MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

Oldman River Reservoir

AREA STRUCTURE PLAN

Bylaw No. 1120-06



Prepared by the

OLDMAN RIVER REGIONAL SERVICES COMMISSION

September 2007

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BY-LAW NO. 1120-06

Being a By-Law of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to adopt By-Law 1120-06, being the Oldman River Reservoir Area Structure Plan.

****

Whereas the Municipality has been requested to replace existing By-Law 861A and to prepare and adopt a new Area Structure Plan for the Oldman River Reservoir Project, and

Whereas the Municipal Council wishes to adopt a comprehensive plan which governs land use adjacent to this water management project, and

Whereas the purpose of proposed By-Law 1120-06 is to replace By-Law 861A and to adopt a proposed land use plan which would govern the future subdivision and development of the lands within the plan boundaries while still accommodating agricultural pursuits within this identified area, and

Whereas the Municipality must prepare an amending By-Law and provide for its consideration at a public hearing.

Therefore: under the authority and subject to the provisions of the Municipal Government Act, Statues of Alberta, Chapter M-26, 2000, as amended, the Council of the Municipal District of Pincher Creek No. 9 in the Province of Alberta duly assembled does hereby enact the following:

1. Council rescinds By-Law 861A and adopts a new area structure plan in accordance with the provisions of the Act.
2. This plan, upon adoption, shall be known as the Oldman River Reservoir Area Structure Plan.
3. This By-Law shall come into effect upon third and final reading hereof.

READ a first time this 12th day of September, 2006.

REEVE

CHIEF ADMINISTRATIVE OFFICER

READ a second time this 28th day of August, 2006.

REEVE

CHIEF ADMINISTRATIVE OFFICER

READ a third time this 11th day of Sept., 2006.

REEVE

CHIEF ADMINISTRATIVE OFFICER

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MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

Oldman River Reservoir

AREA STRUCTURE PLAN

PART 1 – INTRODUCTION

1. BACKGROUND

In 1992, the Oldman River Dam began to create a reservoir in the M.D. of Pincher Creek and is shown on Map 1. The water body created an opportunity to allow for water-based uses and activities in an area where few water bodies exist. With the intention of guiding the expected development activity, the Municipal District Council adopted the 1992 Oldman River Reservoir Area Structure Plan Bylaw 861A. After 14 years, the first area structure plan requires review to take into account:

- actual operational features of the reservoir,
- changes in development goals in the M.D.,
- the further identification of environmentally sensitive areas,
- changes in ratepayer opinions now that the reservoir has been in place for such a long period of time, and
- designation of the Oldman Dam Provincial Recreation Area

The result of this review is a new area structure plan that will reflect the opinions gathered in the process and recognize the opportunities available.

Provincial goals for the reservoir have remained constant and include a commitment to multi-use, environmental protection and operation of the reservoir for the purposes it was constructed. The new plan will attempt to balance these commitments with the various municipal goals.

2. REVIEW OF BYLAW 861A (Area Structure Plan)

Bylaw 861A was adopted by Council in October of 1992 to address the dual need to protect the operation of the reservoir and to meet the multi-use function of the water body. The area structure plan (ASP) intended to balance the interests of:

- protecting agricultural land,
- protecting the investment in the dam and reservoir and its primary purpose of on-stream storage facility, and

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OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN
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REGIONAL LOCATION MAP

MAP 1

R 6 R 5 R 4 R 3 R 2 R 1 R 30 R 29 R 28 R 27 R 26 R 25 R 24 R 23 R 22 R 21 R 20 R 19 R 18 R 17 R 16 R 15 R 14 R 13 R 12 R 11 R 10

Tp 21 Tp 20 Tp 19 Tp 18 Tp 17 Tp 16 Tp 15 Tp 14 Tp 13 Tp 12 Tp 11 Tp 10 Tp 9 Tp 8 Tp 7 Tp 6 Tp 5 Tp 4 Tp 3 Tp 2 Tp 1

