

**COUNTY OF WARNER NO. 5**

**MUNICIPAL  
DEVELOPMENT PLAN  
BYLAW NO. 804-99**

**APPENDIX A**

Prepared by the



*OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY*

**November 1999**



**COUNTY OF WARNER NO. 5  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 804-99**

Bylaw No. 804-99 of the County of Warner No. 5 in the Province of Alberta is for the purpose of adopting the County of Warner Municipal Development Plan in accordance with section 692 of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1, as amended.

WHEREAS Council wishes to adopt policies for the future development of the county; and

WHEREAS the Municipal Government Act requires the adoption of a municipal development plan; and

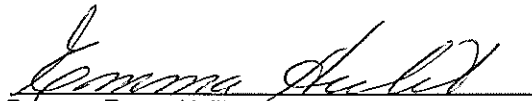
WHEREAS a plan will provide a basis for decision making in the future;

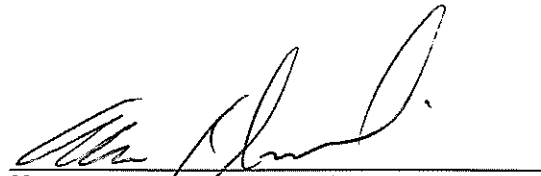
NOW THEREFORE be it resolved that the Council of the County of Warner No. 5 does hereby adopt Appendix 1 as the County of Warner Municipal Development Plan.

Bylaw No. 677, the County of Warner No. 5 General Municipal Plan is repealed.

This bylaw shall come into effect on the date of final reading.

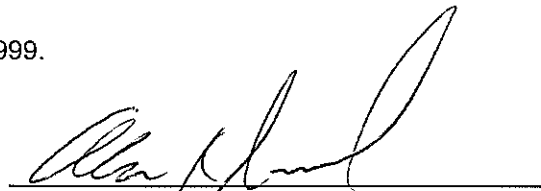
READ a **first** time this 5th day of October, 1999.

  
Reeve – Emma Hulit

  
Municipal Administrator - Allan Romeril

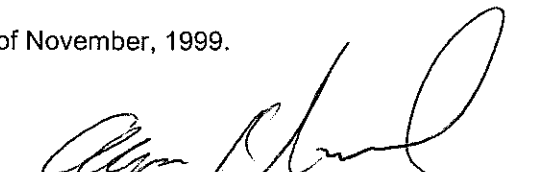
READ a **second** time this 10th day of November, 1999.

  
Reeve – Emma Hulit

  
Municipal Administrator - Allan Romeril

READ a **third** time and finally passed this 10th day of November, 1999.

  
Reeve – Emma Hulit

  
Municipal Administrator - Allan Romeril



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**COUNTY OF WARNER NO. 5**  
**MUNICIPAL DEVELOPMENT PLAN**  
**BYLAW NO. 804-99**

**1. INTRODUCTION**

**1.1 PURPOSE OF THE PLAN**

In the future the various decision-making bodies of the County of Warner will be faced with changing demands and the problems of accommodating an increasing number of land uses. Development proposals made to the county will need to be reviewed to determine compatibility with a number of factors. It is in the County of Warner's interest to encourage a variety of development and subdivision, particularly in the non-irrigated areas. With a set of reasonable guidelines, this plan will encourage much needed development and the accompanying economic and population growth.

Development should occur within a framework that will protect the important aspects of the county such as high quality agricultural land, ability to develop agricultural diversity, environmentally sensitive areas and areas of unique characteristics.

**1.2 LEGAL AUTHORITY FOR THE PLAN**

Plan preparation is conducted under the requirements of the Municipal Government Act, which has both specific requirements and also allows for a broad series of considerations. In particular, section 632 outlines the expected content of a plan, and section 692 outlines public involvement in the plan preparation. These sections of the Act are reproduced in Appendix 1 and give the county council authority to pass this plan.

