building Codes* relative to emergency vehicles and apparatus. Please refer to the relevant standards as outlined in Public Works Policies 5.9 – Road Standards and 5.16 – Engineering Standards and Guidelines.

# ***SUBDIVISION***

## **SECTION 8 APPROVAL PROCESS AND APPLICATION FORMAT**

### **8.1 Subdivision Application**

- 8.1.1 This section applies to all subdivision applications, including an application for a single lot subdivision, a multi-lot subdivision and the subdivision of a bareland condominium.
- 8.1.2 The Municipal Planning Commission is the Subdivision Authority for the County of Stettler No. 6. The Director is responsible for processing subdivision applications for consideration by the Subdivision Authority, except as may be delegated in the *Municipal Development Plan*.
- 8.1.3 Pursuant to the *Municipal Development Plan*, where a local area structure plan or outline plan has not been adopted the Director may refuse to accept a multi-lot subdivision application.
- 8.1.4 Subdivision begins with the submission and review of a proposed plan of subdivision. When the Subdivision Authority is satisfied that the proposed plan of subdivision meets all the requirements of the *Municipal Government Act*, it may grant preliminary subdivision approval, subject to conditions. Final subdivision approval is granted when all conditions of preliminary subdivision approval have been met and the plan is endorsed for registration.
- 8.1.5 All approved subdivisions must be effected by plan of survey prepared by an Alberta Land Surveyor or by another instrument acceptable to the Registrar of the Land Titles Office. The provision of a plan of survey shall be satisfied as a condition of preliminary subdivision approval. Where the application involves the rezoning of land, the plan of survey is required prior to third reading of the rezoning bylaw.

### **8.2 Submission of a Complete Subdivision Application**

- 8.2.1 The landowner or an agent acting on behalf of the landowner is required to submit a complete subdivision application to the County when making an application for subdivision. Processing of the application will not start until the Director is satisfied that the application is complete. A complete subdivision application contains the following information:
  - a) a completed subdivision application form;
  - b) a copy of the current Certificate of Title (provided by the County at cost);
  - c) if the applicant is not the registered landowner, the written consent of the registered landowner to make application on his/her behalf;
  - d) the correct application fee;
  - e) the proposed plan of subdivision on 11" x 17" paper or smaller. The proposed plan of subdivision shall be in the format and shall contain the information outlined in Section 8.3; and
  - f) additional information, as outlined in Section 8.4, that the Director deems necessary to enable the Subdivision Authority to determine whether the application meets the requirements of the *Municipal Government Act*.

### 8.3 Format and Content of a Proposed Plan of Subdivision

- 8.3.1 A proposed plan of subdivision<sup>30</sup> shall be consistent with an applicable local area structure plan or outline plan and shall meet any applicable requirements of the County's policies relative to engineering design.
- 8.3.2 Pursuant to Section 8.2.1(e) a proposed plan of subdivision shall be provided in the following format:
- a) for a multi-lot subdivision - in PDF format and drawn at a scale not smaller than 1:5,000;
  - b) for a single lot subdivision – a sketch on the application form, showing dimensions of proposed property lines and other information that the Director may require.
- 8.3.3 Further pursuant to Section 8.2.1(e) a proposed plan of subdivision shall contain the following information accurately to scale:
- a) the legal description, location, dimensions, boundaries and area of the property that is the subject of the application, with an outline of the land that the applicant wishes to register in a land titles office;
  - b) the location, dimensions, boundaries and area of each new lot proposed to be created, and of any proposed municipal/school and/or environmental reserve parcels;
  - c) a description of the proposed use or uses of each new lot proposed to be created and of the remainder of the subject property;
  - d) the location, use and dimensions of any existing buildings and other structures with the dimensions of the front, rear and side yards that will result from the proposed subdivision, and specifying those buildings that are proposed to be demolished or moved;
  - e) the location, dimensions and boundaries of any rights-of-way of existing roads and proposed roads and/or lanes, if any;
  - f) the location of existing road access points and proposed roads access points to each new parcel that is to be created as well as to the remainder of the property;
  - g) any road widening requirements to the satisfaction of the County. In the case of a first parcel subdivision out of an unsubdivided quarter section the road widening on the remainder of the quarter section may be accommodated by registering a road widening agreement on the land title in favour of the County - refer to County of Stettler Council Policy PD 4.4 - Road Dedication and Subdivision Registration. Also refer to Council Policy PW 2.10 - Road Specifications for the required road right-of-way widths;
  - h) provision for off-street loading and/or parking;
  - i) the location, dimensions, and boundaries of existing and proposed easements and rights-of-way of each public utility;
  - j) existing treed areas and treed areas proposed to be removed as a result of the subdivision and subsequent development;
  - k) the location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water, including a seasonal wetland and drainage course, and other natural area that is contained within or bounds the subject land;
  - l) the type of existing and proposed water supply on the property;