WYNDHAM CARSELAND PROV. PARK
Bow River
SIKSIKA INDIAN RESERVE
Mossleigh
Arrowwood
Shouldice
Queenstown
Herronton
VULCAN COUNTY
Milo
Brant
Ensign
McGregor Lake (res)
VULCAN
Silver Lake
Little Bow
NANTON
Mosquito Cr
Kirkcaldy
Badger Lake Reservoir
Lomond
Twin Valley Reservoir
Parkland
Champion
LITTLE BOW PROV. PARK
Travers Res
Little Bow Lake (res)
Travers
Enchant
Lost Lake
Stimson
Chain Lakes Res
CHAIN LAKES PROV PARK
Willow Cr
M D OF
Pine Coulee Res
STAVELY
Clear Lake
Carmangay
Livingstone
Oldman River
M.D. OF
RANCHLAND
No 66
WILLOW CREEK PROVINCIAL PARK
WILLOW CREEK
CLARESHOLM
Barons
COUNTY OF LETHBRIDGE
Keho Lake
Woodhouse
No 26
Nobleford
PICTURE BUTTE
Picture Butte Res
Iron Springs
Turin
Little Bow
VAUXHALL
Retlaw
Grantham
Reservoir No 1
Hays
MUNICIPAL DISTRICT OF TABER
Dutch Cr
Racehorse Cr
Vicary Cr
Daisy Cr
Blairmore Cr
Gold Cr
Oldman River
OLDMAN DAM AREA STRUCTURE PLAN
GRANUM
Shaughnessy
PARK LAKE PROV PARK
Diamond City
Monarch
COAL-HURST
Northeast Reservoir
MD OF TABER MUNICIPAL PARK
Johnson's Addition
Taber
TABER
Fincastle Lake
Purple Springs
Grassy Lake
Horsefly Lake Res
Sherburne Lake
Barnwell
Cranford
Chin
Mud Lake
PIIKANI NATION No. 147
Orton
FORT MACLEOD
Moon River Estates
Falrview
LETHBRIDGE
COALDALE
Stafford Reservoir
Chin Lakes Coulee
BRITISH COLUMBIA
THE Crowsnest Lake
Crowsnest
MUNICIPALITY OF CROWSNEST PASS
Oldman River
Lund-breck
Cowley
Burmis
Pincher
Brocket
PIIKANI NATION No. 147
Rowland Heights
PINCHER CREEK
Castle River
Lynx Cr
Beaver Mines
Carbondale River
BEAUVAIS LAKE PROV. PARK
Beaver Mines Lake
Beauvais Lake
M D OF PINCHER CREEK No 9
Belly River
BLOOD
INDIAN
RESERVE
Standoff
Glenwood
St. Mary Reservoir
Spring Coulee
Jenson Res
Waterton Reservoir
Hill Spring
Twin Butte
Drywood Cr
Pincher Creek
West Castle River
Waterton River
Mary River
St. Mary River
Wellington
Wellington Station
RAYMOND
Stirling Lake
Stirling
Wrentham
MAGRATH
Raymond Res
Milk River Ridge Res
New Dayton
Tyrrell Lake
Warner
Verdigris Lake
COUNTY OF WARNER No 5
CARDSTON
Woolford
WOOLFORD PROV PARK
Mountain View
Leavitt
Aetna
Beazer
Paine Lake
Beaverdam Lake
Ross Lake
Shanks Lake
Milk River
Milk River North
Del Bonita
MILK RIVER
Coutts
WRITING-ON-STONE PROVINCIAL PARK
CARDSTON COUNTY
WATERTON LAKES NATIONAL PARK
POLICE OUTPOST PROV PARK
Outpost Lake
Carway
UNITED STATES OF AMERICA

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA
TEL: 328-1244 FAX: 329-3258
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

PLOT SCALE 1:500,000
OLDMAN RIVER REGIONAL SERVICES COMMISSION
0 3 6 12 18 24 Miles
0 5 10 20 30 40 Kilometres
N
September 21, 2007
N:\Pincher-Creek-MD\Pincher-Creek-MD Oldman River Reservoir ASP\Oldman River Reservoir ASP 2007 Bylaw 1120-06\Sept 11-07\POR-MD-Oldman River Reservoir ASP 2007 Map 1 Regional Location.dwg

- reducing the possibility of land use conflicts.

To this end, the plan contained policies that generally managed development and subdivision in areas of:

- good agricultural land,
- close proximity to wildlife areas and historic archaeological sites,
- close proximity to a public park or recreation use, and
- close proximity to the dam infrastructure.

The ASP area was one area of the M.D. where a variety of uses would be allowed.

As shown in the land use section of this report, there have been only two country residential subdivisions and two recreation-oriented lease developments. In general, the ASP area has met the goals of the plan. Success of the plan may have been due to:

- implementation of plan policies,
- economic conditions in the area, which were less active than anticipated,
- perceived recreation value of the water body, which again may have been less than originally anticipated, and
- existing developed access and land ownership restricting direct contact with the water.

In the past 14-year period a number of changes have occurred that can be addressed in a new plan. Largely these changes are due to gaining operational experience with the dam and its impact on the adjacent lands and the designation of the Oldman Dam Provincial Recreation Area. Some portions of the old plan that will require review include:

- area structure plan boundary,
- defining terms such as "wildlife" mitigation areas,
- more recent municipal district land use bylaws and municipal development plans,
- setback requirements for development, and
- criteria and process for referral of land use changes or industrial development.

3. COMMUNITY OF THE M.D. OF PINCHER CREEK

A new area structure plan will be located around the reservoir located in the northerly central area of the M.D. of Pincher Creek. The community itself is a largely rural area of farm and ranch land with the Town of Pincher Creek acting as the main service centre.

Broad areas of the province's "green area" exist on the westerly edge of the M.D. adjacent to the Rocky Mountains. From the foothills on the west, the land flattens to the east, moving from grazing lands to cultivation. In addition to agriculture, the economy is supported by the energy sector, particularly oil/gas and wind energy.

An ASP is required to contain a population projection, either generally or specifically, for the Plan Area. Based on federal census information, the M.D. of Pincher Creek experienced 0.79 percent population growth between 1996 and 2001 due primarily to the conversion of land to country residential uses. This growth factor can be applied to the Oldman River Reservoir Plan Area and will likely continue.

The population growth rate in the Plan Area will be determined by a number of factors including planning and development policies contained in the Oldman River Reservoir ASP, market demand, landowner decisions, and the availability of services and infrastructure. Over the last 20 years, populations have been largely stable around 3000 persons. Over the next 20 years, a modest increase to around 3500 may be expected (Appendix 1).

