



# BEARSPAW

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## AREA STRUCTURE PLAN



Bylaw C-4129-93, Adopted January 18, 1994

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**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44**  
**Department of Planning and Development**

# **BEARSPAW AREA STRUCTURE PLAN**

## **BY-LAW C-4129-93**

**January, 1994**

**Municipal District of Rocky View No. 44**

**ROCKY VIEW COUNTY****BYLAW C-4129-93****OFFICE CONSOLIDATION**

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

<b>Bylaw</b>	<b>Amendment Type</b>	<b>Date of Approval</b>
C-7621-2017	Add reference to Bearspaw River View Conceptual Scheme to Section 10.	June 13, 2017
C-7664-2017	Amendments to implement the Glenbow Ranch Area Structure Plan: 1) Replace Section 3.0; 2) Delete Section 5.2; 3) Delete Section 8.6.3; 4) Delete Appendix A point 1; and 5: replace Figures 1, 3, 4, 5, 6, 7, 8.	July 25, 2017
C-7836-2018	Amendments to add Bearspaw Heights Conceptual Scheme to Section 10	January 8, 2019
C-7849-2018	Amendments to add Indigo Hills Conceptual Scheme to Section 10	February 26, 2019
C-7991-2020	Amendments to add Ascension Conceptual Scheme to Section 10	September 21, 2021

## BEARSPAW AREA STRUCTURE PLAN By-law C-4129-93

A By-law of the Municipal District of Rocky View No. 44 authorizing Council to adopt the Bearspaw Area Structure Plan.

**WHEREAS** the Council of the Municipal District of Rocky View No. 44 wishes to adopt the Bearspaw Area Structure Plan affecting the lands herein described as:

**Township 25, Range 02, West of the 5th Meridian, Sections:** a portion of 6 (north of the Bow River), 7, 18, 19, 29, 30, 31, 32;

**Township 25, Range 03, West of the 5th Meridian, Sections:** a portion of 1 (north and east of the Bow River), a portion of 12 (north and east of the Bow River), 13, a portion of 14, (north and east of the Bow River), a portion of the N 1/2 20 (north of the Bow River), a portion of NW 1/4 21 (north of the Bow River), a portion of NE 1/4 22 (north and east of the Bow River), a portion of 23 (north and east of the Bow River), 24, 25, 26, a portion of 27 (north and east of the Bow River), a portion of 28 (north and west of the Bow River), a portion of 29 (north and east of the Bow River), a portion of 30, (north of the Bow River), 31, 32, 33, 34, 35, 36;

**Township 25, Range 04, West of the 5th Meridian, Sections:** a portion of 25 (north and east of the Bow River), a portion of 36 (north and east of the Bow River);

**Township 26, Range 02, West of the 5th Meridian, Sections:** 4, 5, 6, 7, 8, 9;

**Township 26, Range 03, West of the 5th Meridian, Sections:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, a portion of 18 (south and east of Big Hill Creek), a portion of 21 (south and east of Glendale Road), 22, 23, 24;

**Township 26, Range 04, West of the 5th Meridian, Sections:** a portion of N 1/2 1 (north of The Town of Cochrane), NE 1/4 2, a portion of 12 (south and east of Big Hill Creek), a portion of 13 (south and east of Big Hill Creek).

**WHEREAS** a notice was published on November 30th and December 7th, 1993 in the Calgary Rural Times, a newspaper circulating in the Municipality, advising of a Public Hearing with respect to this By-law; and

**WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance with Sections 139 and 140 of the Planning Act being Chapter P-9 R.S.A. 1980, as amended.

**NOW THEREFORE** the Council of the Municipal District of Rocky View No. 44 enacts the following:

1. This By-law may be cited as the Bearspaw Area Structure Plan.
2. The Bearspaw Area Structure Plan being Schedule "A" attached hereto and forming part of this By-law is adopted in its entirety.
3. This By-law shall come into effect upon third and final reading thereof.

First reading passed in open Council, assembled in the City of Calgary in the Province of Alberta, this 5th day of October, 1993 on a motion by Councillor Devitt.

Second reading passed in open Council, assembled in the City of Calgary in the Province of Alberta, this 18<sup>th</sup> day of January, 1994, on a motion by Councillor Devitt.

Third and final reading passed in open Council, assembled in the City of Calgary in the Province of Alberta, this 18<sup>th</sup> day of January, 1994, on a motion by Councillor Devitt.

original signed by Reeve Konschuk

original signed by Valerie Schmaltz

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REEVE OR DEPUTY REEVE

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MUNICIPAL SECRETARY

**BEARSPAW AREA STRUCTURE PLAN  
By-law C-4129-93**

**Schedule "A"**

Note: This document is an office consolidation. The original By-law may be viewed at the Administration Office of the Municipal District of Rocky View No. 44 and should be consulted for all purposes of interpreting and applying the By-law.

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## 1.0 INTRODUCTION

### 1.1 PURPOSE OF THE PLAN

The land use planning principles established by the Municipal District of Rocky View General Municipal Plan, By-law C-3894-92 (adopted October 6, 1992) are intended, in part, to be implemented through area structure plans. The Municipality believes that land within its jurisdiction is a valuable resource which must be managed and protected through sound land use planning. Through this commitment to sound land use plans, the Municipality will realize the greater public good. The Municipality's future aspirations are reflected in the General Municipal Plan's goals.

The Bearspaw Area Structure Plan is intended to establish ways of evaluating and responding to proposals for change within the Plan Area, while respecting the needs of the future and the Municipality, as a whole.

The Plan is a dynamic document that is open to review, revision and amendment by all constituents, as new information, issues and solutions come to the fore.

The Plan does not examine every impact, cost or benefit and where issues require analysis not undertaken by the Plan, policies requiring further studies and impact monitoring are in place.

### 1.2 THE PLANNING PROGRAM

On November 24, 1992, Council adopted the Bearspaw Area Structure Plan Terms of Reference, initiating Plan Preparation. The planning program comprised a comprehensive technical and professional review of the land use planning issues present in the Plan Area and the development of attendant policy.

Public participation was a central component of the planning process with public input facilitated at key points during plan preparation and encouraged throughout the Plan's development.

### 1.3 PUBLIC PARTICIPATION

In accordance with the approved Terms of Reference, a preliminary public open-house and workshop was held on February 18, 1993, at the Bearspaw-Glendale Community Centre. This open-house and workshop facilitated community identification of planning issues within the Plan Area. A series of displays in concert with an interactive workshop was held during the evening, in addition to a question and answer period. A comment sheet was distributed to encourage further community response to the open-house displays and workshop activities. Approximately 250 participants attended this open-house with over 90 people actively participating in organized workshop discussions. Sixty-two written responses were received providing a range of comments on the goals and issues discussed at the February open-house. A summary of these responses were compiled and presented to Council and made available to the public.

In response to the significant interest expressed by the community in the process of Plan Preparation and the diversity of the planning issues within the Bearspaw Plan Area, the Terms of Reference adopted on November 24, 1992, was revised to schedule the second Open-House at the policy development stage of Plan Preparation. On April 29, 1993, a second open-house was held at the Bearspaw-Glendale Community Centre to present a "Policy Framework" to the Bearspaw community. The community's response to a number of "policy options" was an important step in focusing draft policy and linking specific policy options to development and growth scenarios for the Bearspaw Plan Area. The open-house was also designed to display the results of analytical



investigations to the community prior to final policy development, and to link policy choices with previously identified community issues. Approximately 200 participants attended the open-house, and 48 community responses were received in the form of comment sheets (distributed at the open-house) and written correspondence. A summary of these responses was also compiled and presented to Council and made available to the public.

In addition to the extensive informal public participation by landowners and residents at the February and April open-houses; draft policy options were presented to the Municipal Planning Commission for their consideration and recommendation to Council.

Council gave the By-law adopting the Bearspaw Area Structure Plan first reading on October 5, 1993, and established a public hearing on December 14, 1993 at 1:30 p.m. pursuant to the provisions of the Planning Act.

The Draft Plan was released to the public for comment and circulated to referral agencies, on October 5, 1993.

Following considerations of the representations made to it at the public hearing, Council gave the By-law adopting the Bearspaw Area Structure Plan second reading on January 18, 1994.

The By-law adopting the Bearspaw Area Structure Plan received third and final reading on January 18, 1994.

## 2.0 PLAN DEFINITIONS

The following definitions of certain terms are provided to clarify their use in the Plan.

- 2.1 **Aggregates** - All sand, gravel, clay and marl above and below the land surface that are defined as part of a landowner's surface right under the Law of Property Act.
- 2.2 **Aggregate Pit** - Any opening, excavation or working of the ground for the purposes of proving or recovering any sand, gravel, clay, marl or other substances that are suitable for construction, industrial, manufacturing or maintenance purposes and any activities, operations or facilities required for the processing of aggregates.
- 2.3 **Agricultural Land Use** - The use of lands, buildings or structures for the raising of non-domestic animals and/or the growing of plants for food or other production.
- 2.4 **Area Structure Plan** - A statutory plan, adopted by by-law, which provides a policy framework for subsequent redesignation, subdivision and development of a specified area of land in the Municipality.
- 2.5 **Archaeological/Historical Impact Assessment** - An analysis of the potential impacts of development on archaeological and/or historical resources.
- 2.6 **Berm** - A constructed embankment used for separating potentially incompatible areas, sites and districts or for protecting an area, site or district from any noise generated by other activities, operations, facilities or traffic.
- 2.7 **Calgary Regional Plan** - Refers to the Regional Plan as ratified by the Minister of Municipal Affairs and amended from time to time.
- 2.8 **Collector Road** - A road in the Municipal District of Rocky View which acts as a link between primary and secondary highways. May be either a major or minor roadway depending upon design and traffic volumes.
- 2.9 **Concept Plan** - A plan for the subdivision and development of lands, including, but not limited to, generalized land uses and internal road hierarchy.
- 2.10 **Confinement Livestock Facilities Waste Management Code of Practice** - Refers to the Code of Practice released by Alberta Environmental Protection and Alberta Agriculture.
- 2.11 **Construction Management Plan** - Means a program that details site management of all construction activity including, but not limited to, the management of construction debris and dust.
- 2.12 **Council** - The Council of the Municipal District of Rocky View No.44.
- 2.13 **Country Residential Land Use** - A primarily residential land use in which auxiliary pursuits may be allowed dependent on the parcel size and proximity to other residences; excluding the separation of farmsteads.
- 2.14 **Development Plan** - A proposal for the development of lands over time which may include, but is not limited to: a detailed site plan, topographic information, geophysical assessment, hydrological assessment, traffic impact analysis,

environmental overview, phasing, community impact assessment and an archaeological and historical impact assessment.

- 2.15 Direct Control District** - A district in the Land Use By-law which is subject to guidelines established by Council for control over the use and development of a defined area and pursuant to the provisions of the Planning Act.
- 2.16 Environmental Audit** - An evaluation of any adverse effects that may qualify the site as contaminated pursuant to the Environmental Protection and Enhancement Act, as amended from time to time.
- 2.17 Environmental Overview** - Refers to an area-specific study which may include, but is not limited to:
- a) the identification and analysis of natural factors for the study area;
  - b) an evaluation of the potential impact that a subdivision or a development proposal may have on the factors identified; and
  - c) a program of avoidance and/or mitigative measures.
- 2.18 General Municipal Plan** - The Municipal District of Rocky View General Municipal Plan which is principal statutory plan for the entire Municipality, adopted by Council; in accordance with the provisions of the Planning Act.
- 2.19 Highway** - A road that is designated as a primary highway or a secondary highway pursuant to the Public Highways Development Act.
- 2.20 Home Enterprise** - A residential use with an ancillary permanent commercial or industrial land use on the same site. The commercial or industrial use was established initially as a home occupation and over time has expanded to the point that it exceeds the criteria for a home occupation in the Land Use By-law.
- 2.21 Home Occupation** - A commercial or industrial use which may be confined to the residence or the site and is ancillary to a principal residential land use as per the Land Use By-law, as amended.
- 2.22 Horticultural Development** - The intensive growing of specialized crops, either enclosed or not, and without restricting the generality of the above may include:
- a) greenhouses;
  - b) nurseries;
  - c) tree farms;
  - d) market gardens;
  - e) mushroom growing; and other similar uses.
- 2.23 Infrastructure** - Public and private utility systems in the Municipality that may include, but are not limited to, the transportation network, water and sewer systems, and solid waste management facilities.
- 2.24 Intensive Agriculture** - Any use of land, buildings, shelters, corrals or other structures for the purposes of confining, rearing and/or feeding livestock at concentrated numbers on a continuous basis and/or the intensive growing of specialized horticultural crops; excepting the wintering of a breeding herd.
- 2.25 Land Use By-law** - A by-law of the Municipality passed by Council as a land use by-law pursuant to the provisions of the Planning Act and intended to control,

and/or regulate the use and development of land and buildings within the Municipality.