**1.3 PUBLIC PARTICIPATION**

Implementing planning legislation is accomplished best when the public has been given broad opportunities to make their views known prior to any decision being made. Participation begins with the process of adopting this plan and includes:

- giving notice of the plan review;
- making available draft reports at all stages;
- should interest warrant, hold information sessions;
- conduct public hearing.

Decision makers and committees should also consider the opinion of the public in exercising their authority and discretion in the future.

**1.4 MUNICIPAL DEVELOPMENT PLAN MISSION**

In all cases, the policies of this plan will be implemented in such a way that promotes a viable and diverse agricultural base. Within this parameter non-agricultural uses may be included

when the impact is considered to be limited. All of the county's planning-related decisions must balance the interests of:

- individual rights;
- agricultural enhancement and protection;
- environmental protection;
- other quality of life considerations.

## **1.5 MUNICIPAL DEVELOPMENT PLAN GOALS**

In approving this municipal development plan, the County of Warner wishes to accomplish the following goals over the long term.

- (a) To provide a balance between the various future land uses and lead to economic and population growth.
- (b) To support existing agricultural pursuits and encourage broadening of the agricultural base of the county.
- (c) To encourage more development within the hamlets of New Dayton and Wrentham.
- (d) To promote intermunicipal cooperation and intermunicipal agreements among the other municipal jurisdictions in and adjacent to the county.
- (e) To provide land owners and others involved or affected, with clear guidelines of policy relating to development and subdivision.
- (f) To establish a basis for further analysis of planning issues within the county.
- (g) To ensure public opinion is included in the decision-making process.
- (h) To implement planning policies that will prevent or reduce land use conflicts.
- (i) To identify and protect environmental, natural and historical resources identified in the County of Warner.



## 2. BACKGROUND INFORMATION

### 2.1 LOCATION

The County of Warner is located in the southernmost portion of the Province of Alberta bordered on the south by the state of Montana, on the east by the County of Forty Mile, on the north by the Municipal District of Taber and the County of Lethbridge, and on the west by the Municipal District of Cardston as shown on Map 1.

The county is approximately 67 km (42 miles) from north to south and 90 km (56 miles) from east to west at its maximum and contains approximately 453,765 ha (1,120,800 acres) including the urban areas of Raymond, Milk River, Stirling, Coutts, Warner and the Hamlets of Wrentham and New Dayton.

### 2.2 PHYSICAL FEATURES

Dominated by flat to gently rolling land, the county contains a variety of other landforms, the most significant of which is the Milk River Ridge. The Ridge not only has an effect on the local climatic conditions but defines the divide between surface drainage to Hudson Bay and the Gulf of Mexico. The Milk River is the most significant watercourse. It flows into the county from the west in the M.D. of Cardston, approximately 24 km (15 miles) west and 8 km (5 miles) south of the Town of Milk River and flows out into the County of Forty Mile approximately 53 km (33 miles) east of the town. Other prominent features include the Milk River Ridge Reservoir, a portion of Chin Coulee Reservoir, which are man-made, and Tyrell Lake and Vertigris Coulee, which are natural. The reservoirs, in particular, give an indication of the lack of significant natural water bodies which illustrates that the county is dependent on water retention project of the province and irrigation districts.

Glacial deposits comprise the entire area of the county and yield soils in the chestnut and brown categories of the chernozem belt. The soils are fertile under conditions of adequate rainfall or irrigation but drought can be a threat in dryland areas.

Under proper cultivation practices that conserve soil moisture, a period of moist years brings high grain yields. However, a series of drought years can spell repeated crop failures.

The Canada Land Inventory rates soils in most of the county as capable of sustained use for cultivated field crops (land classes 1-4) with the remainder of land being suitable for perennial forage crops (land classes 5-6). A small percentage is completely unsuitable for agriculture. Naturally a number of factors affect soil capability for agriculture, some in a positive manner such as through irrigation, and others in a negative manner such as the proximity to the surface of bedrock and pockets of salinization.