Water supply is one of the most important short-term growth considerations. Both the quality and quantity of the resource will affect long-term growth and development of the Plan Area. Recent adoption of the provincial *Water Act (c-3.5, S.A., 1996)* will put more emphasis on provincial groundwater licensing and approvals for all future development.

The beauty of the landscape and such features as Waterton National Park have in part caused various councils over the years to concern themselves with decisions regarding increased residential development. On balance, residential development has been restricted and the priority of land use remains farming and ranching. Three general areas have been studied and are considered suitable for residential uses, including:

- Castle Mountain ski area,
- Burmis Lundbreck Corridor,
- Oldman River Reservoir.

Further residential development, as indicated in the Municipal Development Plan and the Land Use Bylaw, is encouraged in the hamlets and in the area west of the Town of Pincher Creek.

The area contained in this plan is an important part of the overall M.D. land use scheme. It is one of the few areas where a variety of rural housing alternatives may occur if the standards of development can be met. This plan will provide some of the criteria for further development. The area structure plan will use the boundary shown on Map 2.

Changes from the previous plan boundary include:

1. expansion of the western most boundary into N½ 25-7-2-W5M & SW¼ 36-7-2-W5M,
2. realignment of the north-eastern most boundary to follow Secondary Highway #510.

4. PURPOSE OF THE AREA STRUCTURE PLAN

The area within the plan boundary will be different from much of the land in the M.D. of Pincher Creek in that proposals for further subdivision may be considered should those proposals meet the criteria of the plan. The plan should accomplish the following goals and objectives:

1. Achieve a balance between taking advantage of the water body and protecting the prime use of land in the M.D., which is agriculture.

2. Minimize future land use conflicts among the uses that may develop in the future.
3. Achieve orderly, high-quality development that takes into account the natural advantages of the land and available infrastructure while avoiding hazard land areas.

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OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN

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STUDY AREA

OLDMAN RIVER RESERVOIR BOUNDARIES

Area Structure Plan Boundary

Full Supply Level (1118.6m)

Oldman River Reservoir

HAMLET OF LUNDBRECK

VILLAGE OF COWLEY

DAM

HAMLET OF PINCHER STATION

Twp 8

Twp 7

Twp 6

Rge 1-W 5 M

Rge 30-W 4 M

Rge 29-W 4 M

510

785

MAP 2

Oldman River Regional Services Commission

4. Direct residential, commercial, recreational and other non-agricultural uses to areas that have limited or no impact on agriculture and the agricultural community.

5. Ensure that the uses approved by the municipality are consistent with the provincial goals for the dam as well as the reservoir and its primary use as an on-stream storage facility.

6. Ensure that land use designation adjacent to the Oldman Dam Provincial Recreation Area remains agricultural and continues to include Alberta Tourism, Parks, Recreation & Culture in the referral process for all proposed developments and subdivisions in the vicinity of the ODPRA.

7. Protect both the natural, environmentally or culturally significant areas and the man-made habitat improvement features from incompatible uses.

8. Provide an opportunity for the public to review the area structure plan and participate in the decision-making process.

9. Acknowledge the uniqueness of a large body of water in the M.D. and the emerging ecosystem dependant upon the water body and its attraction to additional wildlife.

Upon the next review, the above objectives may be used to evaluate the area structure plan.

5. LEGAL FRAMEWORK

Applicability of the Plan

The policies of this plan apply to the lands within the plan boundaries shown on Map 2. Approval authorities will use this plan in conjunction with other statutory plans and bylaws when considering land use bylaw amendments, subdivision applications and development applications.

It is intended that provincial departments will consider this plan when making their decisions regarding leases, establishing additional wildlife enhancement projects or other issues that may affect M.D. or privately held lands.

Other Municipal Planning Documents

The bulk of land contained within the plan area is designated "Agricultural – A" which allows for a variety of uses to occur on existing lots and notably lists grouped country residential as a prohibited use. Four sites have been redesignated since the reservoir was created. Two sites are "Rural Recreation" and two "Grouped Country Residential". These designations allow for either temporary recreation vehicles or full-time occupancy houses or cottages. Further "Grouped Country Residential" developments may be applied for within the ASP boundary, as per the policies outlined in the M.D. of Pincher Creek Municipal Development Plan.

A portion of the south part of the plan area is in close proximity to the Pincher Creek Airport which has recently been made home to a permanent forest fire-fighting facility. This area is

designated "Airport Vicinity Protection" and contains additional constraints and uses. The "AVP" is currently experiencing some re-design that may alter the area.

Legislative Flexibility

The provincial legislation foresees the possibility that a statutory plan may not accommodate all circumstances that may arise in the life of the plan. Allowances are made to allow decision authorities to make variances to the policies of the plan. Should many waivers be required, this may indicate that the plan requires review and amendment.

Legislative Authority

This plan is adopted in accordance with the Municipal Government Act, section 633(1):

> "For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may, by bylaw, adopt an area structure plan."

The area structure plan is a bylaw of the municipality and requires an adoption process including a public hearing and three readings. Public input is also required during the preparation of the plan.

PART 2 – ANALYSIS

1. BACKGROUND

This section of the plan provides some background information in order to act as a basis for policies. Some of this information may be updated periodically throughout the life of this ASP. In addition to land use, this analysis contains a review of a questionnaire that was distributed to landowners in the reservoir area.