- 2.26 Land Use District** - One or more divisions of the Land Use By-law establishing permitted and discretionary uses of land or buildings with attendant regulations.
- 2.27 Livestock Confinement Facility** - A facility or intensive mode of operation that may include, but is not limited to, buildings, shelters, fences, corrals or other structures capable of confining, rearing or feeding a type of livestock at concentrated numbers on a continuous basis, excepting the wintering of a breeding herd.
- 2.28 Minerals** - All limestone, sandstone, shale, slate or other materials that are defined as naturally occurring minerals under the Mines and Minerals Act.
- 2.29 Mineral Quarry** - Any opening, excavation or working of the ground for the purposes of proving or recovering any minerals that are suitable for construction, industrial, manufacturing or maintenance purposes and any activities, operations or facilities required for the processing of minerals.
- 2.30 Minimum Distance Separation** - A setback or buffer established between an intensive livestock operation and adjacent land uses intended to minimize potential land use conflict.
- 2.31 Municipality** - The Municipal District of Rocky View No. 44 and when the context requires; means the area contained within the boundaries of the Municipality.
- 2.32 Natural Features** - Includes landscapes which are found in their natural state and may be remnant, undisturbed, diverse or contain unique environmental characteristics.
- 2.33 Natural Resources** - Any naturally occurring substance, with the exception of water, that is formed by geomorphic or geologic processes and found in isolated deposits or large formations located above or below the land surface and includes, but is not limited to, bedrock, clay, marl, minerals, natural gas, petroleum, rock, sand, gravel, or other valuable stone.
- 2.34 Natural Resource Extractive Industry** - An enterprise dependent upon geomorphic or geological features, requiring activities or operations for the extraction and processing of a natural resource including, but not limited to, aggregate pits, mineral quarries, and petroleum or natural gas facilities.
- 2.35 Operational Plan** - An outline of the operating practices proposed for an industrial proposal including, but not limited to, hours and days of operation, industrial processes proposed and the methods proposed for site management.
- 2.36 Plan** - Refers to the Bearspaw Area Structure Plan as amended from time to time.
- 2.37 Planning Act** - Refers to the Planning Act, Revised Statutes of Alberta 1980, Chapter P-9 with amendments in force as of June 25, 1991, and as amended from time to time.
- 2.38 Private Utility** - A utility service offered to the public by a private utility company or co-op including, but not limited to, the provision of gas, electricity, water or telephone services.
- 2.39 Qualified Professional** - An individual with specialized knowledge recognized by the Municipality and/or licensed to practice in the Province of Alberta. Examples

of qualified professionals include, but are not limited to agrologists, engineers, geologists, hydrologists and surveyors.

- 2.40 Recreation Commercial Land Use** - A commercial land use in which recreational activities or tourist opportunities are allowed and a fee is charged for use.
- 2.41 Recreation Master Plan** - A non-statutory plan prepared by a Regional Recreation Board intended to provide for recreation needs within a portion of the Municipality.
- 2.42 Redesignation** - Refers to the reclassification by the Municipality of a land use designation in the Land Use By-law applicable to a specific area of the Municipality.
- 2.43 Rural Commercial** - The use of land, buildings or structures in which the provision of goods and services is the primary function and may include auxiliary pursuits dependent upon parcel size and proximity to other land uses. Commercial land uses are limited to the classes of rural commercial provided for in the Calgary Regional Plan.
- 2.44 Rural Industry** - Industries proposed or established in the rural areas of the Municipality limited to the classes of industry provided for in the Calgary Regional Plan.
- 2.45 Rural Industrial Park** - An industrial subdivision in a rural area developed for the establishment of rural industries in accordance with municipal requirements.
- 2.46 Tentative Plan of Subdivision** - A proposal detailing a site specific subdivision design that may form the basis for an application for subdivision approval.
- 2.47 Traffic Impact Analysis** - An area-specific study which may include, but is not limited to, an analysis and evaluation of:
- a) the potential impact of a proposed subdivision and/or development on the existing transportation network; and
  - b) a program of future expansion and/or improvement of the transportation network to accommodate the proposed growth and to preserve the function and integrity of the network.

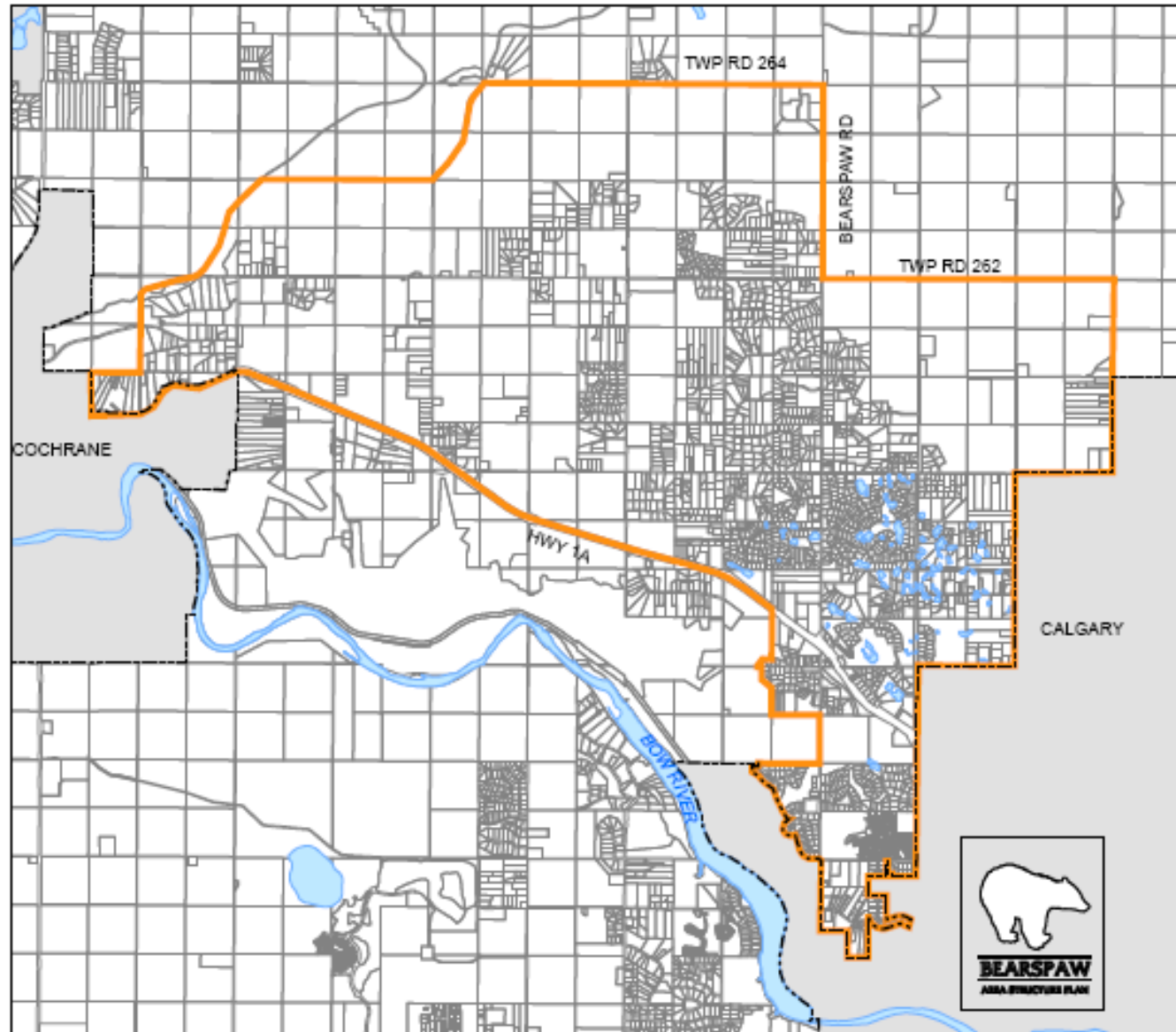
### 3.0 PLAN AREA

The Bearspaw Plan Area comprises approximately 25,000 acres and extends north and south of Highway 1A between the City of Calgary and the Town of Cochrane.

- 3.1 The Plan Area is identified in Figure 1. Policies contained in the Plan apply to lands within the Plan Area.
- 3.2 For the purposes of the Plan, the boundaries of the Plan Area as identified in Figure 1 shall be considered as approximate only, and minor variations shall not require an amendment to this Plan.

## **4.0 PLAN FIGURES**

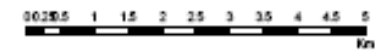
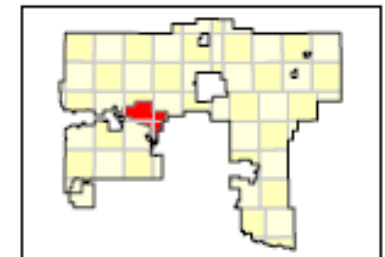
- 4.1** Plan Figures should be read in conjunction with applicable Plan Policies and other Figures.



This map is conceptual in nature. No measurements or area calculations should be taken from this map.