### 2.3 POPULATION ANALYSIS

Studying past and future population data is an important component in ensuring an adequate land base for future growth. Population change within a community is related to many factors, such as:

- migration, both in and out;
- the size of the community and its internal, natural growth rate and structure;

- the size and composition of the local and surrounding economy; and
- the proximity to larger areas of settlement and economic activity.

Population growth due to natural increases has been less of a significant factor over the last decade, as birth rates have been declining. Recently, it appears this trend may have stabilized, but fertility rates remain low on the national and provincial scale. The national fertility rate is 1.64 live births per woman, while Alberta's rate is 1.77.

### 2.3.1 Past Trends

Table 1 displays the County of Warner's historic population situation between 1961 and 1996.

**Table 1**  
**COUNTY OF WARNER NO. 5**  
**HISTORIC POPULATION – 1961-1996**

Year	Population	Five Year Rate of Change (percent)	Average Change Per Annum (percent)
1961	4991	—	—
1966	4386	-12.12	- 2.42
1971	3795	-13.47	- 2.69
1976	3571	- 5.90	- 1.18
1981	3460	- 3.10	- 0.62
1986	3578	+ 3.41	+ 0.68
1991	3677	+ 2.76	+ 0.55
1996	3561	- 3.15	- 0.63

Source: Statistics Canada

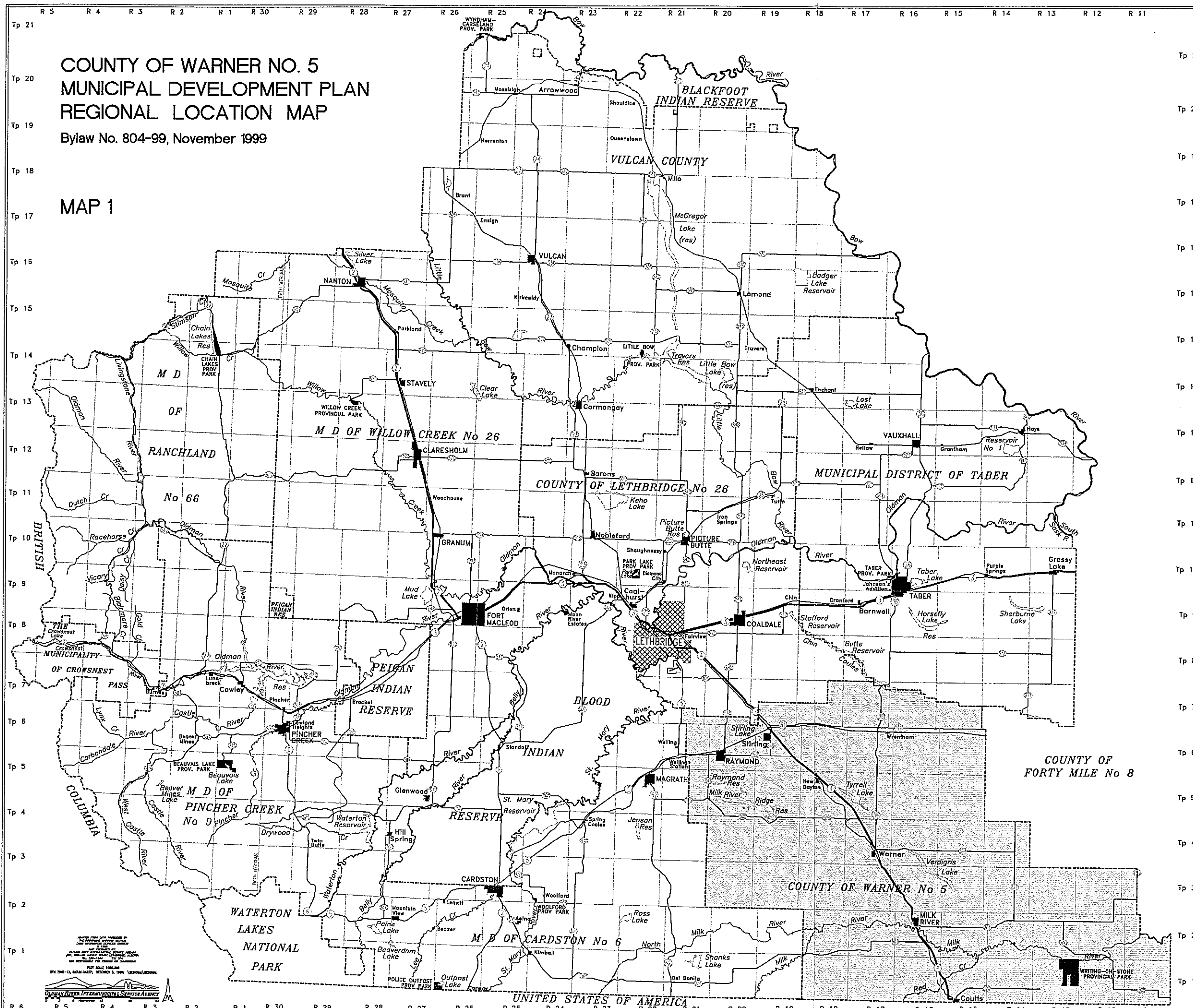
The County of Warner reached a population high of 5,520 in 1941, and then began to experience a continual population loss for each following census period. After 1961, the county dramatically declined in population, a trend experienced in many rural municipalities in the region. Between the 1961 and 1966 census periods, the County of Warner experienced a 12.12 percent decline in its population. During the following period, 1966 to 1971, the county encountered an even greater population loss. However, many of the rural areas in the region generally did lose people, a trend that was largely attributed to a declining birthrate and increased out-migration. Also, the farming population declined in most rural regions during the fifties and sixties as partly the result of modern mechanization trends in agriculture. Dryland farming areas usually experienced a greater population loss than areas of mainly smaller, irrigated farming parcels. Over the 20-year period of 1961 to 1981, the county continually lost population at an average annual rate of 1.72 percent.