2. PUBLIC PARTICIPATION

Public participation in the planning process is intended to give landowners input into the land use planning process. The information gathered through public participation is used to establish goals and policy decisions for land uses within the area structure plan boundary.

A questionnaire was prepared and distributed to 96 landowners within the ASP boundary and 28 questionnaires were completed and returned. This is a response rate of 29 percent, which is considered to be good. The intent of the questionnaire was to identify current and future land uses within the ASP, identify benefits and detriments to the enjoyment and value of property within the ASP and gather opinions on the ASP policies and boundaries. Landowners were granted the opportunity to provide any additional comments on issues that were important to them.

Questionnaire Summary

Among the respondents, agricultural grazing and country residential are the two main uses for the land, followed by cultivation and recreational uses. A number of respondents indicated in their comments that they are considering changing the use of their land, mostly converting agricultural land to country residential and recreation uses.

Cultivation	21%
Grazing	61%
Other agricultural uses	14%
Recreation	18%
Country Residence	50%
Other uses	11%

Wildlife and improved views are some of the more important benefits landowners have indicated they have received from the reservoir. Recreation opportunities are also a benefit. As long as reservoir water levels are kept high, conditions are good and add value to the area. Many respondents see very little value as agricultural land and it is difficult to get a return on their investment.

The access to water is a great benefit for recreational opportunities and visitors but very few respondents cited water supply as a benefit for agricultural uses. When water levels are low, blowing dust is a definite negative. Respondents would like to see the water levels more accurately predicted and remain higher in order to enjoy the view. When water levels are low, it is impossible to access the water for recreational purposes.

Respondents who believe that the reservoir has benefited the value of their property by:	Yes	No
Increasing the potential for development	39%	46%
Providing personal access to water for agriculture	29%	54%
Provide personal access to water for recreation	46%	46%
Improved views	57%	32%

Conclusion

Results of the survey reflect that increased tourism and traffic have created more problems; these include trespassing, theft and increased wildlife, mainly deer, which may be a safety hazard on roads.

Respondents have indicated they feel the ASP is too strict in some areas and the restrictions interfere with their rights as landowners, although they believe that subdivision and development should be restricted on agricultural lands, historic and archaeological significant sites and within a certain distance of recreation and wildlife areas. Most respondents would like to see a mix of development and conservation including more wildlife corridors.

3. SUBDIVISION AND DEVELOPMENT PERMITS

The Oldman River Reservoir Area Structure Plan was adopted in 1992. The main goals were to: protect and conserve agricultural lands, facilitate residential development where appropriate, minimize future land use conflicts, protect the dam facilities and ensure the future land uses reflect the primary purpose as an on-stream storage facility.

Between 1993 and 2006 there have been a total of 32 new lots created through subdivision, the majority of these being country residential lots.

Table 1
Oldman River Reservoir ASP Subdivision Approvals

Legal Land Description	Number of Lots	Year	Type of Use
2-8-1-W5M	1	1994	Agricultural
SW 31-7-29-W4M	1	1995	Residential
SW 31-7-29-W4M	1	1996	Country Residential
SE 15-7-29-W4M	1	1997	Country Residential
SW 24-7-1-W5M	6	1997	Country Residential
SE 18-7-29-W4M	1	1998	Agricultural
NW 8-7-29-W4M	1	1998	Agricultural
NW36-7-1-W5M	16	1998	Country Residential
SE 33-7-29-W4M	1	1999	Country Residential
SE 33-7-29-W4M	1	2000	Country Residential
SE 33-7-29-W4M	1	2001	Country Residential
SE 33-7-29-W4M	1	2002	Country Residential

Type	Number of Lots
CR	28
AG	3
R	1
Total	32

Between 1993 and 2005 there has been a total of 78 development permits issued. The majority of these permits were for single detached dwellings. Of the 46 that were issued, 25 were in Chinook Park Estates.

Table 2
Oldman River Reservoir ASP Permits

Permit Description	Number of Permits
Single Detached Dwelling	50
Manufactured Home	3
Accessory Building	9
Agricultural	4
Commercial	2
Other – Deck/Fence	3
Recreation/Tourist	4
WECS/Utility	3
TOTAL	**78**
Chinook Park Estates	
Single Detached Dwelling	25
Commercial	2

Issues Related to Subdivision and Development Approvals

There has been a relatively small amount of subdivision within the ASP boundary; this indicates that for the most part the goals of the ASP are being met. The majority of residential subdivision has occurred in three specific areas and is classified as grouped country residential. The new plan allows for a certain amount of country residential use as it makes use of the amenities of the reservoir and limits fragmentation of agricultural lands in other areas of the M.D.

There has not been a significant amount of development for a reservoir area of this kind. Other reservoir shore lands within the province have had significantly more demand for development. There have been 46 development permits issued for single family dwellings in the 13 years the ASP has been in place, this is just over 3 per year. Most of the development within the ASP boundary has been for single detached dwellings within the Chinook Park Estates, a seasonal leaseholder recreation area. The CWR boat clubs provides lots for recreational vehicles. Development of the area within the ASP has been limited thus far and has not been a threat to the goals of the ASP.