Figure 1:  
Plan Area  
Location

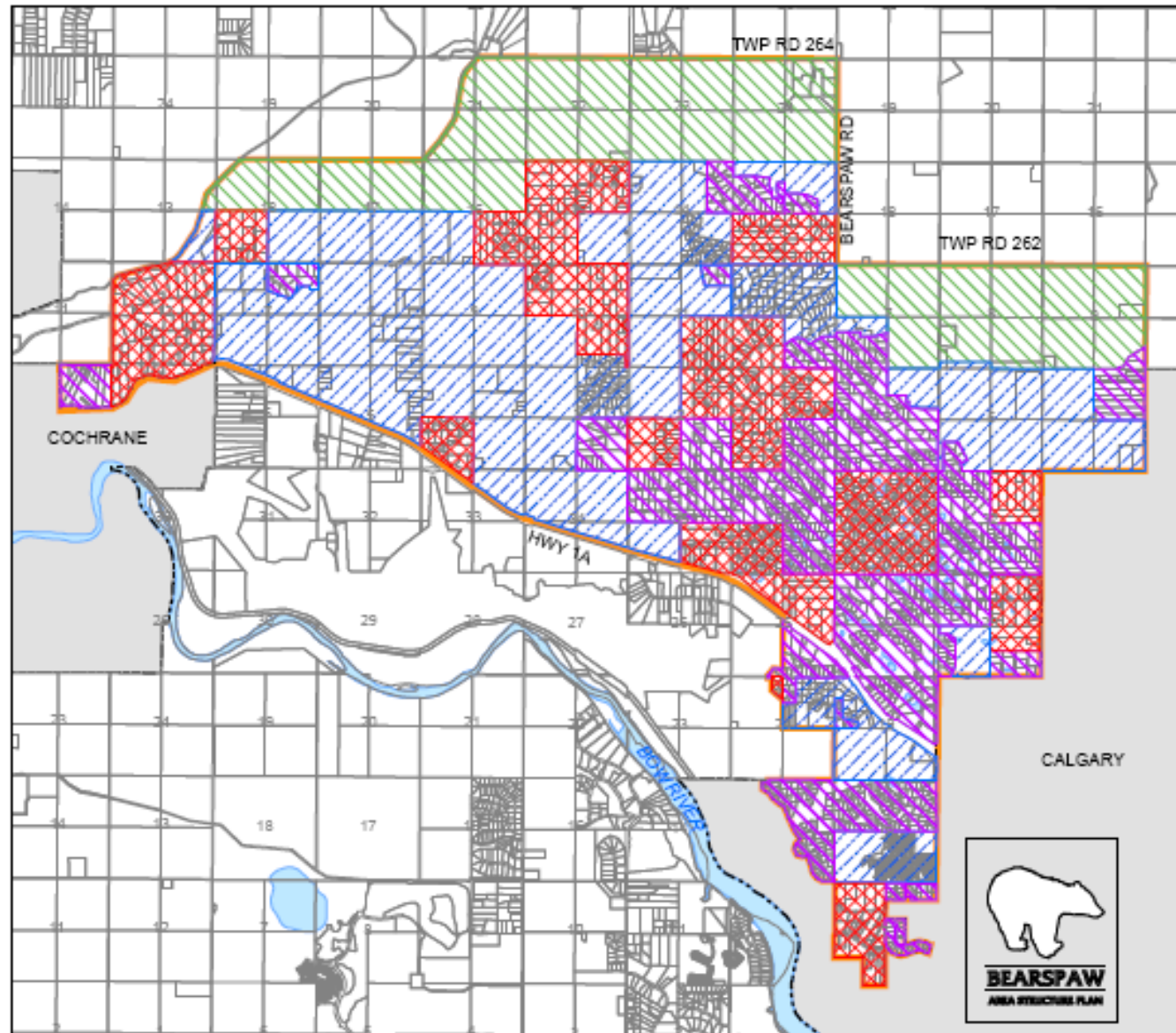
- ASP Area
- Rocky View Boundary





**Figure 2: Calgary Restricted Development Area**

(DELETED JULY 25, 2017)

Figure 3:  
Concept Plans

This map is conceptual in nature. No measurements or area calculations should be taken from this map.



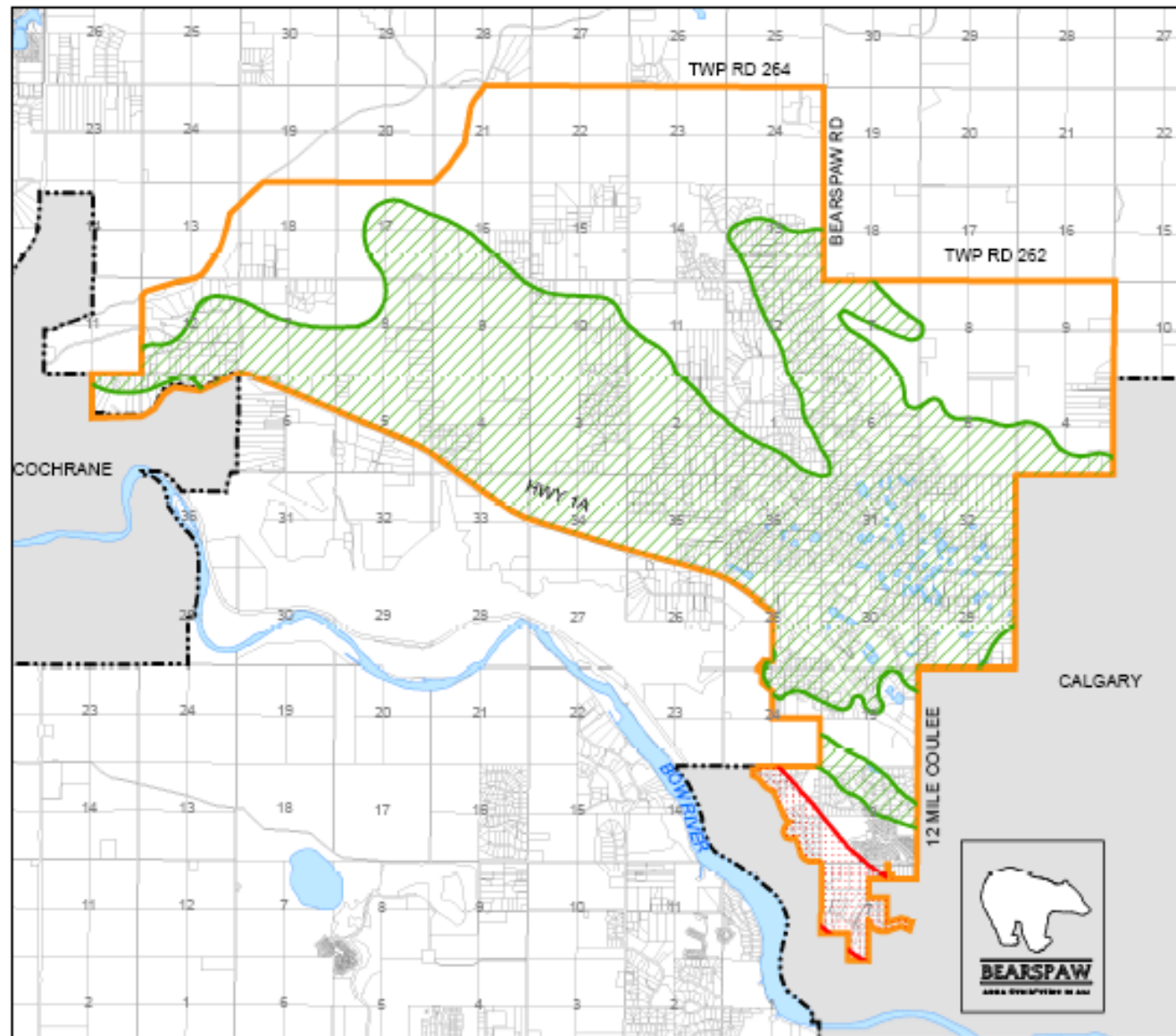


Figure 4:  
Distribution of  
Natural Resource  
Aggregates

-  Empress Formation
-  Tertiary Gravel
-  ASP Area

Notes:

- Aggregates correlated with the empress formation
- Recent alluvial gravel deposits are also present throughout the lower terraces of the Bow River but are not mapped

Source: Alberta Research Council  
Surface Geology of the Calgary  
Urban Area  
Figure 2 - S.R. Moran 1986

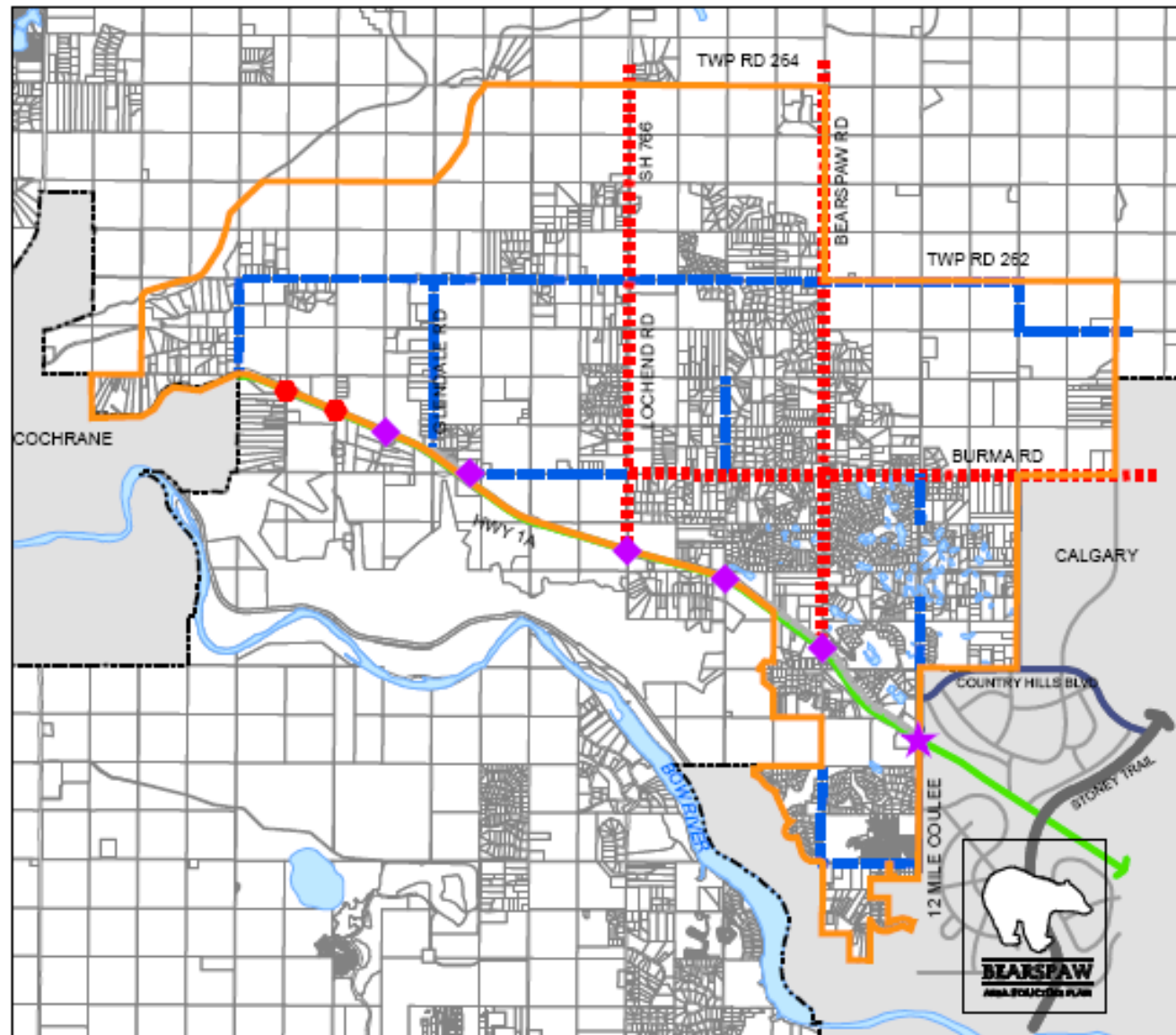


Figure 5:  
Transportation  
Hierarchy

- ASP Area
- ★ Interchange
- ◆ Signalized Intersection
- ⬡ Stop Controlled Intersection
- Major Collector Roads
- Minor Collector Roads
- City of Calgary Roads
- Highway 1A
- Service Road
- Stoney Trail

Notes:

1. Remaining roads within the hierarchy are considered local roads and may or may not be open.
2. Roads indicated grey are proposed City of Calgary roads
3. Intersection upgrade locations have been updated in accordance with the Glenbow Ranch Transportation Analysis conducted in accordance with the development of the Glenbow Ranch Area Structure Plan.

This map is conceptual in nature. No measurements or area calculations should be taken from this map.