Over the most recent census period (1991 to 1996), the County of Warner's population has experienced a decline once again. Over the five year period, the county's population decreased by 3.15 percent, or a 0.63 percent annual average decrease. The county's population loss began to slow down after 1981, and over the next ten year period, the county actually reported an increase. If the county's population change is averaged over the last three censuses, the average annual rate of growth was actually 0.2 percent. The latest negative population change falls far

COUNTY OF WARNER NO. 5  
MUNICIPAL DEVELOPMENT PLAN  
REGIONAL LOCATION MAP

Bylaw No. 804-99, November 1999

MAP 1



Map 1  
COUNTY OF WARNER NO. 5  
MUNICIPAL DEVELOPMENT PLAN  
REGIONAL LOCATION MAP  
Bylaw No. 804-99, November 1999

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Map 1  
COUNTY OF WARNER NO. 5  
MUNICIPAL DEVELOPMENT PLAN  
REGIONAL LOCATION MAP  
Bylaw No. 804-99, November 1999

UNITED STATES OF AMERICA



below the provincial growth average, as Alberta's growth rate during the last five year period was 5.9 percent, or just under 1.2 percent annually.

### **2.3.2 Age Structure**

Further information on the structure of the population is shown in Appendix 2. In general, the information indicates an aging population and a tendency to have persons leave the county after the 15-19 age group.

### **2.3.3 Population Projections**

Several different methods of population projections are used in calculating future growth in order to provide the broadest scenario possible. It should be noted that projections show what a population would be if the assumed trends actually were to occur. Since population projections are based on past trends, they must be looked at with some degree of caution. As previously outlined, the County of Warner has generally experienced a slow decrease in its population since 1941. Only over the 10-year period of 1981 to 1991 did its population experience an increase.

The range of results obtained from the various methods of population projections are displayed by Chart 5, Appendix 2. Several different methods of population projections were used including:

- arithmetic,
- logarithmic,
- share of region,
- cohort survival methods assuming 5-year migration,
- cohort survival methods assuming 10-year migration,
- cohort survival methods assuming 20-year migration,
- annual growth rate of 0.5 percent,
- annual growth rate of 1.0 percent,
- annual growth rate of 1.5 percent.