4. OLDMAN DAM FACILITIES AND OPERATIONS

The Oldman River Reservoir is an on-stream storage facility that serves to stabilize water levels for many users in southern Alberta. The dam's operating facilities and infrastructure are contained on about 116.1 acres. Crown lands surround the reservoir and are under the jurisdiction of Alberta Tourism, Parks, Recreation and Culture.

Dam operators gauge the snow pack in the mountains in order to predict snowmelt at the end of May to determine the reservoir water levels for the year. The dam reaches 100 percent capacity (full supply level) about July 1st and releases water from May 1st to mid October for irrigation. Throughout the winter, operations attempt to keep the level 4.6 meters below full supply level due to lower irrigation demands, fish habitat and stream flow requirements.

When the reservoir is at less than capacity the muddy banks dry out and the regular westerly winds blow dust to the east that is a constraint for development. Development on Crown lands such as boat docks and other structures are subject to guidelines published by Alberta Environment. These guidelines ensure operations of the reservoir are not impacted.

Any development downstream of the dam should be 20 meters above the river bed.

5. LAND USE ON PRIVATE LAND

Private land uses within the ASP consist mainly of country residential, agricultural and natural resource extraction/ sand & gravel operations (see Table 3 and Map 3).

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EXISTING LAND USE

OLDMAN RIVER RESERVOIR BOUNDARIES

- Area Structure Plan Boundary
- Full Supply Level (1118.6m)

EXISTING LAND USE

- Abandoned Farmstead
- Airport
- Ancillary Farm Residence
- Campground/Park
- Cemetery
- Church
- Commercial
- Community Hall
- Country Residence
- Dump/Junkyard
- Farm Building
- Farmstead
- Hutterite Colony
- Industrial
- Intensive Livestock
  - Cattle
  - Pigs
  - Chickens
  - Sheep
  - Dairy
  - Turkey
  - Horses
- Mining
- Misc
- Natural Gas
- Oil
- Ranch
- School
- Utilities

Oldman River Reservoir

HAMLET OF LUNDBRECK

VILLAGE OF COWLEY

HAMLET OF PINCHER STATION

DAM

Twp 8

Twp 7

Twp 6

Rge 1-W 5 M

Rge 30-W 4 M

Rge 29-W 4 M

MAP 3

Oldman River Regional Services Commission

Table 3
Oldman River Reservoir ASP Existing Land Use on Private Lands

Oldman Dam ASP Land Uses	No.
Country Residential	19
Farmstead	10
Ranch	5
Ancillary Farm Residence	4
Abandoned Farmstead	4
Farm Building	2
Commercial	2
Natural Resource Extraction	9

The majority of private land within the Oldman Dam ASP is used for agricultural purposes. There are 10 farmsteads and 5 ranches within the boundary. These uses are compatible with the goals of the area structure plan.

There are 19 country residential dwellings within the ASP boundary. There are 10 country residences north of the reservoir opposite the Castle River Arm. Country residential subdivision promotes fragmentation of land, increases traffic and puts a greater demand on the M.D. for the provision of services. Residential development should be limited to grouped country residential.

There are 10 locations within the boundary of the ASP where gravel extraction occurs. This is a use that is not compatible with the goals of the ASP. There are 2 isolated commercial uses as well.

Subdivision and Development Applications in the following sensitive areas will be subject to closer scrutiny:

- within 0.4 km of designated wildlife control areas,
- within 0.4 km of the Oldman Dam Infrastructure,
- within 0.4 km of designated Preservation Areas,
- within 0.4 km of designated Visitor Services & Facility Zones,
- within 0.4 km of designated Natural Environment Zones.
- Within identified environmentally significant areas.

Grouped Country Residential use is prohibited in the following areas:

- the WECS discretionary zone colored orange on Map 6 being portions of Sections 21, 22, 29-28, 32, 33-7-29-W4M,
- the portions of Sections 10, 11, 14, 15-7-29-W4M which are within 20 meters above the river bed,
- and the portions of Sections 14, 16, 17-7-29-W4M colored dark green on Map 6.

6. LAND USE ON PROVINCIALLY-ADMINISTERED LAND

The ASP boundary encompasses 11,974 acres (4,846 ha) of provincially administered lands and waters within the ODPRA. The uses are a mix of preservation, recreation and dam facilities. Preservation Area lands are about 3489 acres or 51 percent of this area, Natural Environment Zones are 40.7 percent, Visitor Services & Facility Zone areas are 6.6 percent, and Dam Infrastructure is 1.7 percent (see Map 4).

Preservation Areas are made up of primary and secondary wildlife areas, the most significant of these are along the Castle River Arm and Stevick's Ponds. Development around these wildlife areas will involve closer scrutiny to a distance of 0.4 km, as shown on Map 4.

Natural Environment Zones include 2784.2 acres that provide camping opportunities and access to the lake for recreational purposes including boating, fishing and passive recreation opportunities.

Visitor Services & Facility Zone areas include 449 acres and consist of day-use picnicking, the CWR boat club – that allows for seasonal RV camping – and Chinook Park Estates and RV Campground – that allows for permanent vacation homes. Development should be restricted to a distance of 0.4 km from these areas.

7. IDENTIFY ISSUES

The previous discussion and analysis have pointed to the following:

1. The plan will be in place for some time and there will be a need to have authority to waive policies of the plan in the event suitable developments are proposed but do not meet the terms of the plan.