<sup>30</sup> A proposed plan of subdivision is also referred to as a "tentative plan" in the industry.

- m) the type of existing and proposed sewage disposal system on the property;
  - n) the location of any existing and proposed connections to public communal water supply or sewage disposal systems, as may be applicable;
  - o) if the proposed lots and/or the remainder of the titled property are to be serviced by private individual water wells and private individual sewage disposal systems, the location of any existing and proposed dugouts, water wells and private sewage disposal systems (point of surface discharge if applicable) and their distances from each other and from existing and proposed buildings and property lines. All private individual water wells and sewage disposal systems must be set back from existing and proposed property lines at distances that comply with the Safety Codes Act;
  - p) Information obtained from the ERCB's Abandoned Well Viewer on their website at [www.ercb.ca](http://www.ercb.ca) to confirm that the proposed subdivision application complies with the setback distances described in ERCB Directive 079: Surface Development in Proximity to Abandoned Wells. An application for a boundary adjustment is exempted from this restriction. For more information see Section 56.15 in the Land Use Bylaw; and
  - q) any additional information required by the Director as outlined in 8.4..
- 8.3.4 Notwithstanding Sections 8.3.1, 8.3.2 and 8.3.3, the information that is required to be shown on a proposed plan of subdivision, the required level of detail of such information and the format of a proposed plan of subdivision shall be at the discretion of the Director, based upon the nature and complexity of the proposed subdivision and any other matters that the Director deems to be applicable.

## **8.4 Additional Information Required in Support of a Subdivision Application**

- 8.4.1 Pursuant to Section 8.3.3 (q) the Director *may* require the applicant to provide additional information deemed necessary to enable the Subdivision Authority to determine whether the application meets the requirements of the *Municipal Government Act*. Such information may include the following:
- a) a map of the subject property showing site topography with contours at an interval satisfactory to the Director, but not greater than 1.5 m
  - b) if the subject land is located in a potential flood plain and flood plain mapping is available, a map identifying the 1:100 year flood.
  - c) a map or other description showing the use and land surface characteristics of land within 800 metres of the subject property.
  - d) the location of sour gas facilities within 1.5 kilometres of the subject property.
  - e) a conceptual scheme that relates the proposed subdivision to potential future subdivision and development of adjacent areas.
  - f) a Phase 1 Environmental Site Assessment.
  - g) an environmental review/biophysical assessment pursuant to the *Municipal Development Plan*.