From the last population analysis done by the Oldman River Intermunicipal Service Agency, the arithmetic and logarithmic methods were very close in their 1996 projections.

These projections indicate that in 2001 the probable population could range between 3,528 and 3,629 persons, and by 2016 the population could range between 3,402 and 3,689. The cohort survival (20-year) method projects a slight decrease in the population if in-migration does not increase.

## **2.4 GENERAL LAND USE**

Most land use in the County of Warner is used for some type of agricultural pursuit. The type of agriculture varies with location and generally includes irrigated crop land in the northern parts. Much of the south and southeast area is cultivated dryland and a large area of grazing land in the southwest area. Some intensive livestock operations occur in the irrigated and dryland areas with considerable possibility for expansion when conditions allow.

Non-agricultural uses exist in the form of oil and gas facilities, particularly in the easterly portions of the county, with country residential uses largely located in close proximity to Raymond and Stirling and several park areas on the major reservoirs and Milk River.

Land use conflicts seem to be limited to urban fringe areas including the hamlet areas. The current land use bylaw encourages residential development in urban fringe areas which may require more policy considerations to avoid future conflicts. Since the density of development is low, conflicts with intensive operations have also been limited.

## 2.5 SUBDIVISION AND DEVELOPMENT

A review of applications indicates a number of country residential subdivisions have been made in the past. Many of these were single lot subdivisions creating a farmstead from a quarter section of land and were often located in the northern part of the county. There has been minimal subdivision activity in the hamlet areas.

Subdivision applications are likely to remain similar to the past so the approval authority can expect to deal with 10 – 12 applications each year.

**Table 2**  
**COUNTY OF WARNER NO. 5**  
**SUBDIVISION ACTIVITY – 10 YEAR OVERVIEW**

YEAR	No. of Applications	PROPOSED USE OF LOTS						Total Lots
		Residential	Country Residential	Agricultural	Commercial	Industrial	Misc.	
1997	12		8	2			2	12
1996*	10	1	4	5		2		12
1995/96	18		22	7				29
1994/95	8		6	4				10
1993/94	19	1	7	12	1	1		20
1992/93	13		5	4	1			10
1991/92	9		5	5			1 (inst.)	11
1990/91	10		8	5			1	14
1989/90	9		4	2	2		1 (inst.)	9
1988/89	13		7	5				12
TOTAL	121	2	76	51	4	3	5	139

\* Nine-month period April 1 to December 31, 1996.

## 2.6 ENVIRONMENTALLY SENSITIVE AREAS

In 1988, the Oldman River Regional Planning Commission conducted a series of studies into environmentally significant areas within the region. The investigation identified sites believed to be of importance nationally, provincially or regionally. Sites include natural features, hazard lands, historical resources, prehistoric resources and paleontological resources.

The report prepared for the County of Warner indicates an abundance of significant areas of national, provincial and regional importance. Areas of sensitivity are distributed widely in the county, but seem to focus around:

- various reservoirs and wetlands associated with the water transfer system;
- the Milk River Ridge areas;
- numerous areas in and adjacent to the Milk River;
- certain dry or intermittent drainage courses such as Verdigris Coulee, areas draining the Sweetgrass Hills and the Milk River Ridge.

Maps prepared in this study are provided in Appendix 3.

The County of Warner has some significant resources to be aware of, with many in relatively undeveloped areas of the municipality. More details of these environmentally significant areas are published in the report, Environmentally Significant Areas in the Oldman River Region – County of Warner, prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

A recommendation taken from the report should be considered as part of this plan. "Municipal planning documents should address these concerns (identify and conserve sites), and bylaws be considered to provide zoning mechanisms which will enhance both the conservation of archaeological sites in place, minimize potential conflicts with planned development and impact, both in terms of loss of the significant prehistoric sites and costs to mitigate these impacts, as may be required by the Alberta Historical Resources Act."





