

CLEARWATER COUNTY
MUNICIPAL
DEVELOPMENT PLAN
(2010)



BYLAW NO. 923/10

BEING A BYLAW OF CLEARWATER COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A NEW MUNICIPAL DEVELOPMENT PLAN AND REPEALING THE FORMER MUNICIPAL DEVELOPMENT PLAN (BYLAW 595/98) AND AMENDMENTS (BYLAW 715/01).

WHEREAS Section 632 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto provides that Council must by bylaw adopt a Municipal Development Plan; and


WHEREAS, the Municipal Development Plan has been prepared in accordance with the requirements of Part 17 of the Municipal Government Act, as amended;


NOW THEREFORE, upon compliance with the relevant requirements of the Municipal Government Act, the Council of Clearwater County, Province of Alberta, duly assembled, hereby enacts as follows:

1. The document entitled "Clearwater County Municipal Development Plan (2010)" annexed hereto as Schedule "A" is hereby adopted as the Municipal Development Plan for Clearwater County.
2. Clearwater County Municipal Development Plan being Bylaw 595/98 and amendments thereto being Bylaw 715/01, are repealed at the effective date of this Bylaw.

This Bylaw comes into effect upon the date of it being given third reading.

READ A FIRST TIME this 27th day of April, A.D., 2010.




REEVE



MUNICIPAL MANAGER

PUBLIC HEARING HELD this 9th day of June, A.D., 2010.

READ A SECOND TIME this 13 day of July, A.D., 2010.

READ A THIRD TIME this 13 day of July, A.D., 2010.



REEVE


MUNICIPAL MANAGER

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1. INTRODUCTION

1.1 An Introduction to Clearwater County

Clearwater County encompasses 18,691 square kilometres (7,217 square miles) and contains an abundance of agricultural lands, water, forests, rivers and lakes, wildlife, oil, natural gas, coal, sand and gravel. These provide a variety of economic opportunities for farming, industry and commerce, while also being a major attraction for tourism activities on and within lakes and rivers, woodlands and forests, wilderness areas and open plains. Diverse environmental features and ecological areas provide both opportunities and challenges to conserve the environment for future generations.

Located in west-central Alberta, Clearwater County's western boundary borders Banff National Park while its eastern boundary lies approximately 50 kilometres from the City of Red Deer. The County encompasses the Town of Rocky Mountain House, the Village of Caroline and the Summer Village of Burnstick Lake and is home to approximately 12,000 people.

Generally, the eastern portion of the County is dominated by rolling farmlands, interspersed with stream valleys, ponds, wetlands and pockets of woodlands. Private land ownership predominates. The western portion, often referred to as the 'West Country', is predominantly Crown (public) land consisting of high prairies, foothills and mountains, most of which is forested. These lands are managed for multiple purposes by the Provincial Government, with the exception of defined nodes set aside for appropriate development in Nordegg and four tourism nodes. This area provides much of the source water for the North Saskatchewan River and Red Deer River basins.

Because of the diverse nature of the lands, resources and environments there continues to be a variety of land use interests throughout the County. At times, these uses may be competing or conflicting. In accommodating the mix of land uses required by current residents and businesses the County also recognizes the challenging need to prepare for future growth and development, while sustaining the environmental, social and economic qualities of community life enjoyed by today's residents far into the future.

1.2 Purpose of the Municipal Development Plan (2010)

The Clearwater County Municipal Development Plan (2010) provides a vision of what the community of Clearwater County desires to be 25 - 30 years from now. The dimensions of the vision are clarified by a series of guiding principles. Directions on how to pursue the vision are provided through a series of land use and community development goals and policies that address environmental, economic and social components.

2. LEGISLATION and PROCESS

2.1 Legislation

Section 632 of the *Municipal Government Act* requires all municipalities with a population of 3,500 or more to prepare and adopt a municipal development plan to provide a policy framework for the long-term growth and development of a community. The *Act* states that a municipal development plan must address such issues as future land use and development in the municipality, the provision of municipal services and facilities, the provision of municipal and/or school reserves, the protection of agricultural operations, and intermunicipal issues such as future growth areas and the co-ordination of transportation systems and infrastructure.

The Clearwater County Municipal Development Plan (2010) provides directions for Council, the Subdivision Authority, the Development Authority and County administration in considering land redesignation, subdivision and development proposals. In doing so, the Plan helps the County evaluate the merit of proposals for land use change in context with the community's desired long term future. It also provides direction for the preparation and evaluation of statutory and non-statutory plans that the County may require as a guide to evaluate proposed land use changes on a site or in a broader area.

Importantly, the Plan reflects the collective vision, goals and aspirations of local residents. Over a typical 30 year planning horizon this Plan proposes to maintain the qualities of life that residents of Clearwater County currently hold important, while still providing for population and economic growth in the context of a sustainable environment in order to progress as a viable, safe community.

The Plan provides land owners and developers with a policy framework to assist their individual assessment of possible land use changes they may wish to pursue. As well, the Plan provides Clearwater County's requirements, guidelines and directions for the preparation of local area plans and applications for redesignations, subdivisions and developments.

The Clearwater County Land Use Bylaw is the day-to-day regulatory document for controlling land uses. The land use designation of a specific property is not changed by the adoption of this Plan, but it will assist Council in making a decision on a proposed land redesignation.

2.2 Land Use Framework

In December 2008 the Province of Alberta approved the Provincial Land Use Framework. The Land Use Framework outlines approaches to manage public and private land, including natural resources, and to achieve the Province's long term economic, environmental and social goals. In addressing Alberta's growth pressures it provides a blueprint for land use management and decision making.

The Land Use Framework contains the following seven overarching strategies:

1. Develop seven regional land use plans based on seven new land use regions;
2. Create a land use secretariat and establish a Regional Advisory Council for each region;
3. Utilize cumulative effects management at the regional level to manage the impacts of development on land, water and air;
4. Develop a strategy for conservation and stewardship on private and public lands;
5. Promote efficient use of land to reduce the footprint of human activities on Alberta's landscapes;

6. Establish an information, monitoring and knowledge system to contribute to continuous improvement of land use planning and decision making; and
7. Include aboriginal peoples in land use planning.

Guiding principles espoused by the Land Use Framework to shape land use decisions are as follows:

- Sustainable;
- Accountable and responsible;
- Supported by a land stewardship ethic;
- Collaborative and transparent;
- Integrated/Knowledge based;
- Responsive;
- Fair, equitable and timely;
- Respectful of private property rights; and
- Respectful of the constitutionally protected rights of aboriginal communities.

The Land Use Framework requires municipalities to ensure their plans and decisions are consistent with regional plans. As such, the Clearwater County Municipal Development Plan (2010) has been prepared mindful of the directions provided in the Land Use Framework. While it is difficult to surmise the provincial directions to be contained in the forthcoming North Saskatchewan Regional Plan and Red Deer Regional Plan, it is believed that the strategies and policies in this Municipal Development Plan (2010) should align with these future regional plan directions.

2.3 Planning Process

The process to prepare this Plan was divided into four phases:

Phase One – Issue Identification and Visioning

This included the review of background information on the County relevant to the preparation of the Municipal Development Plan, consulting key stakeholders on the nature of community development issues, community visioning workshops and the evaluation of public questionnaires. Reflecting the importance of community involvement in the planning process, in November 2008 six planning visioning workshops were held in Leslieville, Rocky Mountain House, Hardindell, Caroline, Evergreen, and Dovercourt, with a total of 205 attendees. At each workshop the attendees were randomly assigned to different groups to discuss the County's key characteristics and attributes, significant land uses and importance of the environment, economic development and infrastructure. A series of related questions asked participants to identify the key features and attributes of Clearwater County that should be maintained for the quality of life of residents 25 – 30 years into the future. Residents were also given questionnaires that allowed the deeper examination of particular planning issues. The 78 completed questionnaires greatly helped formulate planning goals and strategies.

The planning team reviewed with Council the Community Input Report summarized by thirty key planning considerations important to the residents of the County as the community evolves.

Phase Two – Plan Strategies

This phase focused on the preparation of a draft community vision, draft guiding principles and draft strategies to address the series of land use and community development topics likely to be contained in the Municipal Development Plan (2010). The draft strategies, including options,

were outlined in a Draft Strategies Report. Five community meetings were held in Leslieville, Rocky Mountain House, Caroline, Evergreen and Hardindell to give the public an opportunity to provide feedback on the draft planning vision, goals, and strategies, with 77 residents attending these meetings. A second public questionnaire was included in this phase and provided to meeting attendees and posted on the County's website. A Total of 52 responses were received, which helped identify the preferred strategies. A Strategies Response Report summarized the input received from discussions and returned questionnaires. In a follow-up meeting with Council the responses helped to outline a preferred land use strategy for the County.

Phase Three – Policy Development and Public Consultation

Based on the community input in Phase 2 a preliminary draft of the Plan was created and reviewed with Council and administration. The draft vision, guiding principles, goals and policies were reviewed and revised resulting in the preparation of a Preliminary (draft) Municipal Development Plan (2010) for review of the public and their feedback.

This phase of the public participation process involved presenting an overview of the preliminary Municipal Development Plan (2010) to the public at three open houses, held in Leslieville, Rocky Mountain House and Caroline. Total public attendance at these meetings was 68 persons.

Following the afternoon open house the planning team conducted a more formal presentation summarizing the key policy directives of the draft plan. The presentation was followed by a question and answer period allowing members of the public to ask more specific questions of the planning team related to specific sections of the Plan. This process was repeated with an evening open house followed by an evening presentation to allow for a wider segment of the population to attend the meetings. At each of the meetings participants were encouraged to provide their feedback on response forms. Another informal meeting, called by local residents, was held at Hardindell. A total of 134 response (comment) sheets were received and summarized.

Council reviewed the draft planning directions contained in the preliminary plan in the context of the public comments and suggestions received at these meetings. As a result of the review, Council requested that a number of changes be made to the draft plan, especially the policy directions related to rural residential development. Council also added another round of public meetings to the planning process.

The additional public meetings were held in Caroline and Rocky Mountain House in mid-September 2009. The intent of the community meetings was to provide the public with a broad overview of the contents of the revised draft Municipal Development Plan (2010), but also to focus on revisions to Section 6 of the MDP relating to rural residential subdivisions. At the Caroline meeting there were 43 attendees, then 90 attendees at the Rocky Mountain House meeting. In addition to the comments and suggestions made at these meetings, there were also 47 written responses. Following these meetings, Council reviewed the revised draft plan in the context of the public input and requested that a variety of changes be made to the draft plan.

Another round of three community meetings was held in March 2010, in Leslieville, Caroline and Rocky Mountain House. The primary purpose of these meetings was to introduce and receive feedback on potential changes to the draft rural residential polices. Ninety-one (91) community members attended these meetings and 34 response sheets were received. Council reviewed the Community Response Report (March 2010) and considered the responses in directing further changes to the draft Municipal Development Plan.

Phase Four – Plan Adoption

In April 2010 Council gave first reading of Bylaw No. 923/10 to adopt the Clearwater County Municipal Development Plan (2010).

Following referrals of the proposed Municipal Development Plan (2010) and notifications of the public hearing, pursuant to the *Municipal Government Act*, in June 2010 a public hearing was held on the proposed Municipal Development Plan (2010). In July the Council of Clearwater County passed the second and third reading of Bylaw No. 923/10, thus establishing the Municipal Development Plan (2010) as the new municipal development plan for Clearwater County.

3. VISION, GUIDING PRINCIPLES AND ANTICIPATED OUTCOMES

For a municipal development plan to provide an effective policy framework to guide future land use change and community development, it is important that there is a clear vision of the future essence of the community 25 – 30 years from now. This is expressed in Section 3.1 as the Community Planning Vision for Clearwater County. A related series of eight guiding principles represent key paths which lead to the achievement of the community vision.

3.1 Community Planning Vision

The following community planning vision reflects dominant themes, expressed by community participants during the planning process and characteristics important to the future quality of life in Clearwater County. The community planning vision is:

Clearwater County values safe, rural lifestyles through:

- a diverse, productive and sustainable economy, including an active, vital agricultural sector;
- diverse rural residential opportunities; and
- an active, deep respect for a sustainable environment as a significant component of the quality of life desired by the community's residents.