2. A plan to allow for multi-use of the reservoir is necessary, as the current municipal planning process would not allow for a variety of uses.

3. Protecting the agricultural resource is very important and other non-agricultural uses may be allowed.

4. The operational characteristics of the dam have been established and their affects on the recreational use of the water body observed.

5. Alberta Environment and Alberta Sustainable Resource Development have reviewed their own initial plans and further identified areas of environmental significance and important wildlife habitat areas. Alberta Tourism, Parks, Recreation & Culture will oversee land management within the ODPRA. This will allow the M.D. to tailor its policies.

6. Landowners responding to the initial questionnaire appear to be divided on the value the project has had for them and their land.

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9
OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN
Bylaw 1120-06, September 11, 2007

AREAS OF PROVINCIAL IMPORTANCE

OLDMAN RIVER RESERVOIR BOUNDARIES
- Area Structure Plan Boundary
- Full Supply Level (1118.6m)

PROVINCIAL IMPORTANCE
- Preservation Area
- Natural Environmental Zone
- Visitor Services & Facility Zone
- Wildlife Control Area
- Dam Infrastructure

Data Supplied By:
Alberta Sustainable Resource Development.

TODD CREEK DAY USE AND CAMPING
NORTH FORK DAY USE AND CAMPING
ISLAND VIEW DAY USE AND CAMPING
CWR BOAT CLUB
SOUTH COVE BOAT LAUNCH
WINDY POINT DAY USE AND CAMPING
HERITAGE ACRES
DAM
CHINOOK PARK ESTATES AND RV CAMPING
BOULDER RUN DAY USE
COTTONWOOD CAMPGROUND AND DAY USE AND THREE RIVERS GROUP USE
STEWICK'S POND
CASTLE RIVER P.R.A.
HAMLET OF LUNDBRECK
VILLAGE OF COWLEY
HAMLET OF PINCHER STATION
Oldman River Reservoir
Twp 8
Twp 7
Twp 6
Rge 1-W 5 M
Rge 30-W 4 M
Rge 29-W 4 M
510
785

MAP 4

Plot Scale 1:10,000

Oldman River Regional Services Commission

PART 3 –POLICIES

Council, MPC and the public shall comply with the following policies.

In general, the policies surrounding land use recognizes that the reservoir is owned and operated by Alberta Environment and the environmental and operational characteristics of the facility are of paramount importance. There is also recognition that management of the land base within the ODPRA falls under the jurisdiction of Alberta Tourism, Parks, Recreation & Culture.

General Land Use Policies

1. When making decisions within the boundaries of the area structure plan, the various approval authorities shall consider impacts that approvals will have on agricultural operations in the area, including agricultural lands adjacent to the plan area.

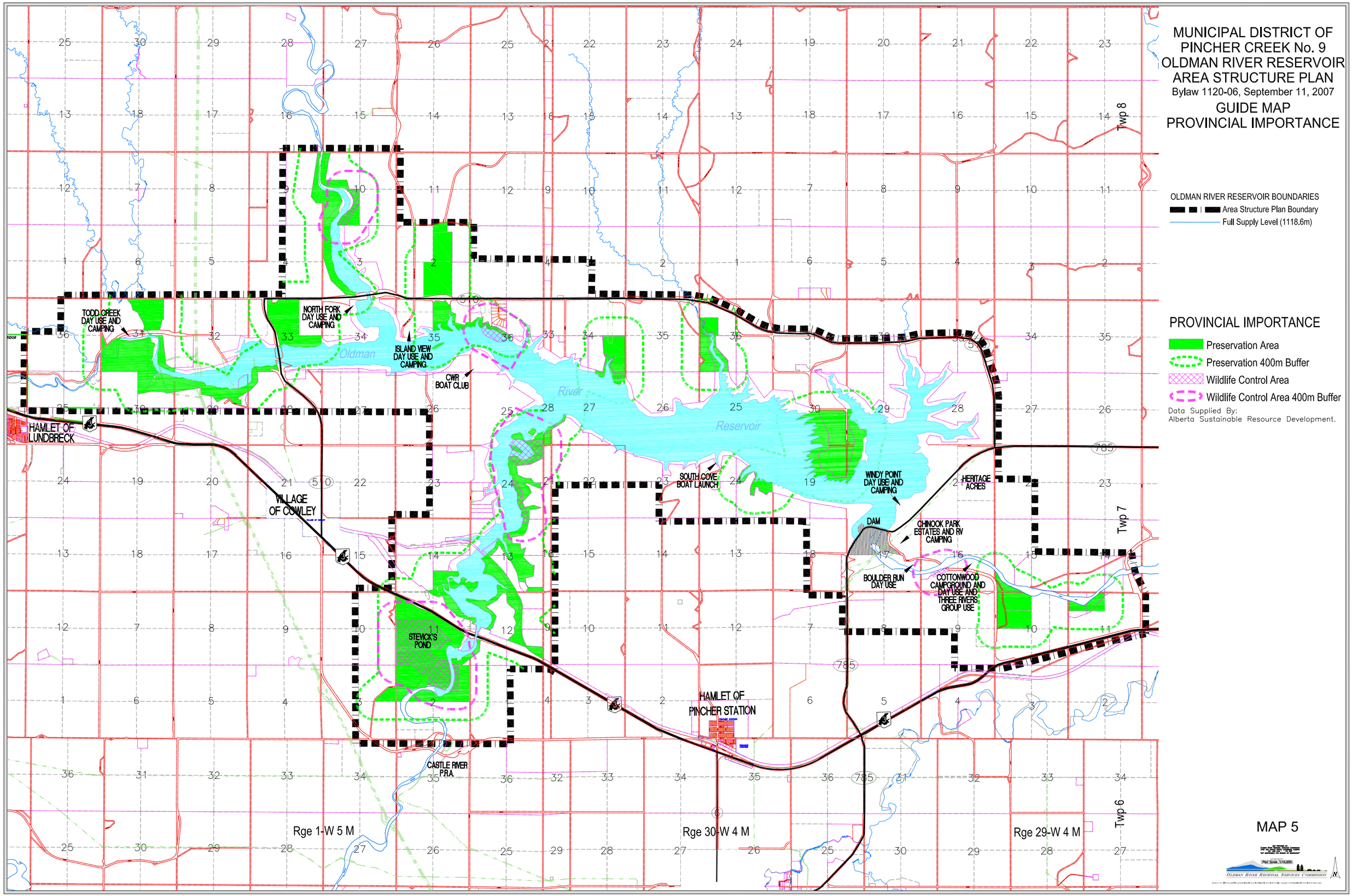
2. Approval authorities, when deciding upon applications, shall consider the environmental and operational impacts on the dam structure, reservoir, water banks, and adjacent public lands.