### **3. IDENTIFICATION OF PLAN ISSUES**

A review of the Municipal Government Act background issues, discussion with councils and other persons and a review of subdivision and development applications indicates the major issues that the municipal development plan should address. The following will be the issues confronting the County of Warner in the future.

#### **3.1 FUTURE LAND USES AND DEVELOPMENT**

Balancing a variety of uses in the long term may be a challenge. It is a goal to promote growth and an opportunity exists to direct those uses into the areas best suited to accommodate the development. At present the approval authorities have considerable flexibility through the land use in deciding upon applications. This has resulted in a system that encourages a variety of proposals. This plan may provide some framework for the use of the discretion allowed for to ensure that the system is flexible but also allows for consistent decisions.

#### **3.2 COORDINATION WITH ADJACENT MUNICIPALITIES**

Municipalities are responsible for the implementation of planning policies, construction of infrastructure and other duties outlined in the Municipal Government Act. Both the Act and the Land Use Policies recognize the value of municipalities coordinating efforts to accomplish mutual objectives.

In the case of the County of Warner, coordination efforts would include:

- Town of Milk River,
- Town of Raymond,
- Village of Coutts,
- Village of Stirling,
- Village of Warner,

all of which are within the county boundaries; and

- County of Forty Mile,
- County of Lethbridge,
- Municipal District of Cardston,
- Municipal District of Taber,

all of which are adjacent municipalities.

#### **3.3 TRANSPORTATION AND MUNICIPAL SERVICES**

Provision of roads, in particular, are expensive in terms of construction and maintenance, and would benefit from intermunicipal cooperation. This would ensure the best system is available to residents at the best value.

#### **3.4 SOUR GAS FACILITIES**

The Act requires that municipalities provide guidelines for development and subdivision in close proximity to sour gas wells. Approvals for any oil or gas well is the authority of the

province with little municipal input. Protection from sour gas facilities is partially a provincial function, however, since the municipality is the subdivision and development authority, standards are necessary in the municipal development plan.

### **3.5 MUNICIPAL RESERVE**

The Act provides for the taking of municipal reserve at the time of subdivision and requires a municipal plan to contain policies on how the reserve will be distributed between the municipality and the school districts.

### **3.6 SUBDIVISION AND DEVELOPMENT**

Criteria for subdivision and development are located in the land use bylaw and allow for considerable discretion. A broad framework of policy can provide a focus for the detailed policies and make for consistent decision making.

### **3.7 HAMLET CONCERNS**

These urban areas are under the legislative authority of the county and have special opportunities and concerns that may be addressed in this plan.

### **3.8 INTERMUNICIPAL COOPERATION**

The five urban municipalities located in the county have requested that specific policies be adopted by the county to direct future land uses in an agreed-to fringe area. Initially the request was to prepare an intermunicipal development plan that would encompass all the municipalities as referred to in 4.2.1 and could be named the "Six-Council Intermunicipal Development Plan". The process of detailed policy creation can be completed at the same time as the municipal development plan.

## 4. MUNICIPAL DEVELOPMENT PLAN POLICIES

The policies of this plan must be considered by decision-making authorities when reviewing applications and other decision requirements before them. These policies are prepared and adopted to take advantage of opportunities and address concerns identified. Policies are taking advantage of the legislative authority available to a local government and to fully achieve the objectives may require assistance from other levels of government and partnerships with the private sector.

### 4.1 FUTURE LAND USES AND DEVELOPMENT

#### Objectives

Council can identify and direct uses to various areas of the county. When development is appropriate at a site, then it is important to provide sufficient information to allow a full evaluation. The objectives of these policies are:

- (a) To direct uses to the areas of the county best suited to accommodate the proposal.
- (b) To ensure that various approval authorities have sufficient information to consider proposals.
- (c) To provide basic standards that must be met when approvals are given.
- (d) To provide a framework for consistent decision making.