- h) information outlining the type, availability and adequacy of the proposed water supply system, including an evaluation of any existing public communal water supply system capacity or, if private individual water wells are being proposed, a groundwater evaluation report and, if applicable, an engineering report that meets the requirements of Section 23 of the *Water Act*. For subdivisions that are not required to provide an engineering report pursuant to Section 23 of the *Water Act* (i.e. less than six lots), the applicant may choose to provide such a report to the satisfaction of the Director.
- i) information outlining the type, availability and adequacy of the proposed sewage disposal system, including an evaluation of any existing public communal sewage disposal system capacity or, if a private sewage disposal system is being proposed, information supported by the report of a qualified professional respecting the intended method of providing sewage disposal facilities to each lot in the proposed subdivision, including the suitability and viability of that method through an assessment of subsurface characteristics, testing for soil conditions and percolation rate and depth to water table testing. Such report shall be prepared pursuant to and in accordance with the '*Model Process for Subdivision Approval and Private Sewage – The Suitability and Viability of Subdivisions Relying on Private Sewage Systems*' (February 1, 2011)' prepared by the Alberta Association of Municipal Districts and Counties in partnership with Alberta Municipal Affairs.
- j) a storm water management plan that shall include but not necessarily be limited to a grading and storm drainage plan identifying the proposed drainage of the proposed lot(s) in relation to the surrounding lands.
- k) the proposed building site for each new lot to be created. Confirmation of suitable building sites must be provided by a qualified professional and is generally defined as the minimum area required to ensure that there is adequate space on each lot for a building site, water well and sewage disposal system, taking into consideration the setback distance requirements of the *Land Use Bylaw*, any required setbacks recommended in a geotechnical assessment report, the setback distance requirements contained in the *Subdivision and Development Regulation* under the *Municipal Government Act*, the setback distances required under the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)* and the setback distances required for oil and gas pipelines and facilities.
- l) any additional information deemed necessary by the Director to enable the Subdivision Authority to determine whether the application meets the requirements of the *Municipal Government Act*.

## 8.5 Processing of a Subdivision Application

### ***Application Referral***

8.5.1 The *Subdivision and Development Regulation* requires that the County refer a subdivision application to a number of provincial government departments and utility agencies. Upon submission of a completed application, the Planning and Development Department forwards copies of the application to these agencies as well as County departments, adjacent landowners and adjacent municipalities, requesting their comments on the proposed subdivision.

### ***Simultaneous Processing of Applications***

- 8.5.2 Where a local area structure plan or outline plan is being prepared in conjunction with a subdivision proposal, the subdivision application may be referred for comments at the same time as the local area structure plan or outline plan.
- 8.5.3 If the land is not zoned in the Land Use Bylaw for the proposed uses, then the applicant must apply to the County for rezoning prior to the subdivision being considered for approval.

### ***Land Use and Zoning***

- 8.5.4 The County will not pre-zone land. Rezoning and subdivision applications for a multi-lot development will not be considered until the developer/landowner has prepared a local area structure plan or outline plan to the County's satisfaction. The County *may* adopt a local area structure plan or outline plan *and may* simultaneously give second reading to a redistricting bylaw *prior to* the developer/landowner addressing details of water supply, sewage disposal, storm water management, access, traffic, road upgrades, etc. However, the County *will not* give third reading to the redistricting bylaw until the subdivision plan has been endorsed for registration (also see Section 2.5). The County *will not* endorse the subdivision plan *until* the developer/landowner has provided the required details regarding water supply, sewage disposal, storm water management, access, traffic, road upgrades, etc. *through a servicing study*<sup>31</sup> and construction drawings to the satisfaction of the County, and until the County is prepared to enter into a subdivision servicing agreement with the developer/landowner.

### ***Subdivision Considerations***

- 8.5.5 The *Municipal Government Act* and the *Subdivision and Development Regulation* require that the Subdivision Authority, in making a decision on a subdivision application, considers:
- a) the suitability of the land for the purpose of which the proposed subdivision is intended;
  - b) the conformity of the subdivision proposal to any statutory plan and the *Land Use Bylaw* that affects the land involved;
  - c) compliance of the subdivision proposal with the *Municipal Government Act* and the *Subdivision and Development Regulation* [refer to subsections (e) to (m)];
  - d) the payment of property taxes;
  - e) site topography;
  - f) soil characteristics;
  - g) storm water collection and disposal;
  - h) potential flooding, subsidence or erosion;
  - i) accessibility to a road;
  - j) the availability and adequacy of a water supply system, sewage disposal system, and solid waste disposal system;
  - k) in the case of land not serviced by a licensed water distribution system and a licensed wastewater collection system, whether the proposed subdivision complies with the requirements of the *Private Sewage Disposal Systems Regulation (AR 229/97)* in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems;
  - l) the use of land in the vicinity of the application site; and
  - m) any other matters that the Subdivision Authority considers necessary to determine

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<sup>31</sup> *Servicing Study* - see Section 4.

whether the subject land is suitable for the intended purpose.