3.2 Guiding Principles

To help achieve the community vision through the assessment of proposed land use changes and development of programs that guide community development, Clearwater County recognizes the following eight guiding principles provide added perspectives to the vision and thus will help to formulate decisions:

1. Protect Environmentally Significant Areas

Clearwater County's environmentally significant areas are important components of the County's identity and vital to the environmental integrity of the County and region.

2. Conserve Agricultural Land and Support Agricultural Land Uses

Agricultural land and farming activities remain an important part of the County's rural identity, as well as its economy, and are vital characteristics used in describing 'rural character'.

3. Land Use Compatibility

The location, intensity, scale and design of new development should be compatible with the capacity of the site and adjacent land uses.

4. Coordinate Infrastructure Expansion with Land Use

The provision of supportive infrastructure (roads, water, wastewater) should be commensurate with the development of sites and areas, and where public funds are involved these should be expended in the most cost-effective manner.

5. Encourage the Diversification of the Local Economy

It is important to provide for a balanced mix of economic activities that contribute to a vital and active resident population.

6. Promote Hamlet Growth

Enhance existing hamlets as community focal points by encouraging and providing opportunities for locally appropriate residential and economic expansion.

7. Provide for a Range of Rural Residential Opportunities

Encourage a variety of rural residential opportunities that are locally appropriate to the surrounding landscapes and land uses and minimize impacts on natural capital.

8. Promote Locally Appropriate Tourism Opportunities

Recognize tourism is a vital part of the County's economy, while allowing residents opportunities to enjoy the abundant natural and built recreation resources throughout the County.

3.3 Anticipated Outcomes

The goals and policies in this Municipal Development Plan (2010) shall serve to implement the Vision and Guiding Principles by directing and managing the conservation of natural capital and land use change. In doing so over the forthcoming years, the following outcomes over the next 25 years are anticipated:

1. continued safe and healthy rural lifestyles;
2. continuing choices for types and locations of rural residences;
3. the growth of hamlets;
4. provision of education, health and other key people services commensurate to population growth;
5. vibrant, sustainable farming sector;
6. greatly expanded tourism sector;
7. vibrant, sustainable forestry industry;
8. active and responsible energy and aggregate industries;
9. more rural business 'clusters' (parks, centres);
10. more diversified rural business and employment;
11. healthy watersheds, including clean rivers, streams and lakes;
12. increased protection of wetlands;
13. conserved agricultural lands;
14. preserved wilderness areas and wildlands;
15. continuation of the multiple use of forests;
16. an expanded paved road network;
17. continuing intermunicipal cooperation.

4. NATURAL CAPITAL AND PROTECTION OF THE ENVIRONMENT

The natural capital, being the soils, waters, forests, woodlands, wildlife and amenity areas of Clearwater County, are diverse in form and extremely significant. Sustaining these resources, through their wise use and management, is of considerable importance to maintaining the beauty and economy of the County. Public input during the preparation of this plan clearly indicated the conservation of agricultural land and water as especially important to the residents of the County. The protection of the environment is also important, as this is seen as a means of sustaining the quality of life within the County. Therefore, human activity within Clearwater County – living, working and playing – needs to be guided by a series of goals and policies which seek to sustain the resources and environments which are of strategic importance to the economic and social well being of present and future residents of the County.

4.1 Goals

Natural capital and protection of the environment goals are:

- 4.1.1 Conserve agricultural land.
- 4.1.2 Recognize agricultural land is required for uses other than farming, but when approved for other uses to recognize the need to minimize impacts on agricultural land and farming operations.
- 4.1.3 Promote cooperation in the management of Crown land areas and resources for multiple and public uses.
- 4.1.4 Protect water quality.
- 4.1.5 Conserve wildlife habitats and environmentally significant areas.
- 4.1.6 Manage hazard lands to protect resources and avoid their inappropriate use.

4.2 Policies

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| Agricultural land and operations | 4.2.1 | Clearwater County shall consider agriculture as the primary land use within the County. However, subject to Policy 4.2.4 non-agricultural land uses may be allowed on agricultural land. |
| Right to Farm | 4.2.2 | Consistent with Provincial right-to-farm legislation in the <i>Agricultural Operation Practices Act</i> , Clearwater County recognizes the right to farm and therefore supports existing farming operations where they utilize commonly accepted agricultural practices. |
| Subdivision and development on agricultural land | 4.2.3 | An application to create a parcel for intensive agricultural purposes shall be evaluated by Clearwater County based on the considerations in Policy 4.2.4 and the following criteria: <ul style="list-style-type: none">(a) the minimum parcel size is 8.1 hectares (20 acres);(b) applicant demonstrates to the satisfaction of the County that the proposed operation will result in lands being intensively used for commercial agricultural pursuits;(c) the applicant demonstrates the long term viability of the proposed operation to the satisfaction of the County;(d) the applicant demonstrates to the satisfaction of the County that existing farming operations around the proposed parcel will not be restricted; and(e) legal and physical access is available. |

- 4.2.4 In evaluating subdivision and development proposals that affect agricultural land, the agricultural quality of the land is one of a number of factors that Clearwater County shall consider. These factors are as follows:
- (a) the nature and extent of farming activities in the local area, with a focus on the immediate area;
 - (b) the location, number and type of existing and planned non-farm land uses located and proposed to be located in the local area;
 - (c) the predicted impact on sustainable agricultural production in the local area resulting from the proposal;
 - (d) the Farmland Assessment Rating of the land within the title to be subdivided or developed;
 - (e) the Farmland Assessment Rating of adjacent lands;
 - (f) the proposed use of land; and
 - (g) the reasonable availability of optional locations for the proposed subdivision or development.
- Transfer of development credits** 4.2.5 Subject to supporting Provincial legislation, Clearwater County may prepare a transfer of development credit program.
- Protecting surface water and groundwater resources** 4.2.6 In recognizing the importance of protecting water resources, when considering a proposed plan, redesignation, subdivision and development, Clearwater County:
- (a) shall consider the impacts of the proposal on surface water including the quantity of water, the quality of water and local and area watershed conditions;
 - (b) shall consider impacts on aquifers, including the quality and quantity of groundwater; and
 - (c) where appropriate, may require provisions to adequately address the conservation of surface water resources and aquifers.
- Healthy aquatic ecosystems** 4.2.7 In approving a plan, redesignation, subdivision and development, Clearwater County shall seek to retain healthy aquatic ecosystems, and, where appropriate, seek improvements to the aquatic ecosystem.
- Riparian buffers** 4.2.8 In approving a plan, redesignation, subdivision and development for an area which includes or may impact riparian buffers, being lands adjacent to rivers, streams, lakes and wetlands, Clearwater County shall seek to minimize the loss and degradation of riparian buffers, and where avoidance is not achievable to mitigate impacts on riparian buffers.
- Wetlands** 4.2.9 In approving a plan, redesignation, subdivision and development for an area which includes a wetland, Clearwater County shall seek to avoid the loss or degradation of wetlands, and where avoidance is not achievable to minimize and mitigate impacts on wetlands.

Watershed management plans

4.2.10 Clearwater County shall participate in the preparation and implementation of integrated watershed management plans for the North Saskatchewan River and Red Deer River watersheds, and in doing so shall advocate that the vision, guiding principles and applicable policies of the Municipal Development Plan (2010) be compatibly reflected in the integrated watershed management plans.

4.2.11 When each of the North Saskatchewan River and Red Deer River integrated watershed management plans are approved, Clearwater County shall review the Municipal Development Plan (2010) and consider the adoption of amendments that may be necessary to achieve consistency between the Municipal Development Plan (2010) and each integrated watershed management plan.

Water conservation

4.2.12 Clearwater County shall consider actions to promote within the County the achievement of water conservation objectives, including those that may be established by the Province or a watershed planning advisory council.

West Country

4.2.13 Clearwater County shall continue to reflect the County's interest in land use and resource development in the West Country by:

- (a) participating in the provincial integrated resource plan process, including where the provisions of existing plans require review and assisting the Province in identifying areas where new plans are required; and
- (b) remaining involved in provincial approval processes by commenting on referrals regarding proposed leases and dispositions involving the development of land.

4.2.14 While not limited to the following, Clearwater County's interests in the management of lands and resources in the West Country include: managing for multiple uses; maintaining high quality watershed conditions; conserving natural beauty; conserving ecosystems; encouraging and managing responsible public access; and providing a diversity of recreation areas for a variety of recreation experiences.

4.2.15 Clearwater County shall continue as the development authority in Forestry District 1 and designated development nodes and in doing so shall apply the policies of the Municipal Development Plan (2010) and other applicable plans in decisions on subdivision and development.

Private wooded areas

4.2.16 Clearwater County should encourage private landowners to conserve wooded areas and other appropriate vegetation in environmentally significant areas, including hazard lands.

Wildlife habitat

4.2.17 When approving a subdivision or development, Clearwater County may require the design to minimize impact on wildlife habitat and where appropriate provide for wildlife corridors.

Hazard lands

4.2.18 Clearwater County considers lands having one or more of the following characteristics to be hazard lands:

- (a) lands susceptible to erosion, subsidence or slumping;
- (b) lands prone to flooding; and
- (c) lands in proximity to sour gas.

4.2.19 Clearwater County shall not approve development that the County considers to be inappropriate on or adjacent to hazard lands. For any use of land allowed on or adjacent to hazard land, the County may require the development to be designed to mitigate risk.

4.2.20 Except for extensive agriculture, outdoor recreation and resource extraction, Clearwater County shall not allow any other land uses in a 1:100 year floodway.

4.2.21 Any development that is allowed in a 1:100 year floodway or flood fringe shall be flood-proofed to a standard acceptable to Clearwater County.

Environmentally significant areas

4.2.22 The lands and features considered by Clearwater County to be environmentally significant areas are:

- (a) rivers and streams, including their valleys, ravines and escarpments;
- (b) lakes and their shorelands;
- (c) wetlands;
- (d) riparian buffers;
- (e) hazard lands and features;
- (f) wilderness areas designated by the Province;
- (g) ecological reserves designated by the Province;
- (h) natural areas designated by the Province;
- (i) provincial parks designated by the Province; and
- (j) provincial recreation areas designated by the Province.

4.2.23 Where an application for subdivision or development impacts, or may impact, an environmentally sensitive area, Clearwater County should apply one or more of the following to help conserve the area:

- (a) directing inappropriate uses away from these areas;
- (b) requiring development setbacks;
- (c) only permitting a density of development consistent with the capabilities of the area;
- (d) requiring ample open space, including open space corridors;
- (e) requiring, where appropriate, the conservation of areas of natural vegetation;
- (f) conserving shorelines, escarpments and other sensitive features;
- (g) dedicating environmental reserve and municipal reserve;

- (h) applying environmental reserve easements and conservation easements; and
- (i) applying other measures deemed appropriate by the County.

- 4.2.24 Clearwater County shall undertake an environmentally significant areas study for the portions of the County in which they have development control and in doing so:
- (a) identify and locate environmentally significant areas;
 - (b) outline the priority for protection of each environmentally significant area; and
 - (c) provide guidelines to be considered in the protection of these areas.

**Environmental
assessment report**

- 4.2.25 Clearwater County may require the proponent of a proposed redesignation, subdivision or development to prepare an environmental assessment report that addresses any or all of the following to the satisfaction of the County:
- (a) a description of the proposed undertaking, including any potential phasing;
 - (b) a description of the features and resources contained in the site and of the adjacent and nearby properties that may be affected;
 - (c) a description of the sensitivity of these features and resources;
 - (d) a description of the predicted effects on the features and resources, including the nature of impacts on land, vegetation, water and wildlife during and upon completion of the development;
 - (e) a description of the limitations of the criteria used in predicting effects and the persons and agencies consulted;
 - (f) the proposed actions to mitigate any adverse effects and actions to monitor the performance of the mitigation actions; and
 - (g) any other matters required by the County.

5. RECREATION AND SPECIAL PLACES

There are numerous areas, both large and small, within Clearwater County that are major attractions for a variety of recreation and tourism activities in all seasons of the year. Not only is recreation important to the residents of Clearwater County, but recreation and tourism opportunities are a major draw of people to the County, thus contributing greatly to the local economy. Therefore, not only do recreation and tourism provide quality of life activities, but they also provide employment. The West Country, with its views, woodlands, rivers, lakes, mountains and foothills is a large area with diverse opportunities for recreation. Therein, and elsewhere in the County, there are a series of special places that are attractive to recreation and tourism activities and development. These large and special places need to be managed to sustain quality, satisfying recreation experiences far into the future. Particular facilities, both private and public, need to be encouraged and accommodated to add to the variety of experiences available within the County in manners compatible with the environment.