#### Policies

- 4.1.1 When considering the decisions on land use bylaw or statutory plan amendments, subdivision applications or development applications, the approval authority must recognize the prime use of land in the county is agriculture. Other uses may be allowed only when the non-agriculture use has been determined to have no adverse affect on the agricultural base of the county.
- 4.1.2 Area structure plans and development schemes will normally be required prior to approval of a subdivision application or land use bylaw amendment when the proposal is intended to:
  - (a) create four or more lots; and/or
  - (b) designate in the plan public roadways, parks or land for other public uses; and/or
  - (c) create parcels within close proximity to environmentally sensitive areas as shown in the maps in Appendix 3 or otherwise identified; and/or
  - (d) for a use or in an area that the approval authority or council determines the need.
- 4.1.3 When an area structure plan or a design scheme is required, the information supplied to the county should include the requirements outlined in the land use bylaw and include:
  - (a) site plans and drawings – although professional plan preparation is preferable, the diagrams may be accepted if they are clear and accurate;

- (b) soils analysis – soil stability and its ability to accept a septic system are most important, although applicants may be requested to provide other data. These studies are to be prepared by an engineer;
- (c) identification of other hazards or environmentally sensitive areas, including historic and other resources demonstrated in Appendix 3;
- (d) sewer system – which will be determined using the soils data provided. Pump out systems are preferred adjacent to water bodies;
- (e) domestic water – these systems will be to the satisfaction of the approval authority;
- (f) roadways and access points – including the standards for construction;
- (g) other utilities and services – including comments from the appropriate supplier;
- (h) contour and surface drainage control – which should demonstrate the protection of water bodies and adjacent parcels;
- (i) development concept – some developments may have a theme or core concept;
- (j) applicant's interest – i.e. authorized agent, subject of an agreement or relative;
- (k) subdivision considerations – that may be found in the land use bylaw such as lot sizes;
- (l) provision of municipal and/or environmental reserve – which will be in accordance with this plan and may include use of environmental easements;
- (m) staging of development – and may include phasing of services;
- (n) development specifications – including special standards such as setbacks and minimum dwelling size;
- (o) landscaping and appearance – particularly if it includes municipal reserve land;
- (p) architectural controls – information regarding special standards for details such as fences or landscaping are needed as well as the expectation for county involvement;
- (q) public input – and developers are encouraged to contact neighbours and others to discuss the proposal;
- (r) population density – as required under the Municipal Government Act;
- (s) any other information the Subdivision and Development Authority may consider necessary.

**4.1.4** The draft area structure plan or design scheme should be circulated to the various agencies that would have input at the subdivision application stage and as are outlined in the Subdivision and Development Regulation. A broader circulation of the information may be undertaken at any time in the process.

**4.1.5** In general, uses will be encouraged to locate in areas discussed below:

- (a) grouped residential uses
  - urban fringe areas,
  - near major water bodies and reservoirs,
  - a suitable distance from livestock operations,

- no more than two per quarter section without redesignation as provided for in the land use bylaw,
  - possibly on parcels considered to be poor quality agricultural land,
  - in hamlet boundaries;
- (b) industrial and commercial uses
- grouped uses adjacent to primary highways and subject to being designated by council in the land use bylaw,
  - individual uses as considered appropriate by the approval authority,
  - in fringe areas of municipalities having regard to any existing agreements and redesignation procedures;
- (c) intensive agriculture
- generally accepted everywhere in the county within the principles of minimum distance separation and the land use bylaw, particularly in the irrigated areas of the county,
  - have regard for the minimum distance separation calculation,
  - ensure compliance with land use bylaw and any other regulation.
- 4.1.6** When council is considering the amendment for a land use bylaw such as the redesignation of a parcel, they should use the following process:
- (a) the applicant providing sufficient information for council to evaluate whether or not the proposed uses are suitable for the land that is subject to the application, development or subdivision – this may include the information requirements outlined for an area structure plan;
- (b) the application being circulated to the persons required under the Act and, when applicable:
- Chinook Health Region,
  - Alberta Agriculture, Food and Rural Development,
  - Alberta Environmental Protection,
  - relevant irrigation district,
  - other authorities or persons considered necessary by council;
- (c) an area structure plan if requested as part of the information requirements, the public hearings required for each may be held at the same time in accordance with the Act;
- (d) at any time during the process, council may request further information on the proposal and may recirculate the data as required.