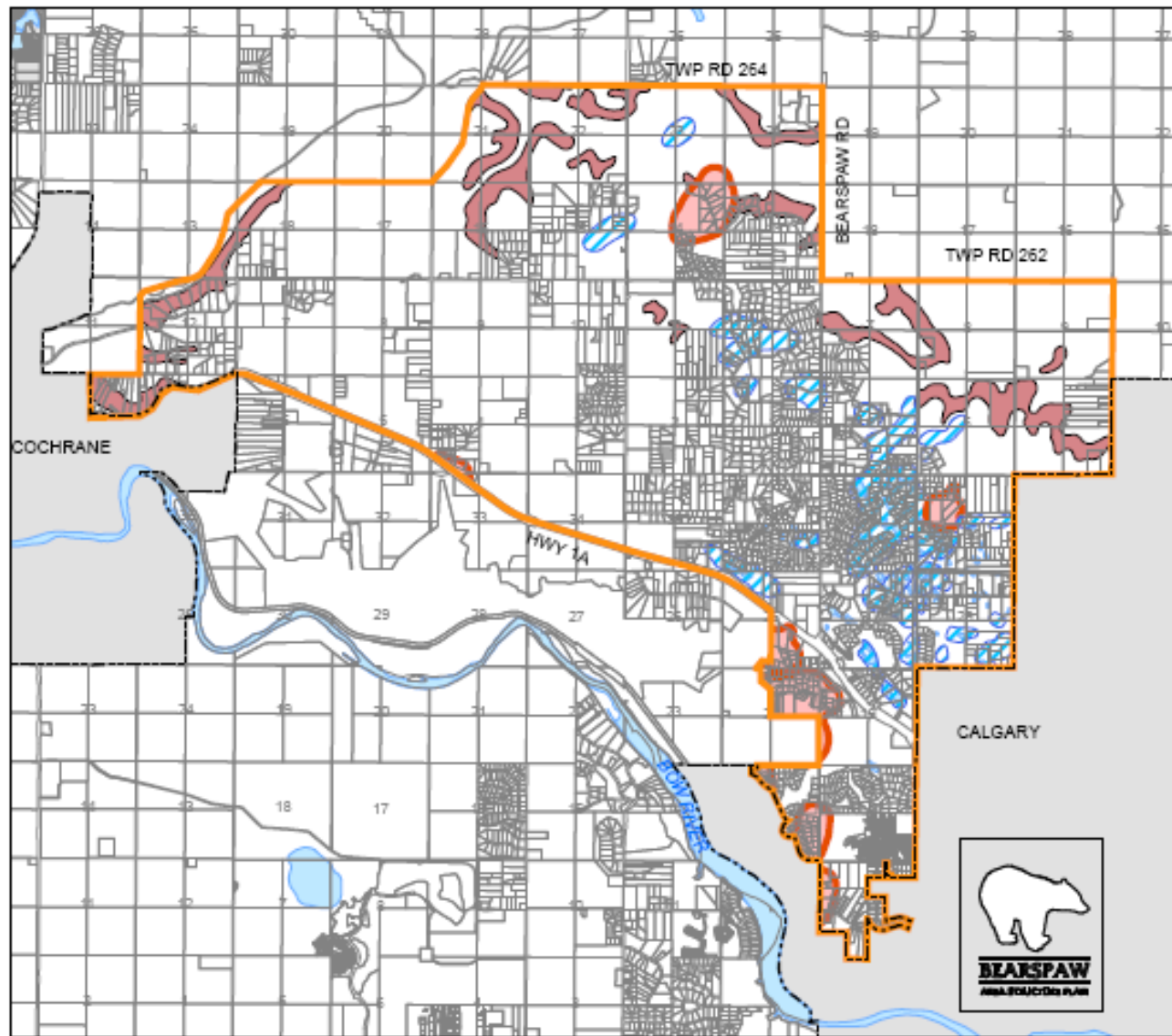


Figure 6:  
Environmentally  
Significant  
Features

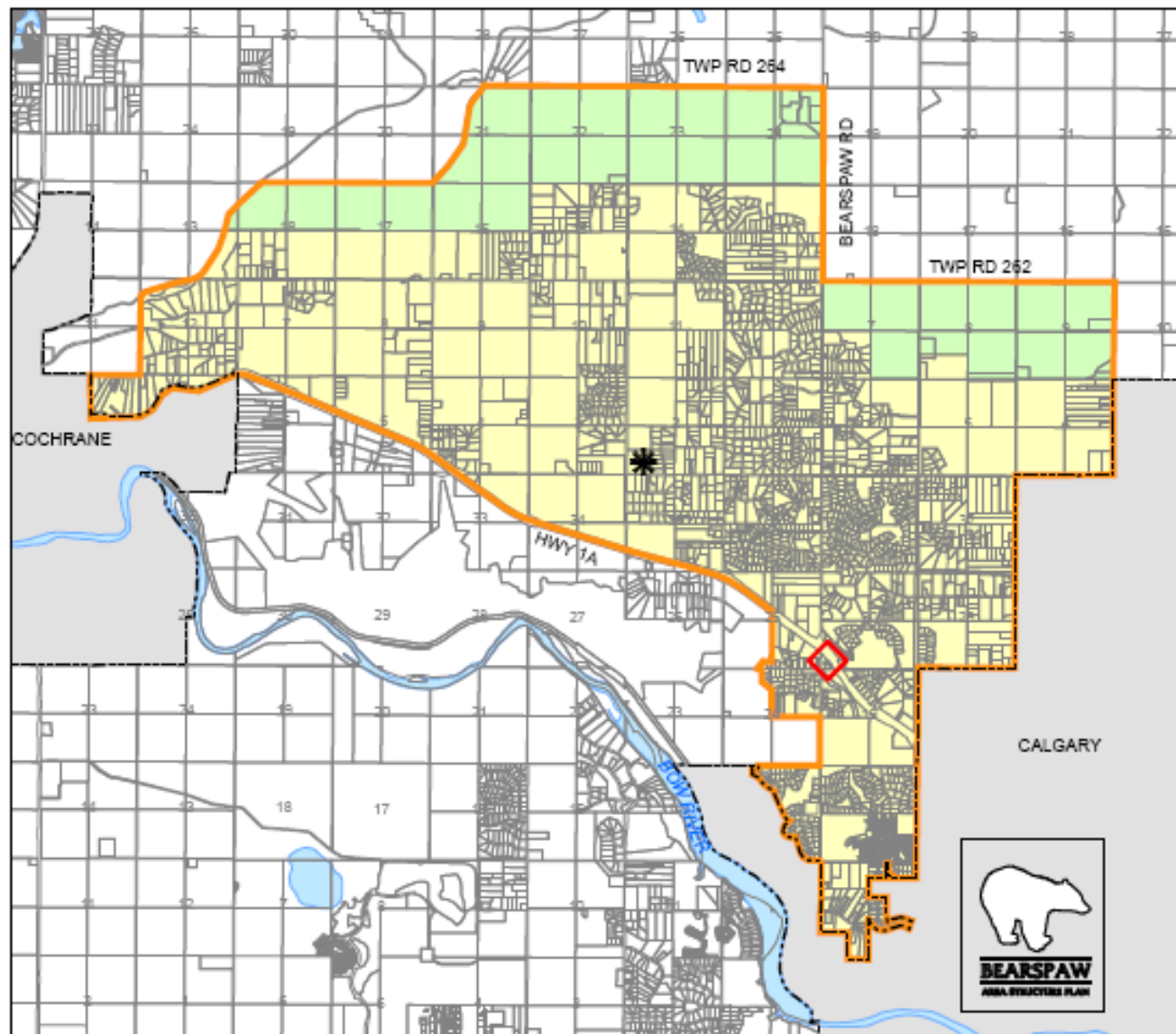
- ASP Area
- Potential High Water Table Areas
- Potential Steep Slope Areas (greater than 15%)
- Known areas of potential archaeological, historical and / or cultural significance

Source: Alberta Environmental Protection and Alberta Community Development

Area boundaries are approximate only

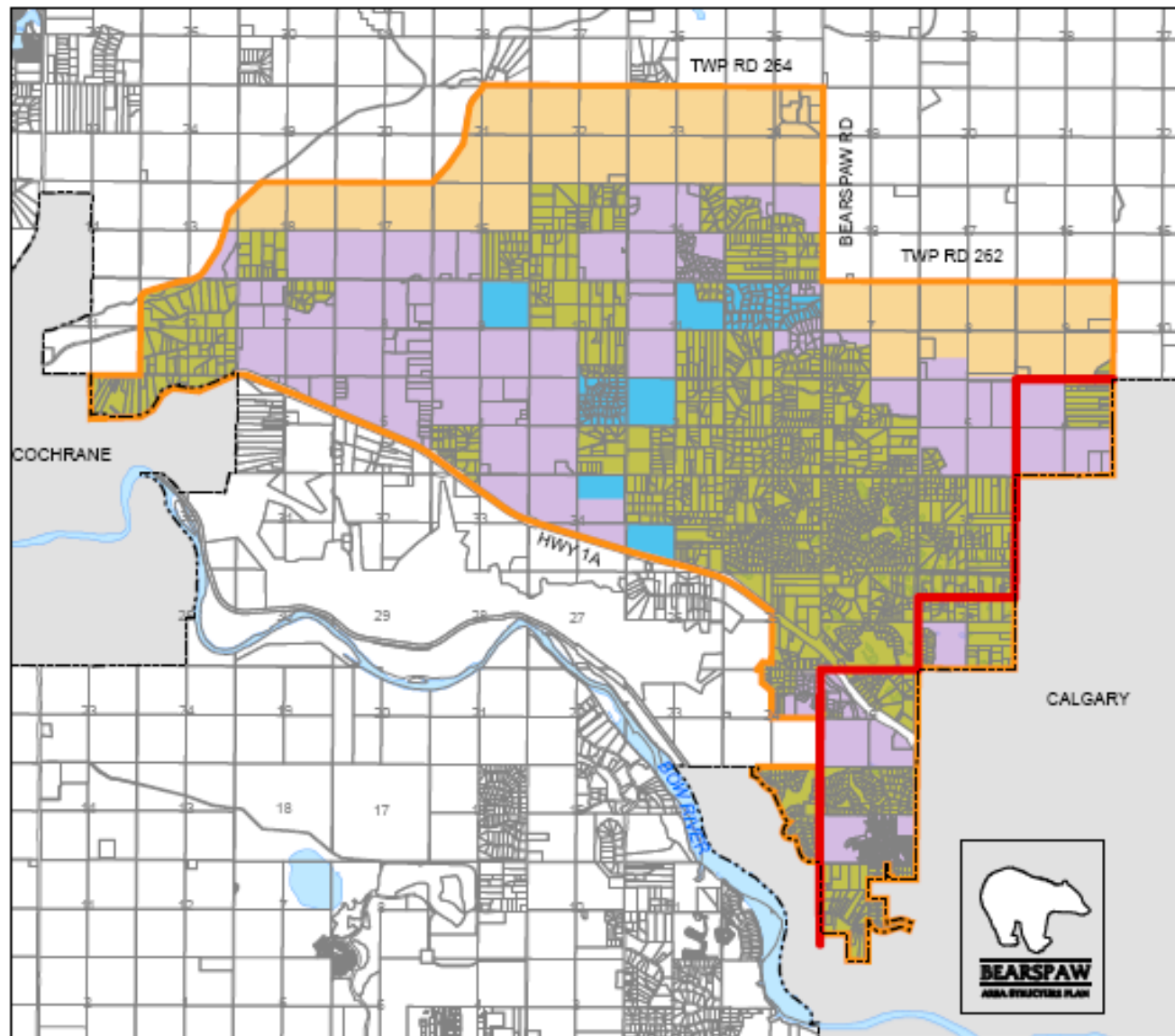
This map is conceptual in nature. No measurements or area calculations should be taken from this map.





This map is conceptual in nature. No measurements or area calculations should be taken from this map.



Figure 8:  
Phasing

- ASP Area
- Rocky View Boundary
- Urban Fringe
- Development Priority**
  - Area 1
  - Area 2
  - Area 3
  - Area 4

**Notes:**

This map is a general indication of development priority only.

This map is conceptual in nature. No measurements or area calculations should be taken from this map.



## 5.0 PLAN CONFORMITY

- 5.1 The Bearspaw Area Structure Plan conforms to:
- a) The Planning Act, Revised Statutes of Alberta 1980, Section 64 as amended;
  - b) The Calgary Regional Plan ratified May 9, 1984 including all amendments hereto;
  - c) The Municipal District of Rocky View No. 44 General Municipal Plan, By-law C-3894-92.
- 5.2 Pursuant to the provisions of the Planning Act, the lands within the Plan Area are subject to the provisions of the Calgary Regional Plan. Notwithstanding 5.1(b) and Appendix A, Clause 3, Regional Plan Amendments and/or Inter-municipal Agreements may be necessary prior to the redesignation of lands within the Plan Area and/or the approval of applications for subdivision and/or development.