5.1 Goals

Recreation and special places goals are:

- 5.1.1 Identify and conserve historic resources and sites.
- 5.1.2 Identify recreation nodes and areas and guide their appropriate use.
- 5.1.3 Expand linear corridor recreation opportunities.
- 5.1.4 Provide for a variety of recreation facilities throughout the County.
- 5.1.5 Encourage the Province to increase the number of provincial recreation places and facilities therein within the County.

5.2 Policies

Historical resources

- 5.2.1 Clearwater County shall undertake a study of the County to identify historic resources and sites and develop a strategic framework to:
 - (a) classify the historic resources and sites, including the level of required protection;
 - (b) identify actions to preserve the historic resources and sites determined to be meritorious of such action; and
 - (c) identify the appropriate management and uses of these historic resources and sites.

Provincial and National Special Places

- 5.2.2 Significant public environments and areas, including wilderness areas, wildlands, ecological reserves, natural areas, provincial parks, provincial recreation areas, the Rocky Mountain House National Historic Site and the Nordegg Mine National Historic Site are recognized by Clearwater County as special places for conservation and recreation.
- 5.2.3 For these special places, Clearwater County shall implement or shall encourage provincial and federal agencies to implement a management framework to protect these special places from inappropriate use and encourage their appropriate use in manners compatible with their characteristics and capabilities.

Provincial parks and protected areas

- 5.2.4 Clearwater County shall seek to protect these special places from encroachment by inappropriate land uses.
- 5.2.5 To better meet the existing and growing demand for a variety of recreation activities, Clearwater County shall encourage the Province to:
 - (a) review the use and capacity of existing provincial parks and recreation areas within the County;
 - (b) improve and expand where appropriate existing facilities; and
 - (c) establish, manage and operate additional provincial parks and recreation areas in the County, especially in the West Country.
- 5.2.6 Further to Policy 5.2.5 (b), Clearwater County should explore with the Province opportunities and locations within the County for new provincial parks and provincial recreation areas, as well as new forms of parks and recreation areas.

David Thompson Recreation Nodes

- 5.2.7 In recognizing the David Thompson Development Nodes as special areas for recreation and tourism development, Clearwater County shall:
 - (a) undertake concept plans for the use and conservation of lands and resources in each of the nodes in accordance with the David Thompson Corridor Local Integrated Resource Plan; and
 - (b) prepare more detailed plans for portions or all of each node to further define land use development to accommodate recreation and tourism activities, as well as other compatible land uses in accordance with the David Thompson Corridor Local Integrated Resource Plan.

Other recreation nodes and areas

- 5.2.8 Clearwater County may undertake a study to identify other locations within the County that demonstrate significant opportunities for tourism and recreation development, both private and public. These may be in the vicinity of existing tourism and recreation developments or in new locations.
- 5.2.9 If other locations for significant tourism and recreation development are identified, Clearwater County should encourage and cooperate with local and regional economic development agencies and committees to establish a strategy to identify and pursue appropriate development in these locations.
- 5.2.10 Regarding an inquiry or proposal made to the County regarding the potential development of a tourism or recreation land use, Clearwater County may direct the land use to identified recreation nodes and areas, especially if the proposed land use would benefit from a location there and the objectives of the recreation node or area would be served by the establishment of the land use at that location.

Trails

- 5.2.11 In recognizing the large and growing demand for linear (trail) recreation opportunities, Clearwater County shall continue to collaborate with the Province and stakeholders to increase the network of trails for various uses in the County, especially in the West Country. In doing so, the County shall continue to stress the need for the adequate management of trails, including education and enforcement actions to promote and enforce the appropriate use of trails to satisfy recreation experiences while minimizing impacts on the environment.
- 5.2.12 Further to Policy 5.2.11, Clearwater County shall continue to study, with the Province and stakeholders, the development of a system of interconnected trails between Rocky Mountain House and Nordegg.

Regional recreation facilities

- 5.2.13 Clearwater County will consider partnering with the Town of Rocky Mountain House to further the development of the North Saskatchewan River Valley Park.
- 5.2.14 Clearwater County will consider partnering with the Village of Caroline to develop a regional recreation complex that expands upon the recreation facilities currently within the Village.

River valleys and lake shorelands

- 5.2.15 Clearwater County recognizes river and stream valleys as important open space and conservation corridors. The priority uses within river and stream valleys should be agricultural operations, recreation, forestry and resource extraction, each where appropriate and in manners that seek to retain the character and integrity of the valley, including natural habitat.
- 5.2.16 Clearwater County recognizes the importance of lakes and their immediate shorelands as important open space and conservation features. The priority uses for lake shorelands should be for recreation and public access, where these uses are appropriate, or for the conservation of natural habitat.
- 5.2.17 In approving a subdivision or development within a valley or adjacent to a lake or permanent wetland, Clearwater County shall provide for public access into areas appropriate for public use in a manner that minimizes the potential for intrusions onto private land.

6. RURAL RESIDENTIAL

For the purposes of this Plan, rural residential development refers to residences and residential parcels having residential living as the primary use. In some cases minor agricultural activities may occur, but only as a secondary use. As the demand for rural residential housing opportunities is expected to remain strong and the County supports population growth, Clearwater County recognizes the need to provide for a range of rural housing opportunities. Living in rural areas is a popular alternative to urban living and is recognized as a legitimate lifestyle choice. The Municipal Development Plan (2010) facilitates various opportunities for rural residential development as part of a strategy for providing housing diversity and choice, including housing in hamlets as provided for in Section 7.

6.1 Goals

Rural residential goals are:

- 6.1.1 Facilitate appropriately located and serviced rural residential development to meet the diverse housing needs of the County's residents.
- 6.1.2 Minimize the impacts of rural residential development on productive agricultural lands and environmentally sensitive areas.
- 6.1.3 Promote rural residential development that contributes to a sustainable settlement pattern.

6.2 Policies

General rural residential development considerations

- 6.2.1 Recognizing rural residential development will be required to accommodate future population growth and to help sustain rural infrastructure, especially schools, Clearwater County views that rural residential development which is appropriately located and designed to the satisfaction of the County is compatible within the rural area, including adjoining and nearby agricultural operations.
- 6.2.2 Except for a first residential parcel and a fragmented parcel, in approving a rural residential subdivision each proposed parcel shall be redesignated to the applicable country residential land use district.
- 6.2.3 When considering a proposed rural residential subdivision, Clearwater County may require that the proposed subdivision:
 - (a) demonstrates the site has attributes suitable for rural residential development;
 - (b) is appropriately located and designed such that it effectively embraces, and conserves where appropriate, the visual and environmental qualities of the area, including topography, landscapes, water features, native habitat and biodiversity values;
 - (c) identifies mitigating strategies to minimize impacts on natural resources, including productive agricultural land, water, aggregate and energy resources; and
 - (d) the proposal can be reasonably served by social and physical infrastructure.

- 6.2.4 Clearwater County shall require that each parcel to be approved for a rural residential development:
- (a) has legal access and year-round physical access developed to meet County standards;
 - (b) has a sufficient developable area which for a privately serviced parcel shall be no less than 0.40 hectares (1 acre) in size and for a communally serviced parcel shall be no less than 0.10 hectares (0.25 acres) in size;
 - (c) has a water table at a depth of at least 2 metres (6.56 ft), unless a qualified person can demonstrate to the satisfaction of the County that a water table closer to the surface will not unduly impact the development; and
 - (d) serviced in accordance with provincial regulations and any applicable County standards or requirements.

**First residential
parcel
subdivisions**

- 6.2.5 Clearwater County may approve the subdivision of a first residential parcel from:
- (a) an unsubdivided quarter section; and
 - (b) the largest agricultural parcel within a previously subdivided quarter section that does not already contain a residential subdivision.

6.2.6 Notwithstanding Policy 6.2.11, the size of a first residential parcel which encompasses all or part of an existing farmstead shall be determined by the County based on site characteristics, including but not limited to existing viable buildings, utilities, access, fences and shelter belts, but shall not be less than 0.91 hectares (2.25 acres) or exceed a maximum of 2.83 hectares (7 acres) unless a larger parcel is deemed necessary to encompass existing residential amenities and facilities, such as shelter belts, wastewater and water services and driveways.

6.2.7 Notwithstanding Policy 6.2.11, the size of a first residential parcel which does not include the removal of an existing farmstead shall be determined by the County based on site characteristics, but shall not be less than 0.91 hectares (2.25 acres) or exceed a maximum of 2.02 hectares (5.00 acres).

6.2.8 Clearwater County may require a first residential parcel to be located where the location of the parcel and its residential land use will minimize impacts on natural capital and agricultural operations within the quarter section and on adjoining lands.

**Fragmented
parcel**

6.2.9 In addition to the subdivision of a first residential parcel from a quarter section as provided for in Policy 6.2.5, Clearwater County may approve the subdivision of land that is separated from the balance of the quarter section by a developed registered public road, an active railroad, a permanent water course or water body, a deep ravine or a naturally occurring permanent wetland provided the following criteria are met to the satisfaction of the County:

- (a) the feature that separates the fragmented parcel from the balance of the title is impassable for farm machinery;
- (b) the difficulty and safety of access from the balance of the title renders the proposed fragmented parcel to be permanently severed from the balance of the title;
- (c) the size and characteristics of the parcel to be fragmented are as conducive or more conducive to the proposed use than the current use; and
- (d) with regard to a permanent water course or water body, there is written confirmation from Alberta Sustainable Resource Development that the title of the bed and shore of the water course or water body is vested in the Crown in the right of Alberta.

Traditional multi-lot rural residential subdivisions

- 6.2.10 A traditional multi-lot rural residential subdivision may be approved only on lands within:
- (a) the Ferrier-Garth Area Structure Plan;
 - (b) the Law Area Structure Plan;
 - (c) the Nordegg Development Plan;
 - (d) a residential outline plan approved by the County prior to the adoption of the Municipal Development Plan (2010);
 - (e) any land designated in the Land Use Bylaw as Country Residence District or Country Residence Agriculture District prior to the adoption of the Municipal Development Plan (2010); and
 - (f) a plan adopted pursuant to policy 6.2.21.
- 6.2.11 Clearwater County shall require traditional country residential parcels to meet the following parcel sizes:
- (a) traditional country residential parcels with individual private services: a minimum of 0.91 hectares (2.25 acres) and a maximum of 1.46 hectares (3.6 acres);
 - (b) traditional country residential agricultural parcels: a minimum of 1.46 hectares (3.6 acres) and a maximum of 2.02 hectares (5.00 acres).
- 6.2.12 Unless site conditions require otherwise, private water and private wastewater services are acceptable forms of servicing for traditional multi-lot residential subdivisions.

Residential Estate Subdivision

- 6.2.13 Clearwater County may approve an residential estate subdivision provided all criteria in this Plan, including the following criteria, are met to the County's satisfaction:
- (a) the proposed subdivision is supported by an area structure plan or outline plan adopted by the County;
 - (b) the access to the proposed subdivision is located within 1.6 kilometres (1 mile) of a paved road, such distance being measured along the road that provides access to the subdivision;
 - (c) the land on which the residential estate subdivision is proposed has a Farmland Assessment Rating of 34 percent or less, except that up to 15% of the land to be subdivided for residential

- purposes may have a higher rating;
- (d) the proposed subdivision is not within 0.8 kilometres (0.5 miles) of an area considered by the County to be a surface resource extraction area or a potential surface resource extraction area, or within 0.8 kilometres (0.5 miles) of a designated haul road; and
- (e) each residential parcel shall be accessed by an internal access road;

6.2.14 The form of wastewater and water services for a residential estate subdivision shall be determined by Clearwater County in consultation with the appropriate Provincial Government departments, with these services being one of the following:

- (a) a communal water system and a communal wastewater system; or
- (b) a communal water system and private engineered wastewater systems approved by the appropriate Provincial Government department and Clearwater County.