3. The boundary of the area structure plan is established as shown on Map 2, the Area Structure Plan Study Area Map.

Waiver of Area Structure Plan Policies

4. As allowed for in the municipal development plan and land use bylaw, an approval authority may approve an application for development, redesignation or subdivision approval even though the proposed application does not comply with the area structure plan if, in its opinion, the proposed application would not:
   (a) unduly interfere with the amenities of the neighbourhood, or
   (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

5. When the approval authority is considering a waiver as allowed for above, the authority shall consider:
   (a) whether the variance is minor and if it complies with other statutory plans and bylaws,
   (b) the comments of the appropriate persons and agencies received through the referral process have been considered,
   (c) effects on the operations of the reservoir or dam,
   (d) effects on the various "wildlife control areas",
   (e) effects on the ODPRA land base within the various zones.


MUNICIPAL DISTRICT OF PINCHER CREEK No. 9
OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN
Bylaw 1120-06, September 11, 2007
GUIDE MAP
PROVINCIAL IMPORTANCE
OLDMAN RIVER RESERVOIR BOUNDARIES
Area Structure Plan Boundary
Full Supply Level (1118.6m)
PROVINCIAL IMPORTANCE
Preservation Area
Preservation 400m Buffer
Wildlife Control Area
Wildlife Control Area 400m Buffer
Data Supplied By:
Alberta Sustainable Resource Development.
TODD CREEK DAY USE AND CAMPING
NORTH FORK DAY USE AND CAMPING
ISLAND VIEW DAY USE AND CAMPING
CWR BOAT CLUB
Oldman
River
Reservoir
HAMLET OF LUNDBRECK
VILLAGE OF COWLEY
SOUTH COVE BOAT LAUNCH
WINDY POINT DAY USE AND CAMPING
HERITAGE ACRES
DAM
CHINOOK PARK ESTATES AND RV CAMPING
BOULDER RUN DAY USE
COTTONWOOD CAMPGROUND AND DAY USE AND THREE RIVERS GROUP USE
STEVICK'S POND
HAMLET OF PINCHER STATION
CASTLE RIVER P.R.A.
Twp 8
Twp 7
Twp 6
Rge 1-W 5 M
Rge 30-W 4 M
Rge 29-W 4 M
MAP 5
OLDMAN RIVER REGIONAL SERVICES COMMISSION

Areas Sensitive to Subdivision and/or Development

6. Map 5 indicates areas surrounding provincially controlled or deeded lands. Proposed subdivision and development within 0.4 km of these lands is subject to referral to the appropriate provincial agency.

   Specifically, Subdivision and Development Applications in the following sensitive areas will be subject to closer scrutiny and referral:

   - within 0.4 km of designated wildlife control areas,
   - within 0.4 km of the Oldman Dam Infrastructure,
   - within 0.4 km of designated Preservation Areas,
   - within 0.4 km of designated Visitor Services & Facility Zones,
   - within 0.4 km of designated Natural Environment Zones.
   - Within identified environmentally significant areas.

   Grouped Country Residential use is prohibited in the following areas:

   - the WECS discretionary zone colored orange on Map 6 being portions of Sections 21, 22, 29-28, 32, 33-7-29-W4M,
   - the portions of Sections 10, 11, 14, 15-7-29-W4M which are within 20 meters above the river bed,
   - and the portions of Sections 14, 16, 17-7-29-W4M colored dark green on Map 6.

   This does not affect a landowner's ability, under the land use bylaw, to locate one dwelling on a titled area, subject to a 50 m setback from the boundary of any Crown land unless waived by the Crown.

Residential Land Use

Single Lot Residential Subdivisions

7. Single lot residential subdivisions proposed within the boundaries of the area structure plan will be allowed using the policies of the municipal development plan including:
   (a) cut-off parcels,
   (b) single dwellings from unsubdivided quarter sections.