## 6.0 PLAN OBJECTIVES

The Bearspaw Area Structure Plan establishes Council policies for the comprehensive growth management of the Plan Area in accordance with the following objectives:

- 6.1 To establish a future land use scenario for the Plan Area that in concert with sound land use planning principles will provide a future reference for the achievement of an efficient development pattern while balancing and protecting the character of the Bearspaw community.
- 6.2 To guide growth and change within the Plan Area through the implementation of sound land use planning policies.
- 6.3 To facilitate the review and evaluation of the feasibility and appropriateness of any redesignation, subdivision and/or development proposal within the Plan Area in accordance with an established framework of policies.
- 6.4 To achieve the goals and objectives of the General Municipal Plan through the implementation of sound land use planning policies.
- 6.5 To protect, conserve and/or enhance the unique natural features of the Plan Area by requiring proposals for redesignation, subdivision and/or development to consider these features and implement measures that will avoid or mitigate any resulting potentially negative impacts.
- 6.6 To facilitate the provision of essential community services in accordance with the needs of current and future development within the Plan Area.
- 6.7 To preserve the archaeological, historical and/or cultural heritage within the Plan Area.

## **7.0 LAND USE AND PHASING**

### **7.1 LAND USE**

- 7.1.1 Figure 7 is the future land use scenario for the Plan Area and generally establishes appropriate land uses within the Plan Area.
- 7.1.2 Notwithstanding the provisions of Figure 7, certain lands within the Plan Area may be inappropriate for the identified land use due to on-site conditions, provincial legislation, the Calgary Regional Plan, the General Municipal Plan, this Plan and/or any other matter deemed appropriate by the Municipality.
- 7.1.3 When considering proposals for redesignation, the Municipality should confirm that the proposal is in accordance with Figure 7 and the applicable provisions of this Plan.
- 7.1.4 When considering applications for subdivision approval, the Municipality shall confirm that the proposal is in conformity with Figure 7 and the applicable provisions of this Plan.
- 7.1.5 Where a proposal for redesignation, subdivision and/or development approval proposes a land use not contemplated by this Plan or in the opinion of the Municipality is not in conformity with this Plan, the Municipality may:
  - a) require the proposal to be amended to bring it into conformity to this Plan;
  - b) refuse the proposals; or
  - c) amend this Plan.
- 7.1.6 Where an amendment to this Plan as contemplated by Policy 7.1.5 is proposed, the amendment shall be undertaken in accordance with Section 9.0 of this Plan.

### **7.2 PHASING**

- 7.2.1 To facilitate a logical, efficient and planned development pattern within the Plan Area and to reflect public input, Phasing has been established in Figure 8. Appendix B provides the general criteria for determining Development Priority Areas.
- 7.2.2 The redesignation, subdivision and/or development of lands within the Plan Area should proceed in accordance with the priorities established in Figure 8. Notwithstanding the priorities established in Figure 8, development priorities for specific lands may be altered without amendment to this Plan, at the discretion of the Municipality, provided the consequences of development out of sequence are examined and the Municipality determines that any on-site or off-site planning issues have been resolved pursuant to the provisions of this Plan.

## 8.0 PLAN POLICIES

### 8.1 COUNTRY RESIDENTIAL

#### General Land Use

- 8.1.1 Country residential land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.
- 8.1.2 Figure 7 identifies areas within the Plan Area generally considered appropriate for country residential land uses.
- 8.1.3 Applications for redesignation that propose country residential land uses should be considered pursuant to the provisions of Figure 7 and attendant Plan policies.
- 8.1.4 Country residential land use is not considered an appropriate land use within the agricultural areas identified in Figure 7.
- 8.1.5 Notwithstanding Policy 8.1.4, where the Municipality, at its sole discretion, considers specific lands within the agricultural areas identified in Figure 7 to be appropriate for country residential use, an amendment to this Plan should be undertaken.
- 8.1.6 Pursuant to Policy 8.1.5, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan and/or other studies deemed appropriate by the Municipality.
- 8.1.7 The Land Use By-law shall establish Land Use Districts that will accommodate the range of country residential land uses contemplated by this Plan; and should establish rules and regulations for each Land Use District including, but not limited to:
  - a) permitted and discretionary uses;
  - b) general rules and regulations for country residential development;
  - c) any other matter the Municipality deems necessary.

#### Phasing

- 8.1.8 Country residential land uses as illustrated in Figure 7, should develop in accordance with the phasing sequence identified in Figure 8. Country residential development proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.

#### Concept Plans

Concept Plans are considered by the Municipality to be an important component of long range planning for the development of lands within the Plan Area. These Plans are generally focused at the quarter section scale, strategic in character and intended to:

- establish the appropriateness of land uses proposed for the quarter section;
- identify development issues (ie. storm water management, sewage disposal, aesthetics, densities), assess their impact on surrounding land uses and establish appropriate and comprehensive mitigation measures;

- facilitate the phasing of subdivision and development through the establishment of a comprehensive phasing plan;
  - facilitate efficient and comprehensive development by encouraging innovative subdivision design that maximizes lot yields, servicing efficiencies and on-site development opportunities;
  - facilitate community input.
- 8.1.9 Figure 3 identifies lands within the Plan Area where the preparation of Concept Plans is required prior to the redesignation of these lands for country residential land use.
- 8.1.10 Notwithstanding Policy 8.1.9, Council may determine, at its sole discretion, that any lands within the Plan Area require the preparation of a Concept Plan prior to the redesignation of the lands for country residential land use.
- 8.1.11 Where lands are designated for country residential land uses and no Concept Plan has been prepared or adopted by Council, the Municipality may require a Concept Plan to accompany an application for country residential subdivision within the Plan Area.
- 8.1.12 Prior to third reading of any By-law redesignating lands within the Plan Area for country residential land uses and/or the tentative approval of a Plan of Subdivision, the Municipality, at its sole discretion may:
- a) proceed with an Amendment to this Plan adopting a Concept Plan containing the lands proposed for redesignation, and/or subdivision and any attendant policies, as may be deemed appropriate by Council;
  - b) require further evaluation of the subject and/or affected lands; including revisions to the attendant Concept Plan;
  - c) terminate the Concept Plan Review and/or rescind first reading to any amending By-law and/or refuse with reasons any application for subdivision;
  - d) undertake any other action deemed appropriate by the Municipality.
- 8.1.13 Pursuant to Policy 8.1.12, where the Municipality has at its sole discretion, terminated a Concept Plan Review or undertaken a similar action, the Municipality should refuse any proposal for redesignation and/or rescind first reading of a By-law effecting a redesignation and/or refuse with reasons any application for subdivision within the proposed Concept Plan Area.
- 8.1.14 Concept Plans contemplated by this Plan shall contain:
- a) a description of all lands contained within the Concept Plan Area;
  - b) the proposed uses of lands within the Concept Plan Area;
  - c) proposed parcel size and density for the Concept Plan Area;
  - d) the proposed internal road hierarchy;
  - e) a servicing proposal including, but not limited to, public and private utilities for the Concept Plan Area;
  - f) any special policies that may be required to give guidance to the preparation of tentative plans of subdivision including, but not limited to, geotechnical,

hydrological, hazard and/or environmental conditions within the Concept Plan Area;

g) any other matters deemed appropriate by the Municipality.

8.1.15 In addition to the requirements of Policy 8.1.14, and in support of any amendment to this Plan, the Municipality may require the proponent of the Concept Plan to provide in sufficient detail, verification of the suitability of the Concept Plan Area for the uses proposed including the following to the satisfaction of Council:

- a) an evaluation of any on-site hazard(s);
- b) an evaluation of on-site geotechnical features;
- c) an evaluation of on-site environmental conditions;
- d) an environmental audit of lands within the Concept Plan Area;
- e) an evaluation of any on-site hydrological conditions;
- f) an evaluation of proposed servicing;
- g) a Traffic Impact Analysis;
- h) any other matter deemed necessary by the Municipality.

### **Subdivision**

8.1.16 Applications for subdivision approval that propose country residential land uses shall be considered pursuant to the provisions of Figure 7 and attendant Plan policies.

8.1.17 Notwithstanding policy 8.1.16, where the Municipality, at its sole discretion, considers specific lands within the Plan Area that have not been identified for country residential land uses, to be appropriate for subdivision to accommodate country residential uses, an amendment to this Plan should be undertaken.

8.1.18 Pursuant to policy 8.1.17, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan and/or other studies deemed appropriate by the Municipality.

8.1.19 When considering applications for subdivision approval, the Municipality should evaluate tentative plans of subdivision in terms of the following considerations:

- a) the natural condition of the lands proposed for subdivision and the manner in which these conditions (ie. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;
- b) the serviceability of the proposed parcels by private and public utilities;
- c) the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building and ancillary structures;
- d) the context of the lands proposed for subdivision and the compatibility of the proposed design with adjacent lands including, but not limited to, site conditions, parcel sizes, visual impact, etc.;

- e) the intensification potential of the tentative plan of subdivision and the flexibility of the proposed design to accommodate future subdivision;
  - f) the conformity of the tentative plan of subdivision with any Concept Plan prepared and/or adopted pursuant to the provisions of this Plan;
  - g) the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;
  - h) conformity to this Plan, which may necessitate an amendment to the Plan;
  - i) any other matter deemed appropriate by the Municipality.
- 8.1.20 Within the country residential areas identified in Figure 7, the minimum parcel size should not be less than four (4) acres.
- 8.1.21 Notwithstanding Policy 8.1.20 and Figure 3, the Municipality may consider redesignation proposals and/or application for subdivision contemplating parcel sizes of less than four (4) acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of this Plan.
- 8.1.22 Where a tentative plan of subdivision proposes panhandle access, the Municipality may consider this design element appropriate only where topographic conditions preclude other design solutions.
- 8.1.23 Where the Municipality deems panhandle access to be appropriate, the minimum width of an individual panhandle driveway should not be less than 12 metres (40 feet) in width. Panhandle access to major and minor collector roads should be avoided.
- 8.1.24 Where a tentative plan of subdivision proposes a dead end cul-de-sac, the design and length of the cul-de-sac should sufficiently accommodate emergency vehicle access, or alternate provisions for emergency vehicle access shall be provided.
- 8.1.25 Applications for subdivision approval shall be subject to the Municipal Reserve provisions of the Planning Act and this Plan.
- 8.1.26 Where a tentative plan of subdivision proposes a recreation commercial use as a component of a country residential proposal, the Municipality shall not consider the proposed recreational use as satisfying the requirements for Reserve dedication, and shall require Reserves in accordance with the provisions of the Planning Act.

## **8.2 RURAL COMMERCIAL**

### **General Land Use**

- 8.2.1 Rural commercial land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.
- 8.2.2 Figure 7 identifies areas within the Plan Area generally considered appropriate for rural commercial land uses.
- 8.2.3 Applications for redesignation that propose rural commercial land uses should be considered pursuant to the provisions of Figure 7 and attendant Plan policies.

- 8.2.4 Rural commercial land uses are not considered appropriate land uses within the agricultural areas identified in Figure 7.
- 8.2.5 Notwithstanding policy 8.2.4, where the Municipality at its sole discretion, considers specific lands within the agricultural areas identified in Figure 7, to be appropriate for rural commercial uses, an amendment to this Plan should be undertaken.
- 8.2.6 Pursuant to Policy 8.2.5, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan (as generally referenced in Policies 8.1.14 and 8.1.15) and/or other studies deemed appropriate by the Municipality.
- 8.2.7 The Land Use By-law shall establish Land Use Districts that will accommodate the range of rural commercial land uses contemplated by this Plan; and should establish rules and regulations for each Land Use District including, but not limited to:
- a) permitted and discretionary uses;
  - b) general rules and regulations for rural commercial development;
  - c) parking, lodging and access requirements;
  - d) landscaping and screening requirements;
  - e) any other matter the Municipality deems necessary.