- 8.5.6 Pursuant to Section 8.5.5 (j), in considering an application for the subdivision of land that is proposed to be serviced by means other than a licensed water distribution system and a licensed wastewater collection system<sup>32</sup> the Subdivision Authority will proceed on the basis that:
- a) in the case of a subdivision application that is exempted by Section 23 of the *Water Act* (i.e. less than six lots), it is the developer's/landowner's responsibility to find a sufficient water well, in the absence of which one alternative would be to provide an on-site cistern and haul water in by truck; and
  - b) provided the minimum lot size in a subdivision is 1,821 m<sup>2</sup> (0.45 acres or 19,600 ft<sup>2</sup>) the developer/landowner may obtain approval through the Safety Codes Act to provide any one of a range of possible private, on-site sewage disposal systems that would be suitable depending on site conditions, including soil types.

### ***Stages of Subdivision Approval***

- 8.5.7 There are two stages to the approval process for a subdivision application. The first stage ends when the Subdivision Authority grants preliminary (or conditional) subdivision approval, typically with conditions that must be satisfied by the applicant prior to the endorsement of a plan for registration. The second stage of subdivision approval is when the applicant submits a plan for endorsement and registration purposes. The subdivision approval is not completed until the Subdivision Authority endorses the plan for registration purposes.

### ***Preliminary Subdivision Approval***

- 8.5.8 The *Municipal Government Act* provides that a Subdivision Authority may approve or refuse a subdivision application. The *Act* requires a subdivision approving authority to make a decision on an application within a limited time period from the date of receipt of a complete application, or it is deemed refused, unless the applicant provides an extension of time. The Subdivision Authority may not deal with a subdivision application after the time period has lapsed if an extension of time was not obtained from the applicant.
- 8.5.9 The Municipal Planning Commission, as the Subdivision Authority for the County of Stettler No. 6, will decide on the application during one of its regular meetings.
- 8.5.10 The Subdivision Authority must provide its decision in writing to the applicant and referral parties, stating whether an appeal lies to the Subdivision and Development Appeal Board or to the Municipal Government Board and, if the application is refused, providing reasons for the refusal.
- 8.5.11 The applicant or another affected party may appeal the Subdivision Authority's decision, including the conditions of preliminary subdivision approval, to the County's Subdivision and Development Appeal Board or the Municipal Government Board, as may be applicable, within 14 days of the receipt of the written decision.
- 8.5.12 The Subdivision Authority may refuse to accept another subdivision application within six months of denying an application for the same land.

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<sup>32</sup> *By implication this would mean that the land is proposed to be serviced by a private, on-site water well and a private, on-site sewage disposal system.*

### ***Endorsement of Subdivision Plan for Registration***

- 8.5.13 The plan that is submitted for endorsement for registration purposes must comply with the preliminary subdivision approval and must meet the conditions that were attached to that approval.
- 8.5.14 If a condition of preliminary subdivision approval has not been met the Subdivision Authority may endorse the plan if it is satisfied that the condition will be met.
- 8.5.15 Depending on the applicant's performance in meeting the conditions of preliminary subdivision approval, it can be several months from the time of preliminary subdivision approval to the endorsement of the plan.
- 8.5.16 In addition, pursuant to Sections 8.5.36 and 8.5.37 the Subdivision Authority may decide not to endorse the plan until the Construction Completion Certificate has been issued.

### ***Extension of Preliminary Subdivision Approval***

- 8.5.17 Pursuant to Section 657 of the *Municipal Government Act* a preliminary subdivision approval is void if:
- a) the applicant does not submit the plan of subdivision to the County within one year from the date on which the preliminary subdivision approval was given to the applicant;
- and a subdivision approval and an endorsement are void if:
- b) the applicant does not register the plan of subdivision in a land titles office within one year after the date on which it was endorsed.
- 8.5.18 Pursuant to Section 657(6) of the *Municipal Government Act* and Section 3.11 of the *Municipal Development Plan*, the Subdivision Authority may extend the preliminary subdivision approval or plan registration deadlines referred to in Section 8.5.17. In the event that a request to extend a deadline complies with the criteria listed below, the Director may extend the deadline:
- a) The original deadline has not been extended previously;
  - b) The original deadline has not expired more than one year ago, and
  - c) The extension is required for a further six month period or less.