6.2.15 Clearwater County shall require residential estate parcels to meet the following parcel sizes:

- (a) residential estate parcels with both communal wastewater and communal water services: a minimum of 0.20 hectares (0.50 acres) and a maximum of 0.61 hectares (1.50 acres); and
- (b) residential estate parcels a communal water system and individual private engineered wastewater systems approved by the appropriate Provincial Government department and Clearwater County: a minimum of 0.50 hectares (1.25 acres) and a maximum of 0.81 hectares (2.00 acres).

6.2.16 The maximum number of residential parcels permitted in a residential estate subdivision shall be determined in accordance with the formula provided in Appendix A, which forms part of this Municipal Development Plan (2010).

Buffering

6.2.17 When approving any residential subdivision or residential development, Clearwater County may require provisions to buffer all or part of the subdivision or development from a road or other land use. A minimum 15 metre (50 feet) buffer is desirable. The County may require a buffer plan to be submitted that may include any or all of the following:

- (a) the location, spacing, types, size and quantity of existing and proposed trees and shrubs;
- (b) a buffer maintenance plan endorsed by a person recognized by the County as qualified to do so;
- (c) the provision of subdivision or building design elements that promote compatibility between land uses (i.e. road layout, building orientation, storm water management, etc.); and
- (d) any other matter deemed important by the County.

6.2.18 A buffer may be provided by municipal reserve, environmental reserve or conservation easement.

- Paving Access Roads** 6.2.19 Clearwater County may establish a policy that requires the developer of a multi-lot residential subdivision to pave the County road that provides access to the subdivision or to pay an off-site levy for the future pavement of the County road that provides access to the subdivision.
- Area Structure Plans and Outline Plans** 6.2.20 Unless Clearwater County adopts an amendment or amendments to the Ferrier-Garth Area Structure Plan, the Law Area Structure Plan, the Nordegg Development Plan or a residential outline plan approved by the County prior to the adoption of the Municipal Development Plan (2010), the respective provisions of each of these plans take precedence over the provisions of the Municipal Development Plan (2010). However, subdivision and development within these plan areas may incorporate the provisions of the Municipal Development Plan (2010).
- Possible Additional Rural Residential Areas** 6.2.21 Clearwater County may undertake or require to be undertaken a study of an area considered to have potential for rural residential development. The study shall:
- (a) assess the potential for rural residential development;
 - (b) identify the form or forms of residential subdivision that may be appropriate, including parcel sizes and the methods of water and wastewater services required; and
 - (c) if the study recognizes that forms of residential development may be appropriate, recommend the type of statutory or non-statutory plan that should be used to implement the recommendations of the study and the additional forms of public consultation to be used in the preparation of the plan.
- Conversion of Crown Land** 6.2.22 Clearwater County may seek the cooperation of the Province to undertake a study or studies to identify an area or areas, and Crown quarter sections therein, where the conversion of the land to multi-lot rural residential development may be appropriate.

7. HAMLETS

Clearwater County contains five hamlets. Four of the hamlets - Alhambra, Condor, Leslieville, and Withrow - are located in the eastern portion of the County in close proximity to Highway 11. Nordegg, the fifth hamlet, is located in the West Country and straddles the David Thompson Highway. Throughout the process to prepare this Plan, community input recognized that hamlets offer significant opportunities to accommodate future residential growth in a compact, sustainable fashion that will help to reduce the overall footprint of development on natural capital lands and minimize conflicts between residential and farming uses. This policy section embraces sustainable development practices by encouraging infill and new development within and surrounding existing hamlets. The existing water and/or wastewater infrastructure within Condor, Leslieville, and Nordegg render these three hamlets to be initially most capable to accommodate more extensive hamlet development, although growth also may be feasible within Alhambra and Withrow.

7.1 Goals

Hamlets goals are:

- 7.1.1 Encourage development within and around hamlets that is complementary to the function and character of the hamlet.
- 7.1.2 Focus appropriately scaled development within hamlets as a means to minimize land taken out of agricultural production.
- 7.1.3 Focus infrastructure development and expansion within hamlets as a means to revitalize existing communities.

7.2 Policies

- | | | |
|------------------------------|-------|---|
| Hamlets - general | 7.2.1 | Clearwater County encourages site and development improvements within hamlets to enhance the amenity and liveability of hamlets. To promote this Clearwater County may review and improve development standards within hamlets. |
| | 7.2.2 | Clearwater County encourages infill and redevelopment within hamlets for uses that strengthen the social and economic fabric of the hamlet as a community centre for the surrounding areas. |
| | 7.2.3 | Development in and around hamlets should continue to promote the compact nature of hamlets, including by utilizing appropriately sized small lots. |
| Growth Hamlets | 7.2.4 | Condor, Leslieville, and Nordegg are considered by Clearwater County as Growth Hamlets capable of accommodating development within their existing boundaries, as well as residential development and other compatible development on their peripheries. |
| Hamlet community plan | 7.2.5 | Clearwater County shall adopt an area structure plan or outline plan for each Growth Hamlet and may adopt an area structure plan or outline plan for other hamlets to guide community development within the hamlet and around the hamlet. |

7.2.6 Clearwater County encourages the development of a range of locally appropriate housing types within hamlets, in accordance with an adopted area structure plan or outline plan, to help meet the various lifecycle, social, and income requirements of the County's residents.

Servicing

7.2.7 Development in hamlets requiring water and/or wastewater services shall be serviced by communal water and wastewater where these services are available. Where these services are not available, the County may require that either or both services be extended or provided to serve the development.

7.2.8 Clearwater County may invest in infrastructure within a Growth Hamlet in order to encourage and facilitate hamlet growth and development.

Hamlet tourism potential

7.2.9 Clearwater County will continue to promote tourism oriented development that enhances Nordegg as a year-round destination point.

7.2.10 Clearwater County will seek opportunities to incorporate historically and culturally significant features of Nordegg into an overall County tourism strategy.

8. ECONOMIC DEVELOPMENT

Clearwater County is endowed with a wealth of natural resources. Agriculture and the resource-based industries, such as oil, gas and forestry serve as the backbone of the County's economy. In addition, the County boasts a variety of natural features due to its proximity to the Rocky Mountains, providing numerous opportunities for its growing tourism industry. Despite the variety and abundance of natural resources available in the County, participants in the process to prepare the Municipal Development Plan (2010) indicated the need to diversify the local economic base as a means to reduce the reliance on resource based industry and sustain the overall economic well-being of the County.

8.1 Goals

Economic Development goals are:

- 8.1.1 Continue to recognize agriculture as a key economic activity.
- 8.1.2 Promote locally appropriate economic development activities that enhance and diversify the local economy.
- 8.1.3 Promote the responsible, timely and economical extraction of natural resources.
- 8.1.4 Promote the County as a tourist destination.

8.2 Policies

- | | |
|------------------------------------|---|
| General | 8.2.1 Clearwater County encourages the retention and expansion of existing business and industry, and the attraction of new business and industry as a means to diversify the County's economic base. |
| Agricultural operations | 8.2.2 In making decisions on proposed land redesignations, subdivisions and developments in areas of the County where agriculture is the primary use, Clearwater County should seek to limit infringements on agricultural operations except where otherwise provided for in the Municipal Development Plan (2010).

8.2.3 Clearwater County encourages the development of agri-business within the County where the following criteria are met to the satisfaction of the County:
(a) legal and year-round physical access is available and can be developed to meet the County's road standards;
(b) the proposed subdivision or development can be serviced on-site in accordance with provincial regulations;
(c) the proposed subdivision or development is located in a manner that minimizes any potential impacts on natural capital lands and agricultural operations; and
(d) all other applicable provisions of this Plan. |
| Confined feeding operations | 8.2.4 Confined feeding operations for which approval, authorization or registration is required pursuant to the Agricultural Operation Practices Act, are not regulated by this Plan.

8.2.5 Notwithstanding the jurisdiction and authority of the Natural Resources Conservation Board, the County will provide guidance regarding the location of confined feeding operations in |

accordance with the Agricultural Operation Practices Act's requirement for the Natural Resources Conservation Board to have regard for the County's Municipal Development Plan (2010). Within the following exclusionary zones the County shall indicate its opposition to an application for a new operation and may indicate its opposition to an application to expand an existing confined feeding operation:

- (a) all land within 3.2 kilometres (2 miles) of a corporate boundary of a Town, Village or Summer Village, or as otherwise directed in the Rocky – Clearwater Intermunicipal Development Plan and any other intermunicipal development subsequently adopted by the County;
- (b) all land within 3.2 kilometres (2 miles) of a hamlet the boundaries of which may be defined in a statutory plan or outline plan approved by the County; and
- (c) all land within 0.8 kilometres (0.5 miles) of an area contained in an area structure plan that provides for multi-lot rural residential development; and
- (d) all land within 0.8 kilometres (0.5 miles) of an environmentally significant area as identified in Policy 4.2.22 of this Plan.

8.2.6 Notwithstanding Policy 8.2.5 Clearwater County may identify within other statutory plans further exclusionary zones for confined feeding operation development.

8.2.7 Regarding an application to the Natural Resources Conservation Board for an approval, authorization or registration for a new confined feeding operation or expansion to an existing confined feeding operation, Clearwater County will consider the location, scale of the operation or expansion, the surrounding land uses and the provisions of the Municipal Development Plan (2010) and any other applicable plan in providing comments to the Board.

8.2.8 In directing and approving land uses that may be incompatible with a confined feeding operation, Clearwater County shall refer the application to the Natural Resources Conservation Board to ascertain the applicable minimum distance separation.

Commercial and industrial

8.2.9 Through the Land Use Bylaw Clearwater County shall provide for a variety of commercial and industrial land uses within the County, including a variety of locations for these uses.

Economic development in Growth Hamlets

8.2.10 Clearwater County encourages the development of service-oriented commercial development within a Growth Hamlet.

8.2.11 Clearwater County may invest in infrastructure within a hamlet, particularly a Growth Hamlet, in order to encourage and facilitate the development of business parks.

Business Parks

- 8.2.12 Clearwater County prefers the development of business parks that are adjacent to or in proximity to the intersection of major roads, these being highways and paved County main roads. The standard of development, especially the design and appearance of buildings and screenings, for these high profile locations shall be higher than for business parks in other, less visible, locations.
- 8.2.13 Notwithstanding Policy 8.2.12, Clearwater County may also provide for business parks not in these locations.
- 8.2.14 Clearwater County may approve a new business park provided the following criteria are met to the County's satisfaction:
- (a) the site is suitable for a business park;
 - (b) the proposed design and scale are appropriate to the site and generally compatible with adjacent land uses;
 - (c) provision and design of safe access and egress, including where required to the satisfaction of the Province;
 - (d) application of mitigating measures to reduce impacts from noise, traffic, emissions and run-off;
 - (e) appropriate site design to address land use interface issues with current or future adjacent development by addressing building orientation, internal road layout, landscaping, screening especially of outdoor storage areas and buffering;
 - (f) site servicing in accordance with provincial regulations and any applicable County standards; and
 - (g) any other applicable requirements and criteria in this Plan.
- 8.2.15 Clearwater County should direct appropriate development to locate in a business park.
- 8.2.16 While Clearwater County prefers that industrial and commercial uses that are appropriate for business park locations be located in a business park, Clearwater County may approve a proposal for an isolated commercial or industrial use outside a planned business park provided the following criteria are met to the satisfaction of the County:
- (a) the proposal adequately demonstrates that an isolated location is required;
 - (b) the site characteristics are suitable for the proposed land use;
 - (c) the type, scale, size, and site design of the proposed land use are appropriate for the area and compatible with adjacent land uses;
 - (d) the development can be serviced on-site in accordance with Provincial regulations;
 - (e) the traffic generated by the proposed land use would not adversely impact the municipal road network; and
 - (f) any other safety or environmental issues identified by the County and any other applicable provisions of this Plan.

Eco-industrial parks

- 8.2.17 Clearwater County encourages the development of eco-industrial parks which are designed to reduce development footprints. Key criteria the County shall take into account when considering a

- proposed eco-industrial park include, but are not limited to:
- (a) the proposal includes a targeted economic development strategy that seeks to attract on-site or nearby similar business or industry groupings;
 - (b) the proposal identifies opportunities for increased efficiency in reducing environmental impacts through a by-product synergy in which businesses recycle materials and energy;
 - (c) the proposal implements green infrastructure networks;
 - (d) the proposal integrates a networking of shared services, such as marketing, transportation and research; and
 - (e) the proposal is consistent with the other provisions of this Plan.