### **Phasing**

- 8.2.8 Rural commercial land uses as identified in Figure 7, should develop in accordance with the phasing sequence identified in Figure 8. Rural commercial development proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.

### **Subdivision**

- 8.2.9 Applications for subdivision approval that propose rural commercial land uses shall be considered pursuant to the provisions of Figure 7 and attendant Plan policies.
- 8.2.10 Notwithstanding policy 8.2.9, where the Municipality at its sole discretion, considers specific lands within the Plan Area that have not been identified for rural commercial land uses, to be appropriate for subdivision to accommodate rural commercial uses, an amendment to this Plan shall be undertaken prior to subdivision approval.
- 8.2.11 Pursuant to policy 8.2.10, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan (as generally referenced in Policies 8.1.14 and 8.1.15) and/or other studies considered appropriate by the Municipality.

### **Home Occupations**

- 8.2.12 Home occupations may be considered by the Municipality to be appropriate land uses within the Plan Area provided they are approved and operated in accordance with the provisions of the Land Use By-law.

## Home Enterprises

8.2.13 Pursuant to the provisions of the General Municipal Plan, commercial land uses, ancillary to a residential use; established initially as a home occupation, and over time expanded beyond the criteria for a home occupation as provided for in the Land Use By-law; may be accommodated in the Land Use By-law within a Direct Control District. When considering the appropriateness of a home enterprise (commercial) within the Plan Area, the following should be considered:

- a) a comprehensive Development Plan for the proposed site;
- b) the potential impact on adjacent land uses including, but not limited to, traffic, noise, dust, safety and visual impact;
- c) the availability and adequacy of on-site and off-site municipal services, private and/or public utilities necessary to support the commercial development;
- d) the Operational Plan for the commercial development (ie. proposed days and hours of operation, number of employees);
- e) a Landscaping and Buffering Plan;
- f) any other matter the Municipality deems necessary.

## Recreation Commercial

8.2.14 Recreation Commercial land uses (ie. golf courses, campgrounds) may be considered appropriate within the Plan Area pursuant to the provisions of this Plan.

8.2.15 Redesignation proposals and/or applications for subdivision and development approval to accommodate recreation commercial land uses should only be considered where adjacent lands are not unduly negatively impacted. When evaluating the appropriateness of a proposal, the Municipality may require the following:

- a) a comprehensive Development Plan;
- b) an Operational Plan;
- c) a Traffic Impact Analysis;
- d) an Environmental Overview or Impact Assessment pursuant to the provisions of the General Municipal Plan;
- e) an Archaeological/Historical Impact Assessment;
- f) any other matter deemed appropriate by the Municipality.

8.2.16 Where a proposed tentative plan of subdivision includes a recreation commercial use, the Municipality shall not consider the proposed recreation use as satisfying the requirement for Reserve dedication, and shall require the provision of Reserve in accordance with the provisions of the Planning Act.

## 8.3 RURAL INDUSTRIAL

### General Land Use

8.3.1 Rural Industrial land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.



- 8.3.2 Applications for redesignation that propose rural industrial land uses should be considered pursuant to the future land use scenario identified on Figure 7 and attendant Plan policies.
- 8.3.3 Where the Municipality, at its sole discretion, considers specific lands within the Plan Area to be appropriate for rural industrial uses, an amendment to this Plan should be undertaken.
- 8.3.4 Pursuant to policy 8.3.3, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan (as generally referenced in Policies 8.1.14 and 8.1.15) and/or any other studies deemed appropriate by the Municipality.
- 8.3.5 The Land Use By-law shall establish Land Use Districts that will accommodate a range of industrial land uses; and should establish rules and regulations for each Land Use District including, but not limited to:
- a) permitted and discretionary uses;
  - b) general rules and regulations for industrial development (ie. yard requirements, building height);
  - c) performance standards for the identification and control of potential nuisances (ie. noise, dust, odour);
  - d) parking access and loading requirements and the requirements for supporting information such as a traffic impact analysis;
  - e) landscaping and screening requirements;
  - f) sign and display regulations;
  - g) outside storage regulations;
  - h) any other matter the Municipality deems necessary.
- 8.3.6 Industrial land uses which are not resource dependent or ancillary to a residential use should locate within a rural industrial park.
- 8.3.7 When evaluating proposals for rural industrial parks the Municipality should consider the following:
- a) the type, design and scale of the proposed industrial park and the potential impact on adjacent lands;
  - b) the impact of traffic on the Municipal and Provincial road system and transportation hierarchy;
  - c) the provision of on site and off-site public and private utilities necessary to support full development of the site;
  - d) the operational and management strategies of the industry proposed for the park;
  - e) the overall landscaping, berming and maintenance program proposed for the park;
  - f) any other matter the Municipality deems necessary.

**Phasing**

- 8.3.8 Rural Industrial land uses should develop in accordance with the phasing sequence identified in Figure 8. Rural Industrial development proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.

**Subdivision**

- 8.3.9 Applications for subdivision approval that propose rural industrial land uses shall be considered pursuant to the provisions of Figure 7 and attendant Plan policies.
- 8.3.10 Notwithstanding Policy 8.3.9, where the Municipality at its sole discretion, considers specific lands within the Plan Area to be appropriate for rural industrial uses, an amendment to this Plan shall be undertaken prior to subdivision approval.
- 8.3.11 Pursuant to Policy 8.3.10, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan (as generally referenced in Policy 8.1.14 and 8.1.15) and/or other studies deemed appropriate by the Municipality.

**Home Occupations**

- 8.3.12 Home occupations may be considered by the Municipality to be appropriate land uses within the Plan Area provided they are approved and operated in accordance with the provisions of the Land Use By-law.

**Home Enterprises**

- 8.3.13 Pursuant to the provisions of the General Municipal Plan, industrial land uses, ancillary to a residential use; established initially as a home occupation and over time expanded beyond the criteria for a home occupation, as provided for in the Land Use By-law; may be accommodated in the Land Use By-law within a Direct Control District. When considering the appropriateness of a home enterprise (industrial) within the Plan Area, the following should be considered:
- a) a comprehensive Development Plan for the proposed site;
  - b) potential impact on adjacent land uses including, but not limited to, traffic, noise, dust, safety and visual impact;
  - c) the availability and adequacy of on-site and off-site municipal services, private and/or public utilities and the road hierarchy necessary to support the industrial development;
  - d) the Operational Plan for the industrial development (ie. proposed days and hours of operation, number of employees);
  - e) a Landscaping and Buffering Plan;
  - f) any other matter the Municipality deems necessary.

**Natural Resource Extractive Industry - General**

- 8.3.14 Areas where there are indications of a high potential for natural resource extraction, should be protected for such purposes within the Plan Area.

- 8.3.15 No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.
- 8.3.16 When considering a proposal to redesignate lands to a natural resource extractive industrial use, the Municipality should have regard for:
- a) the surrounding land uses and the possible impact which may result from the introduction of an extractive industrial use;
  - b) the economic benefits to the Municipality accrued from the proposed industrial development;
  - c) the accessibility of the subject lands and the adequacy of the municipal road system to accommodate traffic generated from the industry, while maintaining the safety of the road system;
  - d) the proposed reclamation plan;
  - e) any comments received from provincial and/or referral agencies;
  - f) any comments received from Alberta Environmental Protection;
  - g) the management plan for the handling and storage of hazardous or other waste materials proposed to be generated from the industrial activity;
  - h) any other additional information the Municipality deems appropriate.
- 8.3.17 Natural resource extractive industries, where considered appropriate by Council, shall be accommodated in a Direct Control District in the Land Use By-law.
- 8.3.18 A Direct Control By-law contemplated by Policy 8.3.17 should contain special guidelines for a natural resource extractive industry as follows:
- a) permitted and/or discretionary uses;
  - b) setback standards between different land uses;
  - c) buffering and screening standards;
  - d) ingress/egress controls and road standards that may include, but are not limited to, roadway rights-of-way, road construction standards, traffic impact analysis, and shared Municipal Maintenance Agreements;
  - e) days and hours of operation;
  - f) noise, dust and odour controls;
  - g) building and development standards;
  - h) any other matter deemed appropriate by the Municipality.
- 8.3.19 Pursuant to policy 8.3.18, related or ancillary uses to the extractive industry: (i.e. asphalt plants, ready-mix concrete plants and the storage and handling of pipe and drilling equipment) should be considered discretionary uses in a Direct Control By-law and ancillary to the principal industrial use.

### **Natural Resource - Extractive Industry Aggregates**

These policies acknowledge the distribution of aggregates within the Plan Area and provide the Municipality with policies to evaluate proposals for its extraction. A proponent of a proposal may be required to provide the following in support of an application for redesignation and/or subdivision:

- a detailed site plan;
  - topographic information;
  - geophysical assessment;
  - a Traffic Impact Analysis;
  - an Environmental Overview;
  - proposed phasing of the extraction;
  - post-extraction plan;
  - community impact assessment;
  - Archaeological and Historical Impact Assessment;
  - proposed buffering and noise reduction program;
  - proposed haul routes and traffic safety precautions;
  - proposed days and hours of operation;
  - proposed erosion and/or dust abatement program;
  - proposed aesthetic controls;
  - proposed rehabilitation plan;
  - approximate final grades of the site following extraction of the resource;
  - planned rehabilitative landscaping and vegetative plantings;
  - plans for the removal and storage of overburden;
  - any other information deemed appropriate by the Municipality.
- 8.3.20 The distribution of natural resource - aggregates within the Plan Area is shown on Figure 4. This figure is provided for information purposes only. Figure 4 shall not automatically entitle a landowner to make use of the identified land for extraction purposes without securing the appropriate approvals required by this Plan. The Municipality shall not be bound to approve applications for aggregate extraction in any identified area.
- 8.3.21 Redesignation proposals and/or applications for subdivision and development approval to accommodate the extraction of natural resource - aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered. When considering proposals, the Municipality should have regard for the following:
- a) a comprehensive Development Plan including, but not limited to:
    - i. a detailed site plan, prepared to scale and identifying: boundary information, existing easements and right-of-ways, existing physical features, and all buildings and improvements on and proposed for the site;
    - ii. topographic information in sufficient detail to indicate topographic variations across the site;

- iii. a geophysical assessment in sufficient detail to locate and quantify the nature and origin of the natural resource - aggregates found on the site;
  - iv. a hydrological assessment in sufficient detail required to assess the potential affects extraction of natural resource - aggregates may have on surface water and groundwater in the area. The assessment should address quantity, quality and recharge or discharge of the surrounding areas water resources;
  - v. a Traffic Impact Analysis identifying ingress and egress to the site, proposed on-site roads, potential impacts on the Municipal road system with regard to proposed road maintenance and/or upgrading;
  - vi. an Environmental Overview or Impact Assessment - pursuant to the provisions of the General Municipal Plan;
  - vii. proposed phasing of the resource extraction, construction management plan, proposed structures and on-site improvements (berming, settling ponds, etc.) attendant to the extraction of natural resources;
  - viii. post-extraction plan indicating that future development of the site is viable, compatible with the land uses of the surrounding area, accessible, and that the physical attributes of the final land form are compatible with the proposed uses;
  - ix. community impact assessment including, but not limited to, an assessment of community benefit, the potential impact on adjacent and other affected lands, the results of a community input and involvement program, and any mitigation measures proposed for implementation;
  - x. an Archaeological and Historical Impact Assessment;
  - xi. any other information deemed appropriate by the Municipality.
- b) an Operation Statement including, but not limited to:
- i. the proposed buffering and noise reduction program sequenced to the phases of resource extraction identified in the comprehensive Development Plan;
  - ii. the proposed haul routes, traffic safety precautions and/or other mitigation proposals identified in the comprehensive Development Plan;
  - iii. the proposed days and hours of operation;
  - iv. the proposed erosion and/or dust abatement program;
  - v. proposed aesthetic controls that may include a visual impact abatement program and/or other measures to address community impact concerns;
  - vi. any other information deemed appropriate by the Municipality.
- c) a Rehabilitation Plan including, but not limited to:
- i. the planned rehabilitation of the site including, but not limited to, the methods of accomplishment, phasing and timing of future land uses;
  - ii. the approximate final grades of the proposed excavation area including areas of cut and fill;
  - iii. planned rehabilitative landscaping and vegetative plantings;

- iv. the plans for removal and storage of overburden;
  - v. any other information deemed appropriate by the Municipality.
- 8.3.22 Following consideration of the information provided pursuant to policy 8.3.21, the Municipality may:
- a) approve the proposal;
  - b) require the proponent to provide additional information in support of the proposal;
  - c) impose conditions of subdivision and/or development approval deemed appropriate by the Municipality; or
  - d) refuse the proposal for redesignation, subdivision and/or development.
- 8.3.23 Prior to the approval of a proposal for subdivision and/or development approval that would accommodate the extraction of natural resource - aggregates on lands within the Plan Area; the Municipality should proceed with an amendment to this Plan revising Figure 7 (Future Land Use Scenario) by identifying the lands proposed for redesignation, subdivision and/or development approval as a rural industrial - natural resource - aggregates land use.