### ***Reserve Dedication***

- 8.5.19 As part of subdivision processing the developer/landowner will be required to dedicate municipal and school reserves and/or environmental reserves to the County. The developer/landowner shall endeavour to reach an agreement with the County on these matters early in the subdivision process; specifically for a multi-lot subdivision, during the preparation of the local area structure plan or outline plan.
- 8.5.20 The *Municipal Development Plan* requires a minimum of 10% municipal and school reserve dedication, either as land, as cash in lieu of land or as a combination thereof, as deemed appropriate by the County.
- 8.5.21 For a phased multi-lot subdivision municipal and school reserves may be deferred to subsequent subdivision phases. Reserves will not be deferred for other types of subdivision.
- 8.5.22 The *Municipal Government Act* stipulates which landforms qualify for environmental reserve

dedication.

### ***Property Taxes and Off-site Levies***

- 8.5.23 The landowner shall arrange to pay all outstanding property taxes owed prior to the plan of subdivision being endorsed for registration.
- 8.5.24 Where the County maintains an off-site levy bylaw in a specific area, the developer/landowner shall arrange to pay the amount owed pursuant to that bylaw prior to the plan of subdivision being endorsed for registration.

### ***Rural Development Fund***

- 8.5.25 Section 4.8 of the *Municipal Development Plan* establishes the *Rural Development Fund* and requires that every subdivision applicant makes a pre-determined contribution to the fund. The rates of contribution vary on a sliding scale. Please consult the County's Fee Bylaw for further information.

### ***Road Dedication, Widening and Approaches***

- 8.5.26 The developer/landowner is required to dedicate any and all public roads in a subdivision to the County of Stettler No. 6 pursuant to the *Municipal Government Act*.
- 8.5.27 The width of the required road allowance depends on the road type. Refer to County of Stettler Public Works Policy 5.9 – Road Specifications for the required road right-of-way width for each road type. In the event the existing road allowance requires widening to meet the standard road allowance required for the type of road, the applicant must dedicate the road widening in accordance with County of Stettler Council Policy PD 4.4 – Road Dedication Upgrades and Subdivision Registration. Road widening may be required along the entire length of all road frontages of the subject property.
- 8.5.28 For multi-lot subdivisions access into individual parcels shall be off an internal collector road. For single parcels out subdivisions new access may be off the County road.
- 8.5.29 The applicant is responsible to provide access from County roads into new parcels and to the remaining balance of the quarter section by upgrading existing approaches or installing new approaches. Existing approaches onto County roads must be upgraded and new approaches must be installed in accordance with the current minimum roadway standards, including the installation of minimum diameter culverts to the satisfaction of the County (refer to Public Works Policy 5.5).
- 8.5.30 Council Policy PW 2.9 – Road Construction and Council Policy PW 2.10 – Road Specifications provide the road construction specifications and minimum road type standards. Council Policy PW 2.13 – Road Construction – Cost Sharing provides for cost sharing in the construction of new roads or the upgrading of sub-standard roads.

### ***Existing Private Sewage Disposal Systems***

- 8.5.31 Any existing private sewage disposal system has to meet the minimum standards of the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*. Written confirmation of the same is required from an accredited Safety Codes Officer prior to a subdivision plan being endorsed for registration.
- 8.5.32 Any existing private sewage disposal system shall not discharge outside of existing or new

parcel boundaries. The effluent disposal component of an existing private sewage disposal system must be set back from existing and new parcel boundaries, buildings or structures and water bodies and water sources in accordance with the minimum standards of the *Private Sewage Disposal Systems Regulation (Alta. Reg. 229/97)*. Written confirmation of the same is required from an accredited Safety Codes Officer prior to a subdivision plan being endorsed for registration.