Forestry

8.2.18 Forestry operations requiring approvals from Alberta Sustainable Resource Development are not regulated by this plan.

8.2.19 Notwithstanding the jurisdiction and authority of Alberta Sustainable Resource Development and recognizing the importance of a continuing, strong forestry sector, Clearwater County encourages forest operations to be undertaken in accordance with a sustainable timber harvesting plan.

8.2.20 Clearwater County encourages the development of integrated land management practices as part of all forestry operations.

Linear infrastructure

8.2.21 Clearwater County should provide input to the appropriate provincial regulatory agency to encourage energy resource pipelines and high voltage transmission lines to locate away from hamlets, areas where there are current and planned aggregations of rural residential subdivisions and environmentally significant areas.

8.2.22 Clearwater County should provide input to the appropriate provincial regulatory agency to encourage that new energy resource pipelines and high voltage transmission lines be placed within or adjacent to existing right-of-way or planned corridors.

Oil and Gas Operations

8.2.23 Oil and gas operations requiring approvals from the Energy Resources Conservation Board are not regulated by this Plan.

8.2.24 Clearwater County shall refer to the Energy Resources Conservation Board subdivision and development applications in the vicinity of energy installations to ensure that all appropriate setbacks are enforced adjacent to wells and pipelines.

8.2.25 Clearwater County should provide input to the Energy Resources Conservation Board to encourage the development of integrated land management practices as part of all oil and gas operations.

Other resource extraction

8.2.26 For areas that the County has development control, Clearwater County should discourage the encroachment of incompatible uses into areas of active and potential extractive resource development.

- 8.2.27 Through consultations with resource operators, government agencies and landowners, Clearwater County should seek to establish an accurate and current data base on the location of aggregate resources to assist in making informed land use planning decisions and to protect these resources from encroachment by incompatible development.
- 8.2.28 In order to assess an application for aggregate resource extraction and processing, Clearwater County may require the submission of a report which addresses any or all of the following:
- (a) proposed method and phasing of the operation;
 - (b) operating regime, including days of the week and hours of operation;
 - (c) effects on surrounding land uses and proposed methods to mitigate impacts;
 - (d) effects on agricultural land and agricultural operations and proposed measures to mitigate impacts, including the conservation of top soil through storage and return to use;
 - (e) effects on natural capital lands, and measures to mitigate impacts;
 - (f) site accessibility and road suitability to accommodate traffic generated by the development;
 - (g) designation of haul routes and plans to upgrade and maintain the affected roads, and identify measures to mitigate impacts, including but not limited to noise, dust and excessive maintenance problems;
 - (h) the presence of surface water and groundwater, and impacts thereon, and proposed measures to mitigate impacts;
 - (i) a reclamation plan, including proposed land uses;
 - (j) comments by and copies of the necessary permits and approvals from applicable government agencies; and
 - (k) any other information deemed necessary by the County in order to process the permit.
- 8.2.29 In approving a resource extraction operation, Clearwater County may apply conditions related to any of the considerations outlined in Policy 8.2.28 and any other provisions of this Plan.

Tourism

- 8.2.30 Clearwater County encourages tourism land uses to locate in the County and may facilitate appropriate tourism land uses in suitable locations. These locations include, but are not limited to:
- (a) tourism development nodes along the David Thompson Highway;
 - (b) Growth Hamlets;
 - (c) provincial parks and recreation areas;
 - (d) areas having other amenity values for tourism land uses and appropriate accessibility.

Home-based businesses

- 8.2.31 Clearwater County encourages, and will facilitate where appropriate, the development of home-based businesses within hamlets.

- 8.2.32 Clearwater County may approve home-based businesses within rural areas if the use will not:
- (a) be the primary use of the parcel of land;
 - (b) change the character of the primary use;
 - (c) unduly impact adjacent land uses; and
 - (d) adversely affect traffic safety.

9. INFRASTRUCTURE

The roads, railways, airports and utilities within Clearwater County facilitate the effective functioning of the County's economic and social realms. Within the County, roads and railways are the most significant transportation infrastructure for the movement of people, goods and the delivery of services. The airports have importance for managing the resources and activities in the West Country including emergency situations, as well as for recreational flying. A good road network is vital for access to homes, schools and jobs, as well as to link the County with other economic and social centres throughout the Province and Canada. In addition, roads are important gateways to the wealth of recreational opportunities that County residents and visitors enjoy. The proper provision of utilities is vital in homes, work places, schools and other public facilities and places. There is a need to ensure that developments are adequately serviced to enhance the function of the land use and to help ensure public health and safety. Thus, Clearwater County proposes to require, and have monitored, appropriate levels of utility services for each development and land use for the benefit of the County's residents, businesses and environments.

9.1 Goals

Infrastructure goals are to:

- 9.1.1 Promote a safe and efficient roadway system.
- 9.1.2 Promote public safety in and near to airport and rail facilities.
- 9.1.3 Require the provision of utilities that adequately service development.
- 9.1.4 Provide for environmentally responsible solid waste management.

9.2 Policies

Airports and railways

- 9.2.1 Clearwater County shall restrict development in the vicinity of the Rocky Mountain House Airport that may compromise the safe operation of the airport in accordance with Transport Canada regulations.
- 9.2.2 Clearwater County may consider the adoption of an Airport Vicinity Protection Area for the Rocky Mountain House Airport in consultation with the Town of Rocky Mountain House.
- 9.2.3 Clearwater County shall require subdivision and development approvals to provide adequate setbacks from rail lines and sight lines at rail crossings.

Road network

- 9.2.4 Clearwater County may consider the implementation of a County Road Network Action Plan, including standards for dust control and other maintenance items.
- 9.2.5 Clearwater County shall encourage the Province to maintain and enhance the provincial road system within the County.
- 9.2.6 Clearwater County shall work cooperatively with adjacent municipalities to promote the continuity of roads between communities.

Development adjacent to roads

- 9.2.7 When approving a development, Clearwater County may place conditions to increase the attractiveness of development, especially along a highway and a County main road.
- 9.2.8 A development adjacent to or near a road, especially a highway or County main road, may be required to implement appropriate screening or buffering to the satisfaction of the County.
- 9.2.9 Clearwater County encourages development that will generate higher traffic volumes to locate at an appropriate location along or near a highway or a County main road in accordance with other applicable provisions of this Plan.

Subdivision and development requirements

- 9.2.10 Through the subdivision and development approval processes, Clearwater County:
 - (a) shall require the provision of a road right-of-way, including road widening for adjacent public roads;
 - (b) shall require the construction of roads and accesses to County standards, and where the development is private the cost is to be the responsibility of the developer;
 - (c) shall limit the number and proximity of access points;
 - (d) shall require adequate setbacks to protect roads from encroachment;
 - (e) shall require adequate sight lines to be maintained at intersections of roads; and
 - (f) may require the upgrading of County roads that provide access to the site being subdivided or developed.
- 9.2.11 Clearwater County may require internal roads for clustered residential and industrial subdivisions to be paved and may require the road leading to the development to be paved.

Noise attenuation

- 9.2.12 In approving development adjacent to roads and railways, Clearwater County may apply conditions that enhance noise attenuation, including but not limited to fencing, berming and/or vegetative buffers, and to screen development from the road.
- 9.2.13 When considering land uses that are more sensitive to the effects of traffic, Clearwater County may direct these uses away from roads or require them to be set back a suitable distance from the road and provide noise attenuation measures.

Natural Resource haul routes

- 9.2.14 Clearwater County may require natural resource extraction and/or processing operations and other major development to:
 - (a) establish defined access roads to which general traffic to and from the development should be limited;
 - (b) where applicable, a haul route plan to the satisfaction of the County; and
 - (c) enter into a road use agreement, which may include conditions for road maintenance and upgrades based on the size of the operation or development in accordance with the County Road Policy.

**Water and
Wastewater
services**

- 9.2.15 Clearwater County shall require all development to meet provincial standards and regulations respecting the provision of water and wastewater services.
- 9.2.16 Clearwater County shall require all utility services for private developments to be at the cost of the developer, unless the County deems it in the greater community interest to provide or share in the provision of utility services.
- 9.2.17 Unless otherwise required by the County, Clearwater County shall require the development of a parcel to be individually serviced by an on-site private water well and/or an alternate supply of potable water.
- 9.2.18 Unless otherwise required by the County, Clearwater County shall require the development of a parcel to be individually serviced by an on-site private wastewater system. In order, the County's preferences for individual on-site wastewater systems are: on-site treatment where the site is large enough; on-site septic tank and tile field system; on-site approved organic systems; and on-site holding tank. Notwithstanding the foregoing, Clearwater County may accept an engineered wastewater system that has been approved by the appropriate Provincial Government Department.
- 9.2.19 Pursuant to Policy 6.2.14, Clearwater County shall require a residential estate subdivision to have at least a communal water system but may require a residential estate subdivision to have both a communal water system and a communal wastewater system. The ownership and operation of the system shall be determined by the County at the time of subdivision or development approval. The County may require other multi-lot subdivisions for residential or other land uses to have a communal water system, communal wastewater system or both.
- 9.2.20 Clearwater County may require a deferred servicing agreement as part of a subdivision or development approval.

Water sufficiency

- 9.2.21 Clearwater County shall not approve a subdivision or development pursuant to the *Water Act* if the intended supply of water is groundwater, and a study, prepared by a qualified professional, indicates the groundwater resources are insufficient for the subdivision or development, or the use of the groundwater may unduly affect groundwater users already in the area.
- 9.2.22 Notwithstanding Policy 9.2.21, should other means of water supply or ancillary water supply be proposed and acceptable to the County, the subdivision or development may be approved.

**Stormwater
management**

- 9.2.23 As a condition of approval Clearwater County shall require clustered subdivisions and major developments to implement

stormwater management plans prepared by a qualified professional to manage stormwater so that run-off does not exceed pre-development rates.

Waste disposal and setbacks

9.2.24 Clearwater County shall ensure that the siting of any waste disposal and recycling facility shall be in accordance with setbacks in Provincial legislation.

Setbacks from waste disposal and wastewater facilities

9.2.25 Clearwater County shall not allow inappropriate forms of development within setback distances of landfills, waste disposal and wastewater treatment facilities identified in Provincial regulations, unless a variance is approved by the appropriate Provincial department.

9.2.26 Clearwater County shall advise Alberta Sustainable Resource Development to protect any regional landfill in the West Country from encroachment by incompatible development and land uses.

Waste recycling

9.2.27 Clearwater County shall continue to monitor the viability of a waste recycling program.

High speed internet

9.2.28 Clearwater County should encourage telecommunication providers to expand and improve high speed internet throughout the County.

Dark sky

9.2.29 Clearwater County may apply a Dark Sky policy to development.

10. SERVICES

The availability of health care, protective, education and recreation services enhances the quality of life of residents of Clearwater County. A number of these services are provided by other authorities, but it is important that Clearwater County, as a municipal entity working on behalf of its residents and businesses, encourages and collaborates with these other authorities to provide facilities and programs that meet the desires and aspirations of a growing population throughout the County. The vast expanse of the County presents a number of challenges for the provision of necessary services, but it remains incumbent on the County to regularly review the availability of these services and to encourage their orderly and effective provision.

10.1 Goals

Service related goals are:

- 10.1.1 Encourage the provision of health, education, recreation and social facilities and programs to effectively serve a growing and dispersed population.
- 10.1.2 Promote ongoing relationships with service providers and nearby municipalities in order to provide the necessary range of protective and emergency services that will ensure the safety of the County's citizens and businesses.