   These subdivisions would be allowed subject to policy 6.

Multi-Lot or Grouped Country Residential Subdivisions

8. All parcels proposed for multi-lot residential subdivisions will require a land use bylaw redesignation to "Grouped Country Residential".

9. All redesignation applications must provide:
   (a) a design scheme that is presented to a public meeting held by the M.D. Council and adopted by resolution or bylaw as required;

MUNICIPAL DISTRICT OF PINCHER CREEK No. 9
OLDMAN RIVER RESERVOIR AREA STRUCTURE PLAN

Bylaw 1120-06, September 11, 2007

WIND ENERGY CONVERSION SYSTEM AND GROUPED COUNTRY RESIDENTIAL

OLDMAN RIVER RESERVOIR BOUNDARIES
- Area Structure Plan Boundary
- Full Supply Level (1118.6m)

WIND ENERGY CONVERSION SYSTEM (WECS) ZONES
- WECS Discretionary
- WECS Prohibited
- WECS Discretionary
- WECS Prohibited

GROUPED COUNTRY RESIDENTIAL (GCR)
- GCR Prohibited
- GCR Descretionary
- GCR Discretionary
- GCR Prohibited

Oldman River Reservoir

HAMLET OF LUNDBRECK

VILLAGE OF COWLEY

HAMLET OF PINCHER STATION

DAM

Twp 8

Twp 7

Twp 6

Rge 1-W 5 M

Rge 30-W 4 M

Rge 29-W 4 M

MAP 6

Oldman River Regional Services Commission

(b) information contained in the design scheme will include the data required for design schemes and area structure plans in the municipal development plan, as well as comments from the departments of Alberta Environment (responsible for dam operations) and Alberta Tourism, Parks, Recreation & Culture (responsible for administration of the ODPRA).

10. Access to multi-lot residential areas will be by public roads constructed to M.D. road standards.

11. Minimum parcel size shall be as outlined in the Land Use Bylaw and the maximum density of country residential parcels will not be more than 16 parcels per quarter section.

12. Redesignation to Grouped Country Residential should not unduly interfere with agricultural uses on adjacent lands.

Industrial and Commercial Land Use

13. Although industrial uses are a discretionary use in the land use bylaw for most of the area structure plan area, no industrial uses will be allowed, with the possible exception of gravel extraction.

14. Applications for natural resource extraction - sand/gravel extraction will be accompanied by information regarding:
    (a) dust suppression,
    (b) limiting production of noise,
    (c) haul routes,
    (d) reclamation plans,
    (e) potential impact on the operations of the reservoir,
    (f) Invasive plant management planning.

15. Applications for commercial uses shall consider:
    (a) any potential impacts on the operation of the reservoir and administration of the ODPRA,
    (b) the need for dust suppression on access roads, if warranted.

16. Confined Feedlot Operations are prohibited.

Wind Energy Conversion System (WECS) Projects

17. Wind energy conversion systems and small-scale wind energy conversion systems are a discretionary use in the land use district that covers most of the plan area. Lands that are deemed favourable (discretionary and in compliance with the Land Use Bylaw) for WECS development and lands that are to be excluded from WECS development are identified on Map 6.

Application Referrals

18. When considering applications for redesignation of lands, the application and relevant information shall be sent to the following agencies:
    (a) phone, electrical and natural gas utility providers;
    (b) local authorities:
        - Chinook Health Authority
        - Oldman River Regional Services Commission
        - school district;
    (c) provincial government departments:
        - Alberta Environment
        - Alberta Sustainable Resource Development
        - Reservoir Operations (when appropriate)
        - Alberta Agriculture & Food (when appropriate)
        - Natural Resources Conservation Board (when appropriate)
        - Alberta Infrastructure & Transportation (when appropriate)
        - Alberta Tourism, Parks, Recreation & Culture;
    (d) others that Council may deem appropriate.

19. Council shall consider any responses received in a reasonable period of time.

Crown Land

20. The M.D. should develop effective means of communicating and coordinating with the provincial departments that are charged with the operations of the dam structure, reservoir and administration of adjacent lands.

21. The appropriate government departments administering land use on Crown Lands are requested to have regard for the policies established within this area structure plan.

22. Any development on Crown Lands should be compatible with adjacent private lands wherever possible in order to minimize conflict.

Municipal Reserve

23. Within the area structure plan boundary, municipal reserve dedications may be taken as land or money in place of land or a combination of land and money, depending on the objectives of Council.

Amendment and Administration of the Plan

24. The Oldman River Reservoir Area Structure Plan shall be formally reviewed in the tenth year of adoption, or earlier if necessary.

25. Amendments to this plan should be circulated to the same agencies as listed for redesignations.

Appendix 1

POPULATION PROJECTIONS

MUNICIPAL DISTRICT OF PINCHER CREEK

Year	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (last 5 yr)	Cohort (last 10 yr)	Cohort (last 20 yr)
1981	2968						
1986	3087						
1991	3108						
1996	3172						
2001	3197	3197	3197	3197	3197	3197	3197
2006		3269	3247	3110	2892	2993	3025
2011		3324	3332	3116	2696	2899	2967
2016		3378	3391	3122	2491	2798	2900
2021		3432	3451	3130	2305	2716	2844
2026		3487	3512	3131	2125	2641	2788