### ***Restrictive Covenants and Agreements***

8.5.33 Any restrictive covenants (e.g. a recommended setback from a riverbank) or agreements (e.g. a right of access agreement or a road widening agreement) shall be signed by the landowner and registered simultaneously with the registration of the plan of subdivision.

### ***Subdivision Servicing Agreement (Development Agreement)***

8.5.34 As a condition of preliminary subdivision approval the developer/landowner may be required to enter into a subdivision servicing agreement for all public improvements that will be transferred to the County (e.g. approaches, culverts, roads, water supply systems, sewage disposal systems and storm water management systems). A template subdivision servicing agreement is available from the Planning and Development Department (**Note: do not use the agreement template in Appendix 'A' of the Red Deer County Design Guidelines and Construction Specifications. A fee is required – inquire with the Planning and Development Department**).

8.5.35 The County shall not sign a subdivision servicing agreement until the developer/landowner provides a security deposit in accordance with the provisions of Section 8.5.36 to 8.5.39 and obtains approval of construction drawings pursuant to Sections 8.5.40 to 8.5.41.

### ***Security Deposit for Public Improvements***

8.5.36 Upon entering into a subdivision servicing agreement with the County, the developer/landowner must provide a security deposit for all public improvements in the form of cash or an Irrevocable Letter of Credit acceptable to the County and in favour of the County in an amount equal to the greater of \$25,000.00 or one of the following as the case may be:

- a) To pre-sell lots prior to the issuance of a Construction Completion Certificate (CCC)<sup>33</sup>, a security deposit for 100% of the Estimated Construction Cost (ECC) with 50% of the ECC of completed works and 100% of the ECC of incomplete works being retained after the issuance of a CCC, for the duration of the warranty/maintenance period until the issuance of a Final Acceptance Certificate; or
- b) To sell lots after the issuance of a CCC<sup>34</sup> a security deposit for 50% of the ECC with 25% of the ECC of completed works and 50% of the ECC of incomplete works being retained after the issuance of a CCC, for the duration of the warranty/maintenance period until the issuance of a Final Acceptance Certificate.

8.5.37 Estimated construction costs are provided by the developer's/landowner's consulting engineer and approved by the County. ECC includes the cost of all public improvements that will be transferred to the County (e.g. road, storm water management, sewer, water, etc.) as well as franchise utilities (e.g. power, gas, telephone, cable television, etc.).

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<sup>33</sup> ***Being able to pre-sell lots*** – means to have the plan of subdivision endorsed prior to the issuance of a Construction Completion Certificate.

<sup>34</sup> ***Not being able to pre-sell lots*** – means that the plan of subdivision is not endorsed until after the CCC is issued.

- 8.5.38 The security deposit shall be a guarantee for the performance of the covenants and obligations of the developer/landowner as set forth in the subdivision servicing agreement, and shall be retained by the County to its satisfaction and as provided for in Section 8.5.36 until the issuance of a Final Acceptance Certificate.
- 8.5.39 Upon releasing the security deposit with the issuance of a Final Acceptance Certificate the County will pay an interest rate equal to the current interest rate gained on the County's bank account. Interest will be calculated on a monthly basis on the principal amount for the period of time the deposit is held.

#### ***Engineering Plans and Construction Drawings***

- 8.5.40 The developer/landowner shall prepare at his/her cost engineering plans and construction drawings for all public improvements that will be transferred to the County (e.g. approaches, culverts, roads, water supply systems, sewage disposal systems and storm water management systems) in compliance with the requirements set out in the relevant Public Works policies (i.e. Policies 5.5, 5.8, 5.9 and 5.16).
- 8.5.41 The County of Stettler has adopted parts of the '*Design Guidelines and General Construction Specifications*' of Red Deer County (January 2006). Please refer to Public Works Policy 5.16 – Engineering Design Guidelines and General Construction Specifications for more information regarding the requirements for multi-lot subdivision servicing design and construction.