## 8.4 AGRICULTURE

### General Land Use

- 8.4.1 Agricultural land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.
- 8.4.2 Figure 7 identifies areas within the Plan Area generally considered appropriate for agricultural land uses.
- 8.4.3 Applications for redesignation that propose agricultural land uses should be considered pursuant to the provisions of Figure 7 and attendant Plan policies.
- 8.4.4 Pursuant to the provisions of the General Municipal Plan, the quarter section should be maintained as the basic agricultural land unit throughout the Plan Area. Subdivision of this land unit for non-agricultural purposes should be limited, on lands identified in Figure 7 as agricultural, to farmstead separations, first parcel out subdivisions and agricultural land severed by a bona fide natural or man-made intervening ownership pursuant to the provisions of the Planning Act.
- 8.4.5 Higher and lower capability agricultural land, grazing land, environmentally significant features (Figure 6), treed areas and existing agricultural land uses are considered significant elements of the agricultural land base.
- 8.4.6 Agricultural land uses on lands identified in Figure 7 as non-agricultural land uses, may be considered as conforming uses under this Plan. The intensification of existing agricultural land uses within this area, may be considered without amendment to this Plan, provided the proposed use would not adversely impact adjacent lands and conforms to the provisions of this Plan. The Municipality when considering the appropriateness of proposals for redesignation, subdivision and/or development approval for agricultural uses on lands identified in Figure 7 as non-agricultural, should consider:
  - a) the compatibility of the proposed agricultural land use with the adjacent land uses;

- b) the location type, design, size and scale of any proposed confinement facilities or structures including pens and storage facilities and any potential impacts on the adjacent land uses;
  - c) an Environmental Overview;
  - d) a Traffic Impact Analysis and an investigation of any proposed parking facilities that may be required;
  - e) the source and suitability of the proposed water supply with regard to the proposed agricultural use;
  - f) the proposed waste management program (where livestock confinement facilities are proposed);
  - g) the proposed chemical management plan (where horticultural development is proposed) and information on any attendant facilities that will be required to implement the plan;
  - h) any other matters the Municipality deems appropriate.
- 8.4.7 Where the Municipality considers a proposed agricultural development to have the potential for conflict with adjacent land uses; the proposed agricultural development may be required to be located a minimum of 460 metres (1500 feet) from the property line of the affected land use or in accordance with the calculation of a separation distance utilizing the Minimum Distance Separation Formula or a greater distance as determined by the Municipality.
- 8.4.8 Where non-agricultural land uses are proposed adjacent to or within close proximity to an agricultural land use, and there is the potential for land use conflicts which may limit and/or restrict agricultural land uses on adjacent lands; the proposed non-agricultural activity may, at the Municipality's discretion, be required to locate a minimum of 460 metres (1500 feet) from the property line of the affected land use or a greater distance as determined by the Municipality.
- 8.4.9 The Land Use By-law shall establish Land Use Districts that will accommodate the range of agricultural land uses contemplated by this Plan; and should establish rules and regulations for each Land Use District including, but not limited to:
- a) permitted and discretionary uses;
  - b) general rules and regulations for agricultural development;
  - c) any other matter the Municipality deems necessary.

Table 1: General Characteristics of Municipal Roads in the Transportation Hierarchy<sup>1</sup>

	<b>Service &amp; Local Roads</b>	<b>Minor Collector</b>	<b>Major Collector</b>
<b>Service Function</b>	Traffic Movement Secondary Consideration	Traffic Movement and Land Access of Equal Importance	Traffic Movement and Land Access of Equal Importance
<b>Land Service</b>	Land Access Primary Consideration	Traffic Movement and Land Access of Equal Importance	Traffic Movement and Land Access of Equal Importance
<b>Traffic Volume Vehicles Per Day (Typically)</b>	< 1,000	< 2,500	< 5,000
<b>Flow Characteristics</b>	Interrupted Flow	Interrupted Flow	Interrupted Flow
<b>Design Speed (km/h)</b>	50 to 80	60 to 80	60 to 100
<b>Vehicle Type</b>	Predominantly Passenger Cars, Light to Medium Trucks and Occasional Heavy Trucks	Predominantly Passenger Cars, Light to Medium Trucks and Occasional Heavy Trucks	All Types up to 30% Trucks in the 3 t to 5 t Range
<b>Frequency of Approaches (metres)</b>	150 Locals	150 to 400 Locals	400 to 800 Locals
<b>Normal Connections</b>	Collectors Arterials	Collectors Arterials	Collectors Arterials

<sup>1</sup> This table is intended as a guideline only and is not a substitute for Municipal Standards.



## 8.5 TRANSPORTATION

### General

- 8.5.1 Figure 5 identifies the municipal road hierarchy for the Plan Area.
- 8.5.2 The Municipality favours the long term maintenance of the existing grid network for all Major and Minor Collector Roads. Proposed internal local roads, shall integrate within the Municipality's Transportation Network.
- 8.5.3 Major Collector Roads are intended to facilitate the movement of all vehicular types. Table 1 identifies the characteristics of Municipal roads in the Transportation Hierarchy.
- 8.5.4 Notwithstanding Policy 8.5.3 and Table 1, seasonal road bans may restrict vehicular access to specified vehicular types or loads, as may be deemed appropriate by the Municipality.
- 8.5.5 Roads not identified as service roads or major/minor collector roads within the Transportation Hierarchy (Figure 5) are considered local roads which are intended to provide access and egress to local traffic only. Direct lot access to major and minor collector roads should be avoided.
- 8.5.6 Pursuant to Policy 8.5.5, Coyote Valley Road and Bearspaw Road south of Highway 1A (133 Street N.W.) provide access and egress to local traffic and should not be extended and/or upgraded to provide direct access/egress to Highway 1A.
- 8.5.7 All Municipal roads within the Plan Area shall be designed and constructed to Municipal Standards, as may be amended from time to time. Appendix C contains typical cross-sections of local roads, minor and major collector roads.
- 8.5.8 Signage not essential to the function of a Road shall be regulated by the provisions of the Land Use By-law.
- 8.5.9 The attenuation of noise, if required by the Municipality, should be achieved through measures other than fences, such as, innovative subdivision design, landscaping and undulating berms and/or terrain.
- 8.5.10 Concept Plans contemplated by this Plan and/or proposals for subdivisions where serviced with an internal local road system, should provide a minimum of two access points for vehicular traffic.
- 8.5.11 Notwithstanding Policy 8.5.10, phased proposals for subdivisions in areas with a completed Concept Plan may be considered on an interim basis, if alternative temporary provisions are made for emergency access in accordance with an overall phased development.
- 8.5.12 When considering proposals for redesignation, subdivision and/or development located adjacent to minor and major collector roads and railways, the Municipality may require the developer to submit a Traffic Impact Analysis which examines:
  - a) the potential impact proposed uses may have on the existing transportation network;
  - b) any requirements for future expansion of the existing transportation network that may be required to accommodate traffic generated from the proposed development;

- c) any mitigation measures that may be required to ensure the function and integrity of any part of the Transportation Network is preserved (ie. noise attenuation measures, buffering or screening, setbacks);
- d) any other matter deemed appropriate by the Municipality.

### **Highway 1A**

- 8.5.13 When considering applications for subdivision approval within .8 kilometres (.5 miles) of the right-of-way of Highway 1A, the Municipality shall circulate the proposal to Alberta Transportation and Utilities for comment.
- 8.5.14 Pursuant to Policy 8.5.13, where Alberta Transportation and Utilities determines that additional land is required for widening of Highway 1A and/or future interchanges, the Municipality may impose conditions of subdivision approval to ensure that these requirements are accommodated prior to, or concurrent with endorsement of the Final Plan of Subdivision.
- 8.5.15 Pursuant to Policy 8.5.14, where Alberta Transportation and Utilities determines that a service road is required adjacent to Highway 1A, the Municipality shall impose conditions of subdivision approval to ensure that this requirement is accommodated prior to, or concurrent with endorsement of the Final Plan of Subdivision.
- 8.5.16 A service road contemplated by Policy 8.5.15 shall be designed and constructed to Municipal standards in accordance with the terms of a Development Agreement between the Developer and the Municipality.
- 8.5.17 Local roads should not provide direct access/egress to Highway 1A.
- 8.5.18 The Municipality supports the twinning of Highway 1A and the development of interchanges in the locations illustrated on Figure 4. It is expected that development of these interchanges will serve traffic generated from growth within the Plan Area in accordance with the Phasing identified on Figure 8. For the purposes of this Plan, the preferred priority of interchange development is:
  - a) Bearspaw Road/Highway 1A;
  - b) Lochend Road/Highway 1A;
  - c) 12 Mile Coulee Road/Highway 1A.
- 8.5.19 The Municipality recognizes the importance of coordinating the Municipal road hierarchy with the transportation networks of other Municipalities and the Province of Alberta; and will continue to promote open communications and cooperation between all parties to improve and address mutual transportation issues and concerns.

## **8.6 ENVIRONMENT**

### **General Land Use**

- 8.6.1 The Land Use By-law shall establish development standards and/or setbacks for the development of lands within the Plan Area which contain or are in proximity to, existing or potential hazards that include, but are not limited to, water bodies, unstable or eroded slopes or other natural features that in the opinion of the Municipality are potential hazards to development or may result in detrimental environmental consequences should development occur.

- 8.6.2 When considering the appropriateness of redesignation proposals, applications for subdivision and/or development approval, the Municipality shall consider the impacts on the environmental and archaeological, historical and/or cultural features identified on Figure 6 and should preserve and protect these features. Additional features not identified on Figure 6 may also be considered, preserved and protected at the discretion of the Municipality.
- 8.6.3 Pursuant to Policy 8.6.2 and 8.6.3, the Municipality may require a proponent, in support of a proposal and at their sole expense, to prepare and submit the following in a form and content satisfactory to the Municipality:
- a) an Environmental Overview pursuant to the provisions of the General Municipal Plan;
  - b) a geotechnical evaluation prepared by a qualified professional;
  - c) a hydrological evaluation;
  - d) an Archaeological/Historical Impact Assessment;
  - e) identify any activities, operations or facilities requiring approval under the Environmental Protection and Enhancement Act, the Water Resources Act or the Department of Environment Act;
  - f) any other analysis deemed appropriate by the Municipality.
- 8.6.4 An Environmental Overview contemplated by this Plan, may apply to the area proposed for redesignation, subdivision and/or development or expanded to include additional lands, at the discretion of the Municipality.
- 8.6.5 When considering proposals for redesignation, applications for subdivision and/or development approval, located on or adjacent to lands exhibiting unstable or organic soils, poor drainage, high water table, flood and/or erosion characteristics, slope instability, soil contamination or any other physical condition that could create risk to life, property or damage to the environment; the onus shall be on the proponent to identify any hazards and implement measures which eliminate and/or mitigate the hazards while retaining and enhancing environmental attributes.
- 8.6.6 Where proposals for redesignation, applications for subdivision and/or development approval are proposed for lands containing terrain that in the opinion of the Municipality has the potential for instability (ie. slopes greater than 15% or 8.53 degrees), a geotechnical evaluation shall be undertaken by a Qualified Professional that should include, but is not limited to:
- i. a preliminary terrain analysis of the subject lands;
  - ii. a slope stability analysis of the shallow and deep-seated stability of the subject lands;
  - iii. an analysis of the limits for development relative to the slope conditions of the subject lands;
  - iv. proposed engineering and environmental impact mitigation measures.
- 8.6.7 Where the Municipality deems it appropriate for environmentally significant features, or other lands contemplated by policies 8.6.6 and 8.6.7, the Municipality

may require the dedication of Environmental Reserve pursuant to the provision of the Planning Act and the General Municipal Plan.