10.2 Policies

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|--------------------------------------|---|
| Health care services | 10.2.1 Clearwater County may monitor the existing supply and quality of health facilities, services and programs available to its residents. |
| | 10.2.2 If a need is identified relating to health facilities, services and programs, Clearwater County may encourage the health care authorities to undertake actions to address the need. |
| Education services | 10.2.3 Clearwater County may dialogue with the education service providers to monitor the availability of education facilities and programs for preschool and school age children residing in the County. |
| | 10.2.4 Clearwater County may encourage improvements and additions to education facilities and programs as the population increases and needs expand. |
| | 10.2.5 In order to maintain the viability of existing schools, Clearwater County may direct residential growth to areas in proximity to existing schools. |
| Adult education | 10.2.6 Through dialogue with educational service providers, Clearwater County may encourage an increase in opportunities for its adult education upgrading, certificate programs and apprenticeships. |
| Police and ambulance services | 10.2.7 Clearwater County, through dialogue with the RCMP, may monitor the ability of police resources to provide effective services throughout the County and encourage an increase in policing resources as needs and the population grow. |

Fire protection and emergency services

- 10.2.8 Clearwater County may dialogue with Alberta Health Services to monitor the ability of ambulance and 911 services to respond in a timely and effective manner to the emergency and health care transportation needs throughout the County.
- 10.2.9 For areas in which it has development control, Clearwater County:
- (a) shall monitor the ability of fire suppression and fire fighting services and facilities; and
 - (b) from time to time may replace and add to fire equipment and infrastructure.
- 10.2.10 Clearwater County shall continue a cooperative approach with the Province regarding fires and emergencies when a combined response will be the most effective for a fire or emergency in areas where either the Province or the County has responsibility.
- 10.2.11 For subdivision and development applications in locations that have a substantial portion of woodlands, the County shall require that FireSmart principles and fire prevention details are included as part of the application. In these areas, any approval of an application shall include conditions that require the implementation of FireSmart principles and fire prevention details.

Residents input

- 10.2.12 Clearwater County may seek the input of County residents to determine their satisfaction with health care, education, protective and emergency services.

Joint services

- 10.2.13 Clearwater County may explore opportunities to share protective and emergency services with adjoining municipalities.

Recreation Facilities

- 10.2.14 Clearwater County should consult with the Town of Rocky Mountain House, the Village of Caroline, and the Summer Village of Burnstick Lake to seek mutual cooperation to enhance regional recreation facilities.
- 10.2.15 Clearwater County encourages the expansion of existing and the construction of new managed camping facilities and trails to better meet the recreation demands of residents and visitors.
- 10.2.16 Clearwater County promotes residents of local rural communities to maintain and operate community halls.

Social services

- 10.2.17 Clearwater County encourages the Province and social agencies to monitor the availability of housing for seniors and individuals who require assisted care.
- 10.2.18 Clearwater County encourages senior and assisted living housing to be located in or close to urban services, including but not limited to stores and health care facilities and providers.
- 10.2.19 Clearwater County encourages the provision of transportation services for seniors and the disabled.

11. INTERMUNICIPAL PLANNING, LOCAL PLANNING and LIAISON

Clearwater County has eleven municipal neighbours. They are the Town of Rocky Mountain House, the Village of Caroline, the Summer Village of Burnstick Lake, the Counties of Lacombe, Red Deer, Mountain View, Brazeau, Yellowhead, Wetaskiwin, and Ponoka and the Municipal District of Bighorn. Municipalities share many common interests, be they watersheds, rivers, roads, economic systems, schools, hospitals, and a desire for sustained growth and continued quality of life. Intermunicipal cooperation is important to further the beneficial use of resources and infrastructure to conserve the environment and to integrate economies. Intermunicipal collaboration is critical if costly and time consuming disputes over land uses and areas of jurisdiction are to be avoided. There are three First Nation reserves within the County so it is important that the County maintain lines of communication with these First Nations. It is also very important for the County to have clear requirements for local plans and studies in order to direct land use change in accordance with the policies of the Municipal Development Plan (2010).

11.1 Goals

Intermunicipal and local planning goals are:

- 11.1.1 Promote cooperation through reciprocal referral mechanisms with adjoining municipalities on planning and development matters of common interest.
- 11.1.2 Participate in joint plans with neighbouring municipalities for areas of common interest.
- 11.1.3 Identify and use mechanisms to resolve a dispute with a neighbouring municipality that may arise from time to time.
- 11.1.4 Liaise with First Nations having lands and interests within Clearwater County.
- 11.1.5 Prepare more detailed plans for areas in the County that may be most subject to or sensitive to growth and change.
- 11.1.6 Require an outline plan or area structure plan for larger multi-lot subdivisions and major developments.

11.2 Policies

Referrals of matters of mutual interest

- 11.2.1 Clearwater County shall work cooperatively with its adjacent municipalities, the National Parks and First Nations within the County to secure and implement arrangements regarding lands of mutual interest for the referral of:
 - (a) proposed statutory plans, outline plans and amendments thereto;
 - (b) proposed land redesignations;
 - (c) subdivision applications; and
 - (d) development applications for major developments.

Intermunicipal service agreements

- 11.2.2 Clearwater County may, where beneficial to residents and businesses in the County, enter into intermunicipal agreements with respect to any of the following services: water utility, wastewater utility, waste management, protective, emergency, recreation and cultural.

Dispute resolution process

- 11.2.3 Clearwater County should establish and implement mutually acceptable intermunicipal dispute resolution processes with its adjacent municipalities, which may include:

- (a) building consensus through open lines of communication;
- (b) meetings to address matters of concern;
- (c) direct or mediated negotiation; and
- (d) as a last resort, legislated provisions for intermunicipal dispute resolution.

Town of Rocky Mountain House

- 11.2.4 Clearwater County recognizes the Town of Rocky Mountain House as the economic and social centre of the majority of the area within the County.
- 11.2.5 Clearwater County shall manage growth and land use change in the fringe area around Rocky Mountain House in accordance with the Rocky – Clearwater Intermunicipal Development Plan.
- 11.2.6 Clearwater County shall refer to the Town proposed statutory plans, outline plans, land use bylaws and amendments thereto affecting lands in the fringe area identified in the Rocky – Clearwater Intermunicipal Development Plan.
- 11.2.7 Clearwater County shall accommodate the orderly annexation of land to the Town as guided by the Rocky – Clearwater Intermunicipal Development Plan.

Village of Caroline

- 11.2.8 Clearwater County shall seek to undertake, with the agreement and participation of the Village of Caroline, an intermunicipal development plan or a joint outline plan for a fringe area of land around Caroline mutually agreed to by the municipalities. In seeking to do so, the County recognizes the Village of Caroline as an important service centre for the south portion of the County.
- 11.2.9 Clearwater County shall refer to the Village of Caroline proposed statutory plans, outline plans, land use bylaws and amendments thereto affecting land within 1.6 kilometres (1 mile) of the Village, unless an intermunicipal development plan or a joint outline plan defines a lesser or greater distance for referral.
- 11.2.10 Clearwater County may refer to the Village of Caroline a major development affecting land within 1.6 kilometres (1 mile) of the Village, unless an intermunicipal development plan or a joint outline plan defines a lesser or greater distance for referral.
- 11.2.11 Clearwater County shall accommodate the orderly annexation of land to the Village of Caroline in accordance with an intermunicipal development plan or a joint outline plan with the Village.

Summer Village of Burnstick Lake

- 11.2.12 Clearwater County shall refer to the Summer Village of Burnstick Lake proposed statutory plans, outline plans, land use bylaws and amendments thereto affecting land within 1.6 kilometres (1 mile) of the Summer Village.

- 11.2.13 Clearwater County may refer to the Summer Village of Burnstick Lake a major development affecting land within 1.6 kilometres (1 mile) of the Summer Village.
- Adjoining rural municipalities**
- 11.2.14 Clearwater County shall refer to an adjoining rural municipality proposed statutory plans, outline plans, land use bylaws and amendments thereto affecting land within 0.8 kilometres (0.5 mile) of the rural municipality.
- 11.2.15 Clearwater County may refer to an adjoining rural municipality a major development affecting land within 0.8 kilometres (0.5 mile) of the rural municipality.
- Liaison**
- 11.2.16 Clearwater County shall endeavour to liaise and cooperate with First Nations on matters of mutual land and infrastructure planning interests, and in these undertakings the County will reflect the policies of the Municipal Development Plan (2010).
- 11.2.17 Clearwater County shall endeavour to liaise and cooperate with Provincial and Federal departments and agencies on matters of mutual interest, and in these undertakings the County will reflect the policies of the Municipal Development Plan (2010).
- 11.2.18 If an action being considered by another municipality, government department or government agency may affect the County, Clearwater County may respond or intervene to forward the views of the County, and in doing so the County shall reflect the policies of the Municipal Development Plan (2010).
- Hamlet plans**
- 11.2.19 Pursuant to Section 7 of this Plan, Clearwater County shall adopt an area structure plan or outline plan for each Growth Hamlet and may adopt an area structure plan or outline plan for other hamlets.
- Tourism development node plans**
- 11.2.20 For each of the tourism development nodes along the David Thompson Corridor, Clearwater County shall adopt a concept plan. As well, Clearwater County may adopt an area structure plan or outline plan for all or a portion of a node.
- Plans to support a proposed major redesignation, subdivision or development**
- 11.2.21 To consider a proposed redesignation, subdivision or development for a large multi-lot subdivision, major development or other form of land use change as determined by the County, Clearwater County may require the applicant to prepare for consideration of approval by the County an area structure plan or outline plan.
- 11.2.22 Clearwater County may require an area structure plan or outline plan to address any or all of the following:
- (a) site suitability;
 - (b) design and density;
 - (c) impacts on natural capital and the environment;
 - (d) effects on land uses in the vicinity;
 - (e) provision of roads and utilities;

- (f) traffic impacts;
- (g) provision of open space;
- (h) protective and emergency services;
- (i) access to and impacts on education and health services;
- (j) FireSmart provisions;
- (k) measures to mitigate effects; and
- (l) any other matters required by the County to be addressed.

**Regional plan
input**

- 11.2.23 During the preparation of the regional plans for the North Saskatchewan and Red Deer regions pursuant to the Provincial Land Use Framework, Clearwater County should participate as often as possible in the formulation of these regional plans to communicate the County's vision, goals and policies contained in the Municipal Development Plan (2010).
- 11.2.24 When each of the regional plans for the North Saskatchewan River and Red Deer regions are approved, Clearwater County shall review the Municipal Development Plan (2010) and consider, if necessary, the adoption of amendments to achieve consistency between the Municipal Development Plan (2010) and each regional plan.

12. PUTTING THE PLAN INTO EFFECT

A municipal development plan is only effective when it is implemented judiciously and with consistency. Within this Plan, the community vision, guiding principles, goals and policies provide numerous, interconnected directions regarding the future development of Clearwater County as a safe, viable place to live, to work and to play within a community that seeks to sustain both its economy and many significant environments and resources. A variety of short and long-term actions are required in order for the Plan to be successfully implemented. The purpose of this section is to identify mechanisms that will facilitate the transition of Municipal Development Plan (2010) policies into tangible results on the ground, thus promoting the achievement of the community vision for Clearwater County.

12.1 Goals

Implementation related goals are:

- 12.1.1 To apply the policies of the Municipal Development Plan (2010) in the processes to approve the subdivision, development and use of land.
- 12.1.2 To apply the policies of the Municipal Development Plan (2010) when collaborating with the provincial government, municipalities and other agencies and groups.
- 12.1.3 To communicate to all residents and businesses the predominant rural nature and values of Clearwater County.

12.2 Policies

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| Code of conduct | 12.2.1 Clearwater County shall prepare and distribute a Clearwater County Rural Code that addresses “need to know” matters regarding living and working within Clearwater County, including: <ul style="list-style-type: none">(a) agricultural land and operations;(b) sensitive lands;(c) resource operations;(d) roads and access;(e) services;(f) care of properties and the environment; and(g) any other matters the County desires to include. |
| Redesignation, subdivision, and development | 12.2.2 Clearwater County shall implement the policies of this Plan when making decisions on any proposed redesignation, subdivision, or development application and any proposed statutory plan, outline plan or concept plan. |
| | 12.2.3 To provide information relevant to a proposed redesignation, subdivision or development of land, Clearwater County may require the applicant to have prepared and submitted by a qualified professional engineer any or all of the following: <ul style="list-style-type: none">(a) a geotechnical study;(b) a traffic impact study;(c) a water supply study;(d) a utility servicing study;(e) a stormwater management plan;(f) an environmental assessment; and |

(g) any other study or plan required by the County.