#### ***Construction Site Preparation (Preliminary Grading Permit)***

- 8.5.42 The County may consider allowing the developer/landowner to proceed with construction site preparation prior to meeting the conditions of preliminary subdivision approval, including finalizing the subdivision servicing agreement however, such approval will be given under a separate agreement and solely at the developer's/landowner's own risk.
- 8.5.43 The developer/landowner has to make a written application for this permission and, among other requirements as may be deemed necessary by the County, must have an engineered site grading and drainage plan, including erosion and sedimentation control measures, approved by the County before permission for construction site preparation will be considered.
- 8.5.44 In making a decision on allowing construction site preparation to proceed, the County may consider information such as the coverage of the developer's/landowner's security deposit, the local economic conditions and the likelihood of the lots within the construction site preparation area being completed in accordance with the development agreement and sold within a time period of less than two years. The County may impose conditions on the approval such as dust and weed control, aesthetic appearance of the property, and restoring the property to its former condition if the development is not completed within an agreed time period.

#### ***Plan of Survey***

- 8.5.45 A plan of survey is typically required as a condition of and subsequent to preliminary subdivision approval. Refer to Section 8.1.4.

# Appendix 'A'

## Definitions of Types of Plans

**AREA REDEVELOPMENT PLAN** – means a statutory plan prepared pursuant to the *Municipal Government Act*. The timeline for build out may be related to an implementation program or be general. It provides a framework for the conservation, rehabilitation, removal and replacement of buildings and for the construction of new buildings, and for the rezoning and subdivision of land to facilitate this process.

**AREA STRUCTURE PLAN** – means a major or local land use plan prepared pursuant to Section 633 of the *Municipal Government Act*. An area structure plan is adopted as a bylaw and is thus also referred to as a statutory plan. Typically an area structure plan is prepared for lands within an intermunicipal development plan boundary.

**MAJOR AREA STRUCTURE PLAN** – means a long-range plan for a large land base, typically with a longer than five-year anticipated build out and covering more than three quarter sections of land. It provides a high-level framework for future land use patterns and infrastructure provision.

**LOCAL AREA STRUCTURE PLAN** – means a short-range plan for a small land base, typically with a shorter than five-year anticipated build out and covering three quarter sections of land or less. It provides a site-specific, detailed framework for rezoning, subdivision and development. Staging of subdivision, land use, density and infrastructure matters are considered.

**OUTLINE PLAN** – means a land use plan similar to a local area structure plan that is adopted by resolution of Council instead of as a bylaw, and therefore is referred to as a non-statutory plan. An outline plan is prepared pursuant to good planning practices following a similar process and containing the same information as a local area structure plan.

**SITE PLAN** – means a plan submitted in support of a development permit application, the approval of which may require a development servicing agreement, including matters such as engineering drawings for sewage disposal, storm drainage, water supply, roads, etc.

**SUBDIVISION PLAN** – means a plan submitted for preliminary subdivision approval for a single or a multi-lot subdivision, the approval of which may require a subdivision servicing agreement, including matters such as engineering drawings for sewage disposal, storm drainage, water supply, roads, etc.

# Appendix 'B'

## List of Referral Agencies

- Chief Administrative Officer
- Director, Protective Services
- Director, Infrastructure & Operations
- Director, Recreation
- Stettler Regional Fire Chief
- Alberta Environment (if adjacent or near to natural areas, wetlands, waterways, lakes, floodplains, landfills, sewage treatment facilities, etc.)
- Alberta Transportation (if adjacent or near to a highway)
- Alberta Community Development (re. Historical Resources Act)
- Alberta Sustainable Resource Development (if adjacent to the bed and shore of a river, stream, watercourse, lake or other body of water - Public Lands Act)
- Energy Resources Conservation Board (oil and gas wells, pipelines and related facilities)
- Natural Resources Conservation Board (relative to confined feeding operations)
- Alberta Utilities Commission
- Gas Companies
- Power Companies
- Water Commissions
- Telus Customer Solutions Delivery
- Canada Post
- CN Rail
- CP Rail
- Catholic School Division
- Public School Division
- Alberta Health Services
- Ducks Unlimited
- Adjacent Municipalities
- Other stakeholders as may be deemed necessary by the Director to enable the Subdivision Authority to determine whether the application meets the requirements of the *Municipal Government Act* and to come to a decision on a subdivision application (e.g. community associations).