- 8.6.8 Where a proposal for redesignation, subdivision and/or development is located adjacent or in proximity to the Bow River, the Municipality may require the proponent to evaluate the potential effect of the proposed land uses on the Bow River and submit in support of the proposal a Stormwater Management Plan that includes, but is not limited to, a forecast of the quality of runoff water to the Bow River and the proposed stormwater management guidelines and engineering works.
- 8.6.9 Following consideration of the information provided pursuant to policies 8.6.6, 8.6.7 and 8.6.9 the Municipality may:
- a) approve the proposal;
  - b) require the proponent to provide additional information in support of the proposal;
  - c) impose conditions of subdivision and/or development approval deemed appropriate by the Municipality that may include, but are not limited to:
    - i. slope stabilization measures;
    - ii. development setbacks in addition to the provisions of the Land Use By-law;
    - iii. construction management measures;
    - iv. stormwater management measures;
  - d) refuse the proposal for redesignation, subdivision and/or development.

## **8.7 INSTITUTIONAL**

### **Public Institutional**

- 8.7.1 Public institutional land uses (ie. public and separate schools, and government facilities) may be considered appropriate within the Plan Area pursuant to the provisions of this Plan.
- 8.7.2 Appropriate locations for future school sites within the Plan Area are generally identified on Figure 7. From time to time, additional sites may be considered appropriate by the Municipality in consultation with the School Divisions and Districts within the Plan Area.
- 8.7.3 When evaluating the appropriateness of land for school sites, the following should be considered:
- a) proposed access to the sites should be via collector roads within the Municipal road hierarchy;
  - b) natural or man-made hazards and extreme topographic variations that may be present on site;
  - c) the feasibility of providing the proposed site with public and/or private services;
  - d) the appropriateness of the proposed site to accommodate a basic school development which includes an amenities area;
  - e) any other matter deemed appropriate by the Municipality.

- 8.7.4 The Land Use By-law shall establish land use districts that will accommodate a range of public institutional land uses contemplated by this Plan; and should establish rules and regulations for each land use district including, but not limited to:
- a) permitted and discretionary uses;
  - b) general rules and regulations for public institutional development (ie. yard requirements, building height);
  - c) parking and loading requirements;
  - d) landscaping and screening requirements;
  - e) any other matter the Municipality deems necessary.

### **School Reserve**

- 8.7.5 When considering applications for subdivision approval and the provision of School Reserve, the Municipality shall consider any comments received from the Rocky View School Division No. 41, the Cochrane Roman Catholic Separate School District, or any other School District or Division having jurisdiction within the Plan Area, respecting the location and need for school facilities.
- 8.7.6 The Municipality shall consider the terms of any agreement which may be in place between the Municipality and a School Division or District regarding the allocation of School Reserves.
- 8.7.7 Where the Municipality determines that dedication of School Reserve is required as a condition of subdivision approval, the Municipality at its sole discretion may require the applicant; prior to endorsement of the Final Plan of Subdivision, to submit an Environmental Audit verifying that the lands proposed for School Reserve are free of substances that may cause, is causing or has caused an adverse effect on the environment.

### **Non-public Institutional**

- 8.7.8 Non-public institutional land uses (ie. churches, social organizations, clubs and private schools) may be considered appropriate within the Plan Area subject to the provisions of this Plan.
- 8.7.9 When considering the appropriateness of a non-public institutional uses within the Plan Area, the following should be considered:
- a) a comprehensive Development Plan;
  - b) any potential impact on adjacent land uses including, but not limited to, traffic noise, safety and visual impact;
  - c) a Traffic Impact Analysis;
  - d) the availability and adequacy of on-site and off-site private and public utilities necessary to support the non-public institutional use;
  - e) the proposed Operational Plan (ie. proposed days and hours of operation);
  - f) a Landscaping and Buffering Plan;
  - g) any other matter the Municipality deems necessary.

- 8.7.10 The Land Use By-law shall establish land use districts that will accommodate a range of non-public institutional land uses; and should establish rules and regulations for each Land Use District including, but not limited to:
- a) permitted and discretionary uses;
  - b) general rules and regulations for public institutional development (ie. yard requirements, building height);
  - c) parking, access and loading requirements;
  - d) landscaping and screening requirements;
  - e) any other matter the Municipality deems necessary.

## **8.8 RECREATION AND MUNICIPAL RESERVE**

- 8.8.1 Pursuant to the provisions of the General Municipal Plan, the Municipality shall have regard for the Cochrane Regional Recreation Master Plan, as amended and/or any Recreation Master Plan that may apply to the Plan Area.
- 8.8.2 When considering proposals for redesignation, subdivision and/or development the Municipality should encourage the preservation of natural landscapes and development forms which utilize and incorporate passive recreational opportunities.
- 8.8.3 When considering proposals for redesignation, subdivision and/or development the Municipality recognizes the potential for utilizing passive recreational opportunities in concert with the preservation of Environmentally Significant Features as illustrated on Figure 6, and may require the dedication of Environmental and/or Municipal Reserve throughout the Plan Area in accordance with the provision of this Plan, the General Municipal Plan and the Planning Act.

## **8.9 SERVICING AND UTILITIES**

- 8.9.1 The provision of water to subdivisions within the Plan Area shall be in accordance with policy established by Council and the guidelines established by Alberta Environmental Protection.
- 8.9.2 Sewage disposal and/or treatment shall be handled on a site-specific basis in accordance with guidelines established by Alberta Labour and Alberta Environmental Protection.
- 8.9.3 Shallow utilities (telephone, natural gas, etc.) shall be provided by the appropriate public or private utility companies in the Plan Area.
- 8.9.4 When considering applications for subdivision approval and/or development proposals, the Municipality shall consider the provision of public and private utilities, and may impose conditions of subdivision and/or development approval to ensure that any required rights-of-way and easements are provided concurrent with the endorsement of a final Plan of Subdivision or issuance of a Development Permit.
- 8.9.5 Where the Municipality considers it appropriate, the extension of infrastructure required to service a proposed subdivision shall be the responsibility of the applicant for subdivision approval.
- 8.9.6 Proposals for subdivision and development should accommodate design elements that facilitate fire prevention methods and accessibility by emergency

response vehicles for the suppression of fire and enhancement of police protection.

- 8.9.7 When considering proposals for subdivision and/or development, the Municipality may require the developer to undertake measures to prevent and suppress the threat of fire that may include, but are not limited to, the installation of water reservoirs and appurtenances necessary to provide any proposed development with fire protection.
- 8.9.8 Water co-operatives operating in the Municipality are encouraged to provide accessible water points in their distribution systems to provide water for the suppression of fire.

## 9.0 PLAN IMPLEMENTATION, REVIEW AND AMENDMENT

- 9.1 The Bearspaw Area Structure Plan, adopted by By-law in accordance with Part 6 of the Planning Act, is a statutory document of the Municipality.
- 9.2 The Municipality should review the Plan on a regular basis in order to ensure that Plan objectives and policies are current and effective.
- 9.3 Pursuant to the provisions of Section 139(1) of the Planning Act, as amended, the Municipality shall hold a public hearing prior to giving any proposed amendment second reading.



## 10.0 CONCEPT PLANS

Concept Plans adopted by amendment shall be contained within this Section of the Plan.

Below is a list of all Concept Plans adopted by amendment of this Plan.

**Bearsnest Estates – Adopted May 30, 1995**

(Renamed Jewel Valley)

**The Woodlands – Adopted July 28, 1998**

**Westminster Glen – Adopted July 31, 2001**

**Graystone Estates – Adopted November 6, 2001**

**Woodland Range – Adopted July 30, 2002**

**Bearspaw Country Residential – Adopted February 18, 2003**

**Silverhorn – Adopted July 28, 2009**

**Watermark at Bearspaw – Adopted February 9, 2010**

**Bearspaw River View Conceptual Scheme – Adopted June 13, 2017**

**Bearspaw Heights Conceptual Scheme – Adopted January 8, 2019**

**Indigo Hills Conceptual Scheme – Adopted February 26, 2019**

**Ascension Conceptual Scheme – Adopted September 21, 2021**

## Appendix A: Attendant Approvals

### 1. Alberta Transportation and Utilities

Pursuant to Section 23(1)(b) of the Subdivision Regulation, land within 0.5 miles of the right-of-way of a highway and considered for subdivision approval must be contained within an Area Structure Plan that is satisfactory to the Minister of Transportation and Utilities. At the time of Plan adoption, Alberta Transportation and Utilities and the Municipal District of Rocky View No. 44 were discussing a regional transportation study for the Bearspaw Area.

### 2. Calgary Regional Planning Commission

Pursuant to Section 54(10) of the Planning Act, R.S.A 1980, Chapter P-9, no local authority shall enact any By-law that is inconsistent with the Regional Plan and every statutory plan shall conform with the Regional Plan. The Municipal District of Rocky View No. 44 was notified in correspondence dated November 24, 1993, that the Bearspaw Area Structure Plan conforms to the Calgary Regional Plan.

## Appendix B: General Criteria for Development Priority Areas

### Priority Area 1

- Contains lands either designated for uses other than agricultural and comprises parcel sizes under 32 hectares (80 acres), or predominantly unsubdivided lands, which are surrounded by subdivided/developed areas.
- Generally, these lands exhibit few constraints to development and may have resubdivision potential; however there may be some limited hazards to development, such as slopes and high water tables. Lands do not contain known environmentally significant natural landscapes, archaeological, historical and/or cultural features. Lands generally comprise Lower Capability Agricultural Land (CLI equivalent of Class 4, 5, 6 and 7).

### Priority Area 2:

- Contains lands which are unsubdivided and are within a close proximity of country residential land uses.
- Contains lands which are generally lower capability agricultural land pursuant to the Calgary Regional Plan and the General Municipal Plan.
- Lands may contain hazards to development such as slopes and high water tables, as well as, known environmentally significant natural landscapes, archaeological, historical and/or cultural features.

### Priority Area 3:

- Contains predominantly agricultural lands that are unsubdivided (including farmsteads and first parcels out). Lands may be within the Restricted Development Area (R.D.A.) and/or within an Urban Fringe.
- Lands may be comprised of higher and lower capability agricultural land, pursuant to the Calgary Regional Plan and the General Municipal Plan.

- Lands may contain hazards to development such as slopes and high water tables, as well as, environmentally significant natural landscapes, archaeological, historical and/or cultural features.

Priority Area 4:

- Contains agricultural priority areas. Country Residential land uses may not be appropriate in these areas where the predominant use of the land should remain agricultural and function as a transition area or buffer for agricultural lands beyond the Plan Area.
- Lands may or may not contain hazards to development such as slopes and high water tables, as well as, environmentally significant natural landscapes, archaeological, historical and/or cultural features.

## Appendix C: Typical Cross Sections of Local Roads, Minor and Major Collector Roads