- 12.2.4 Clearwater County will consider, where applicable, the following when evaluating an application to redesignate, subdivide or develop land:
- (a) impact on adjoining and nearby land uses;
 - (b) impact on natural capital, including agricultural land;
 - (c) impact on the environment;
 - (d) scale and density;
 - (e) site suitability and capacity;
 - (f) road requirements and traffic impacts, including access and egress considerations, including Subdivision and Development Regulations related to land in the vicinity of a highway;
 - (g) utility requirements and impacts;
 - (h) open space needs;
 - (i) availability of protective and emergency services;
 - (j) FireSmart provisions;
 - (k) impacts on school and health care systems;
 - (l) measures to mitigate effects;
 - (m) County responsibilities that may result from the development or subdivision; and
 - (n) any other matters the County considers relevant.

Municipal Reserves

- 12.2.5 As a condition of subdivision approval, Clearwater County shall require that the full 10 percent of developable lands be dedicated as municipal reserve as provided for in the *Municipal Government Act*.
- 12.2.6 Clearwater County shall require cash-in-lieu of land for Municipal Reserve in all cases except as follows:
- (a) land shall be dedicated if required as community open space in a hamlet, multi-lot rural residential subdivision, urban fringe area, business park or other major development;
 - (b) land shall be dedicated if required to provide access to environmental reserve; or
 - (c) land shall be dedicated if required in a statutory plan or outline plan approved by the County.
- 12.2.7 Notwithstanding Policy 12.2.5 and 12.2.6, should circumstances warrant, including the likelihood of future subdivision, Clearwater County may defer the dedication of Municipal Reserve.
- 12.2.8 Land dedicated as Municipal Reserve shall be developable or have qualities suitable for community open space.
- 12.2.9 Cash-in-lieu of land shall be retained by Clearwater County in the Municipal Reserve trust fund and shall be used in accordance with the provisions of the *Municipal Government Act*.
- 12.2.10 Clearwater County shall determine the value of cash-in-lieu of land by the assessed value of the land. If the assessed value is not acceptable to the applicant the value of cash-in-lieu shall be

determined by an appraisal by a person qualified to do so and acceptable to both the County and the applicant, and the services of that person shall be paid by the applicant.

School Reserves

12.2.11 As needed, Clearwater County should consult with the school authority regarding the need for land for schools within the County. Should subdivision occur in an area where new or enlarged school lands are needed or planned, these lands may be provided in whole or in part as School Reserve land as a condition of subdivision approval.

Disposal of Municipal Reserve

12.2.12 Clearwater County should undertake a study of Municipal Reserve lands with the view of leasing, selling or otherwise disposing of municipal reserve land that serve no current or potential future community open space purpose.

12.2.13 Clearwater County may dispose of Municipal Reserve only:
(a) if the proposed use of the land is compatible with surrounding land uses; and
(b) after consultation with affected land owners in the area.

12.2.14 Money obtained from the sale or lease of Municipal Reserve land shall be allocated to the Municipal Reserve trust fund and shall be used in accordance with the provisions of the *Municipal Government Act*.

Environmental Reserves and Environmental Reserve Easements

12.2.15 In accordance with the provisions of the *Municipal Government Act*, Clearwater County should require the dedication of an Environmental Reserve or Environmental Reserve Easement where provided for in the *Municipal Government Act* for a subdivision that contains or is adjacent to:
(a) a swamp, wetland, gully, ravine or natural drainage course;
(b) land that is subject to flooding;
(c) land that is considered unstable; and
(d) land abutting the bed and shore of a lake, river, stream or other permanent body of water.

12.2.16 Notwithstanding Section 12.2.15, Clearwater County shall dedicate land as Environmental Reserve where public access is desired or potentially will be desired in the future. Where public access is not desired, now or in the future, and reserve land is to be dedicated the land may be dedicated as Environmental Reserve Easement.

12.2.17 Notwithstanding Policy 12.2.15, Clearwater County may not require the dedication of an environmental reserve or environmental reserve easement for a subdivision of a fragmented parcel.

12.2.18 Clearwater County shall require the minimum width of an environmental reserve parcel or environmental reserve easement from the high water mark of the North Saskatchewan River, Clearwater River, Red Deer River and James River to be no less

than 30 metres (100 feet) and for all other rivers and streams shall be no less than 20 metres (66 feet). Clearwater County may increase the width depending on site conditions, including but not limited to slope and environmental sensitivity.

12.2.19 Clearwater County shall require the minimum width of an environmental reserve parcel or environmental reserve easement from the high water mark of a lake and a permanent wetland to be no less than 10 metres (33 feet). Clearwater County may increase the width depending on site conditions, including but not limited to slope and environmental sensitivity.

12.2.20 Notwithstanding policies 12.2.18 and 12.2.19, Clearwater County may not require an environmental reserve or an environmental reserve easement for a first parcel subdivision from a quarter section. However, where an environmental reserve or an environmental reserve easement is not to be taken, the first parcel should be set back from the water or wetland feature in such a manner that if a future subdivision occurs on the quarter section an environmental reserve or an environmental reserve easement can be dedicated as per policies 12.2.18 and 12.2.19.

Other Plans

12.2.21 Clearwater County shall undertake or require to be undertaken statutory plans, outline plans and concept plans in accordance with the policies of this Plan. All statutory plans, outline plans and concept plans adopted or approved by Clearwater County shall be consistent with this Plan.

12.2.22 Clearwater County may:

- (a) review and adopt an update of the Ferrier-Garth Area Structure Plan, Law Area Structure Plan and Nordegg Development Plan; and
- (b) review an outline plan approved by the County prior to the adoption of this Plan and may require an outline plan to be updated as part of an application process to infill, extend or otherwise modify the subdivision previously approved as part of that outline plan.

Land Use Bylaw

12.2.23 Clearwater County shall undertake a review of the Land Use Bylaw and shall amend the Bylaw where required so the provisions of the Land Use Bylaw are consistent with this Plan.

12.2.24 The Land Use Bylaw may provide for a variance from the minimum and maximum parcel sizes stated in the Municipal Development Plan (2010).

Review of the Municipal Development Plan

12.2.25 Clearwater County shall require that the Municipal Development Plan (2010) be reviewed at least every six years to promote its relevance and effectiveness.

12.2.26 Clearwater County shall monitor the ongoing effectiveness of the Municipal Development Plan (2010) in the preparation and

review of other statutory plans and outline plans, in the processing of redesignation, subdivision and development applications, referrals regarding Crown land and Crown land policy and referrals from adjoining municipalities.

**Amendment of
the Municipal
Development
Plan (2010)**

- 12.2.27 The Council of Clearwater County may initiate an amendment of the Municipal Development Plan (2010).
- 12.2.28 A person or persons having an interest in land in Clearwater County may initiate an amendment to the Municipal Development Plan (2010).
- 12.2.29 When an amendment is initiated by someone other than Council, prior to the bylaw amendment process Clearwater County may require the initiator of the amendment to provide a report and any other relevant information to support the amendment.
- 12.2.30 When considering an amendment to the Municipal Development Plan (2010), Clearwater County shall refer the amending bylaw to any adjoining municipality, school authority, provincial department and agency, and any other persons or agencies the County feels the amendment affects.
- 12.2.31 In considering an amendment to the Municipal Development Plan (2010), the provisions of the *Municipal Government Act* pertaining to notifications and holding a public hearing shall be followed.

13. DEFINITIONS

Airport Vicinity Protection Area is a designated area of land that is impacted by airport noise and in which there is a high degree of aircraft-related accident potential. This area helps to maintain the proper and safe operation of the airport while keeping the impacts on adjacent residential areas as low as possible.

Agri-business is used to describe a diversified business in food production, such as farming, processing and wholesale.

Aquatic Ecosystems is an ecosystem that is located in a body of water.

Area Redevelopment Plan is a statutory plan prepared pursuant to Section 634 of the Municipal Government Act. It provides a framework for the preservation, rehabilitation, removal and replacement of buildings and for the construction of new buildings.

Area Structure Plan is a statutory plan prepared pursuant to Section 633 of the Municipal Government Act. It provides a land use framework for more detailed subdivision and development, including the staging of development, densities and infrastructure matters.

Communal system means a water system or a wastewater system common to parcels within a subdivision or an area of development; the ownership and operation of a system may be municipal or private or a combination thereof.

Concept Plan is a non-statutory plan, adopted by Council resolution, consisting of at least a map that provides a framework for proposed subdivision and/or development, including relationships to existing land uses on the parcel proposed for subdivision or development and on adjacent lands.

Conservation Easement is a voluntary legal agreement between a landowner and government or conservation agency, designed to protect the natural and cultural heritage of the land by restricting the landowner's right to develop the land.

Confined Feeding Operations as defined by the Agriculture Operation Practices Act means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

County, or the County means Clearwater County.

Dark Sky is a movement aimed at reducing light pollution in order to reduce energy consumption and the effects of unnatural lighting on the environment, allowing more stars to be visible at night.

Deferred Servicing Agreement places an obligation on future individual lot owners through a registered caveat on the title which requires future connection to municipal services when they become available.

Eco-Industrial Park is a subdivision or development of various industrial businesses that strive for improved economic and environmental performance by sharing infrastructure, resulting in decreased energy consumption, waste production, and increased economic performance.

Engineered wastewater system is an engineered wastewater disposal system approved by an appropriate Provincial Government department and Clearwater County.

Environmental Reserve is land designated as environmental reserve for environmental conservation or public access in accordance with Section 664 of the Municipal Government Act.

Environmental Reserve Easement is a caveat registered against a title for the protection and enhancement of the environment yet remains as private land rather than dedicating land as public environmental reserve, according to Section 664 of the Municipal Government Act.

Farmland Assessment Rating (FAR) indicates the land's capability for producing agricultural products, using factors such as soil quality, topography, etc., and using a number of modifiers to calculate a final ratio. The Alberta Government mandates that the Farmland Assessment Manual shall be used when preparing farmland assessments.

Farmstead means the primary residence and its accessory buildings on an agricultural parcel.

Floodway refers to the inner portion of a flood risk area where the risk of flood is greatest and floodwaters are usually the deepest, fastest and most destructive.

Flood Fringe is the outer portion of the flood risk area adjacent to the floodway. The flood water in the flood fringe is generally shallower and flows more slowly than in the floodway.

Fragmented Parcel means a portion of land completely severed from the balance of the quarter-section by a registered public road plan, an active railroad, a deep ravine, a permanent water course, a permanent water body or a naturally occurring permanent wetland. For a permanent water course or a permanent water body to apply there must be written confirmation from Alberta Sustainable Resource Development that the title of the bed and shore of the permanent water course or water body is vested in the Crown in the right of Alberta.

Green Infrastructure includes a wide range of natural and semi-natural landscapes. These include natural areas, parks, other open space recreation areas, public and private conservation lands, and trail networks. Green infrastructure may also be incorporated into built landscapes, such as storm ponds, drainage swales and constructed wetlands. Typically, green infrastructure is a permanent land use which provides direct and indirect value to the ecology (quality of surface water, groundwater, and air) and may be used as public amenities (e.g. parks or trails).

Hamlet as defined by the Municipal Government Act, means an unincorporated community consisting of five or more buildings as dwellings, a majority of which are on parcels of land smaller than 1850 square metres, has a generally accepted boundary and name, and contains parcels of land that are used for non-residential purposes.

Hazard Land is land that is prone to flooding, erosion, slope instability or other natural or man-made hazards and land in proximity to sour gas facilities.

Intermunicipal Development Plan is a statutory plan prepared pursuant to Section 631 of the Municipal Government Act. It is applied to lands of common interest among two or more adjoining municipalities, usually in proximity to the boundaries between the municipalities.

Main Road refers to a paved County road that acts as a thoroughfare within the County's transportation network.

May is a discretionary term which provides notification that the policy in question can be enforced if the County chooses to do so.

Municipal Development Plan (2010) means Bylaw No. 923/10, being the Clearwater County Municipal Development Plan (2010), and any amendments thereto, prepared pursuant to Section 632 of the *Municipal Government Act*.

Municipal Reserve is land dedicated as part of a subdivision to be used for park/trail or school purposes, according to Section 666 of the Municipal Government Act. A maximum of 10% of developable lands shall be provided as municipal reserve, either in the form of land, as cash-in-lieu or a combination of the two.

Must is a directive that the action or actions within the policy are mandatory and therefore must be complied with without discretion.

Natural Capital means the County's renewable and non-renewable resources including agricultural, water and environmentally sensitive lands that anchor the County's quality of life and also support economic activity.

Outline Plan is a non-statutory plan prepared to a standard similar to an Area Structure Plan but adopted by Council resolution instead of bylaw.

Permanent Wetland is a naturally occurring and enduring bog, fen, marsh, slough, muskeg, swamp or pond, but does not include ephemeral wetlands.

Primary Conservation Area is an area with highly sensitive environmental resources or highly productive agricultural soils that takes first priority for inclusion as designated open or agricultural space as part of a conservation designed subdivision.

Residential Estate Subdivision is a multi-lot residential subdivision, located outside a hamlet setting, consisting usually of five or more residential parcels that have either or both common water and wastewater services, unless an alternate standard of servicing is approved by the appropriate Provincial Government department.

Riparian Land refers to the area of land immediately adjacent to a river and stream. Riparian lands act as natural buffers, protecting aquatic ecosystems from excessive sedimentation, runoff and erosion.

Rural Residential Development refers to residences and residential parcels having residential living as the primary use. In some cases minor agricultural activities may occur, but only as a secondary use.

Secondary Conservation Area is an area of environmentally sensitive land or agricultural land that takes second priority for inclusion as designated open or agricultural land as part of a conservation designed subdivision.

Shall is a directive that the action or actions within the policy are mandatory and therefore must be complied with. Where the policy applies to a plan or study to be undertaken or required to be undertaken by Clearwater County, the County shall undertake the action as resources are available.

Should is a directive that provides direction to strive to achieve the outlined actions within a policy, but such actions are not mandatory.

Surface Resource Extraction Area is an area where there are active, either municipal, provincial or private, operations or the potential for operations for the removal of sand, gravel, bentonite or other extractive resource, as may be determined by the County.

The Plan or This Plan means the Clearwater County Municipal Development Plan (2010) and any amendments thereto.

Traditional Multi-Lot Rural Residential Subdivision means a rural residential subdivision for traditional country residential and/or traditional country residential agricultural parcels having a minimum size of 0.91 hectares (2.25 acres) with each parcel usually having private (individual) water and wastewater services.

Transfer of Development Credit refers to a system of exchanging development credits to assist the redirection of development from one property or area to another property or area which are generally better

suited for development because of site or land conditions, adjacent land uses and/or the availability of roads and infrastructure.

Unsubdivided Quarter-section is defined pursuant to the definition provided in the Subdivision and Development Regulation (AR 43/2002), and in addition may mean the remainder of a quarter section of at least 32.4 hectares (80 acres) in size out of which a fragmented parcel or parcels for public use have been subdivided.

Vision refers to how the community views the future of Clearwater County, reflected by dominant themes expressed by community participants during the planning process.

Wetland refers to land having water at, near or above the land surface, or which is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, hydrophytes vegetation and various types of biological activity that are adapted to the wet environment.

APPENDIX A.1: MULTI-LOT RESIDENTIAL ESTATE SUBDIVISION DESIGN

PURPOSES OF RESIDENTIAL ESTATE SUBDIVISION DESIGN:

The purposes of residential estate designed subdivisions are to:

1. Help reduce the footprint of rural residential development.
2. Encourage creative residential subdivision designs so they are more in harmony with natural capital.
3. Minimize the consumption of and impacts on agricultural lands and environmentally significant areas.
4. Conserve unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands, wildlife habitats, as well as historic or archaeological resources.
5. Conserve woodlots and other 'more natural' areas.
6. Provide useable open space and, where appropriate, recreational facilities.
7. Promote high-quality design and site planning.
8. Promote interconnected greenways within and among subdivisions.

RESIDENTIAL ESTATE SUBDIVISION DESIGN CRITERIA AND PROCESS

A.1 Design requirements

- (a) A residential estate subdivision shall be served by municipal water and wastewater systems or by on-site communal water and wastewater systems unless alternate standards of water and/or wastewater services are approved by the appropriate Provincial Government department (communal systems may be owned and/or operated by Clearwater County upon completion of the development, as determined by the County).
- (b) The residential subdivision will usually be only for detached residences, but the County may allow attached dwellings.
- (c) The minimum conservation area shall be 40% of the land qualifying for subdivision. Conservation areas can consist of a combination of primary and secondary conservation areas. However, applicants are encouraged to provide more than 40% of the land qualifying for subdivision as conservation land.
- (d) Conservation areas shall be integrated into the overall site design rather than an isolated element of the subdivision.
- (e) Conservation areas shall be planned as large, contiguous areas whenever possible. Long, narrow strips of open space will only be considered for access, as vegetative buffers along water features or the perimeter of the site, or as connections between open space areas.
- (f) The location, size, and shape of conservation areas within the site design must be acceptable to the County.

- (g) A minimum of 60% of all dwelling units within the development shall be located adjacent to or overlook designated conservation areas. This may be reduced where, in the opinion of the County, such a reduction will result in an enhanced overall site design and better overall compliance with the stated purposes of residential estate subdivision design.
 - (h) Access points and/or trails shall be provided to provide access to open space and common areas. These access points and/or trails shall serve to link the open space to the remainder of the development.
- A.2 **Primary and secondary conservation areas determined by the County**
- (a) In considering a proposed residential estate subdivision, Clearwater County shall determine what lands and features are to be allocated as primary and secondary conservations areas.
- A.3 **Primary conservation area**
- (a) Primary conservation areas shall include:
 - (1) Environmentally significant areas as identified in Policy 4.2.22; and
 - (2) Any other significant lands or features as determined by the County for which environmental reserve may be taken.
- A.4 **Secondary conservation area**
- (a) Secondary conservation areas may include:
 - (1) Land containing habitats that reflect the nature of the area and which serve to conserve wildlife;
 - (2) An identified historic resource;
 - (3) Areas to be designated as Municipal Reserve for active and/or passive outdoor recreation;
 - (4) Lands designed as a biologically functional part of an approved stormwater management system; and
 - (5) Any other lands and features determined by the County to be compatible with the proposed design and consistent with the stated purpose of residential estate subdivision design.
- A.5 **Lands not eligible for conservation area dedication**
- (a) Public or private road rights-of-way.
 - (b) Non-stormwater utility parcels and rights-of way unless they can be demonstrated to the satisfaction of the County that they are suitable corridors for trail or other recreation use or as amenity features.
 - (c) Pipeline or other linear infrastructure rights-of-way unless they can be demonstrated to the County's satisfaction that they are suitable corridors for trail use.
 - (d) Sites for active recreation uses that require impervious surfaces such as tennis courts and basketball courts;
 - (e) Parking lots and parcels established for residential use.
 - (f) Lands for any other use determined by the County to be inconsistent with the stated purpose of residential estate subdivision design.

- A.6 **Protection of conservation areas** (a) A permanent conservation restriction (such as a conservation easement) shall be placed on the applicable land titles by the County to ensure the designated conservation areas shall be kept in their intended state.
- A.7 **Conservation easements** (a) With the approval of the County, a registered owner of land may grant a conservation easement to a qualified organization, which includes the following:
 (1) the Provincial Government (i.e. the Crown);
 (2) a Provincial Government Agency;
 (3) a local government; or
 (4) a non-profit organization, which has as a principal purpose the conservation or preservation of land that is acceptable to the County as a bona fide conservation organization.
 (b) A conservation easement, development agreement or other means of permanent conservation restriction shall be registered in accordance with the *Land Titles Act* and shall run with the land regardless of change in ownership.
- A.8 **Management of conservation areas** (a) A conservation area management plan shall be required as a condition of approval of a proposed residential estate subdivision. The conservation area management plan must include the following:
 (1) Provisions for the ownership, management, use, restrictions of use, maintenance and conservation or preservation of the designated conservation areas;
 (2) Guidelines for the maintenance and operation of the conservation areas and any facilities located thereon, including the allocation of responsibility for ongoing maintenance and long-term capital improvements, if any;
 (3) Estimates of the costs and staffing requirements needed for maintenance and operation of, and insurance for, the conservation areas, and an outline of the means by which such funding will be provided.
- A.9 **Minimum parcel size** (a) The minimum residential parcel size within a residential estate subdivision shall be:
 (1) residential estate parcels with both communal wastewater and communal water services: a minimum of 0.20 hectares (0.50 acres) and a maximum of 0.61 hectares (1.50 acres);
 (2) residential estate parcels with only communal water services: a minimum of 0.50 hectares (1.25 acres) and maximum of 0.81 hectares (2.00 acres);

- (3) residential estate parcels with alternate standards of services approved by the appropriate Provincial Government department: a minimum of 0.20 hectares (0.50 acres) and a maximum of 0.61 hectares (1.50 acres), unless a lesser or greater parcel size is required by the County.

A.10 Development Density Formula

- (a) The number of residential parcels permitted in a residential estate subdivision shall be determined by the following formula:
 - (1) Qualifying land area = Total area in title less land containing soils having an FAR rating of greater than 34% and other lands deemed by the County not to be part of the subdivision;
 - (2) Applicable Land Area = qualifying land area less the 40% of the qualifying land area, which will be conservation lands;
 - (3) Allowable number of residential parcels =
$$\frac{[(\text{Applicable Land Area}) \times (\text{Reduction factor for lands to be taken for road infrastructure})]}{(\text{Minimum parcel size permitted in Section 6})}$$
;
 - (4) The allowable number of residential parcels may be increased in accordance with the bonusing provisions in A.11 and A.12.
- (b) Defined terms within the formula:
 - (1) Qualifying land area: the total area of the parcel of land being considered for subdivision less any land having an FAR rating of greater than 34% and other land the County deems should not be part of the subdivision;
 - (2) Applicable land area: total area in title less the land area to be provided as conservation lands;
 - (3) Reduction factor: the portion of the applicable land area needed for roads to access parcels within the residential subdivision. For the purposes of this formula, the portion required for roads is 10%;
 - (4) Net residential land area: the applicable land area less the portion of land required for roads as determined by the reduction factor;
 - (5) Allowable number of residential parcels: the number of parcels (rounded to the nearest full number) determined by dividing the net residential land area by the minimum traditional residential parcel size (0.91 hectares (2.25 acres)). This number provides the potential residential parcel yield, subject to an increase through bonusing provisions in A.11 and A.12.

A.11 Density incentives (bonus provisions)

(a) Clearwater County may allow increased density based on the following criteria:

- (1) Additional Conservation Areas: For estate subdivisions to be served by both a communal wastewater system and a communal water system, an optional density incentive may be permitted for proposals containing in excess of 40% conservation area dedication of the qualifying land area. One (1) additional residential parcel may be permitted for each 2.0 hectares (5.0 acres) of conservation area provided over the 40% minimum requirement. For estate subdivisions to be served by only a communal water system, an optional density incentive may be permitted for proposals containing in excess of 50% conservation area dedication of the qualifying land area. One (1) additional residential parcel may be permitted for each 2.0 hectares (5.0 acres) of conservation area provided over the 50% of the land qualifying for subdivision;
- (2) Public Access to Conservation Areas: An optional density incentive may be permitted for proposals that provide for public access to non-environmental reserve conservation areas within the development. For estate subdivisions to be served by both a communal wastewater system and a communal water system, one (1) additional residential parcel per 2.0 hectares (5.0 acres) of land open to public use may be permitted. For estate subdivisions to be served by only a communal water system, one (1) additional residential parcel per 6.0 hectares (15.0 acres) of land open to public use may be permitted;
- (3) Natural Stormwater Management: An optional density incentive may be permitted for proposals that apply natural methods and beneficial management practices (BMP's) endorsed by Alberta Environment and Clearwater County for stormwater management. Up to three (3) additional residential parcels for stormwater management systems using a combination of structural and manufactured BMP's which incorporate natural or biological elements. Up to five (5) additional residential parcels may be permitted with a stormwater management system exclusively composed of natural elements.

A.12 Maximum Number of Dwelling Units

(a) The density Incentives may be used in combination, such that there is no restriction on the number of bonus parcels that may be possible to include in the residential estate subdivision design through density incentives.

(b) This formula provides for the maximum number of parcels for detached residences that may be permitted within a residential estate subdivision. However, a lesser number of parcels may result depending on site characteristics, site design, parcel size and other factors.