## **4.2 COORDINATION WITH URBAN MUNICIPALITIES**

The County of Warner has a long-standing history of cooperation with the urban municipalities. Processes such as the “all council meetings” encourage the cooperative atmosphere that exists among the various parties. Policies of this plan can support the process.

### **Objectives**

- (a) To provide a framework that will encourage continued cooperation with the municipalities that are contained within the boundaries of the county.

- (b) To establish a framework for the negotiation of an intermunicipal development plan.

## **Policies**

**4.2.1** A companion document to this plan should be adopted as an agreement among the five urban municipalities and the county. It may be referred to as “The Six-Council Intermunicipal Development Plan”.

**4.2.2** An intermunicipal development plan is an agreement between the municipalities involved and addresses a wide variety of issues which include some of the following:

(a) Determine Intermunicipal Plan Boundaries

Initially the fringe district maps of the land use bylaw would be used as the boundary to which plan policies would apply.

(b) Agricultural Practices and Uses

The main use in the fringe area and therefore there should be limited impact on extensive farming operations.

In terms of intensive livestock operations, two types of intensive livestock operations should be considered:

- new livestock operations which may not be allowed in the plan areas,
- existing intensive livestock operations which could be a discretionary use subject to restrictive conditions.

Discussion should occur regarding manure disposal in the plan area. Guidelines could be prepared to limit the impact of spreading.

(c) Subdivision and Development

In general, the municipal development plan policies encourage country residential uses to locate in municipal fringe areas. The intermunicipal development plan should address more specific uses and suitable areas.

In each municipal fringe area, development areas should be identified based upon:

- municipal growth directions, which should be left in the existing parcel size allowed for in the land use bylaw for agricultural uses;
- areas of special concern such as lagoons or recreational areas, which would be restricted to subdivision allowed for in agricultural uses;
- land uses within the urban area, which would restrict residential uses in areas where a land use may conflict;
- availability of municipal service connections;
- uses would be encouraged in areas that may have services negotiated.

(d) Urban Expansion

Municipal growth and expansion are likely to occur with the municipalities in the county. With this is likely a growth in services which should benefit all residents of the county. Some indication of growth direction should be found in the policies of the intermunicipal development plan.

Annexation is not always the best alternative to accommodate urban growth, therefore, the plan may outline guidelines for when annexation may be applied for. For example, prior to an annexation request, urban municipalities should:

- ensure land currently in the municipality has been used to the full potential,

- explore alternative means of growth that may include tax sharing,
- prepare a growth study that reviews the issues related to growth including the financial impact to each municipality.

(e) Plan Processes

It is intended that an intermunicipal development plan will be a working document allowing for flexibility of decision making and giving a framework for consistent decisions. In part, this requires processes for continued coordination and cooperation. When municipalities disagree, a system to promote a consensus is also an important aspect.

In part, this may be accomplished by an intermunicipal development plan committee that may meet to consider:

- concerns regarding policies of the plan,
- amendments to the plan,
- complaints from the public regarding plan policies,
- disagreement on the implementation of plan policies,
- land use concerns that the plan has not addressed,
- waivers of the plan policies.

In general, the committee is intended to promote cooperation and resolve potential conflicts.

A dispute settlement system may include a number of steps such as:

- avoid any dispute by ensuring the plan is adhered to as adopted, by full circulation of any permit or application that may affect a municipality and prompt enforcement of the policies of the plan and land use bylaw;
- prior to a meeting of the intermunicipal development plan committee, ensure the facts of the dispute are investigated and information is made available to both parties;
- meet with the intermunicipal development plan committee to identify the issues and reach a consensus on a solution;
- the solution and/or dispute may have to be forwarded to a joint meeting of both councils for further discussion;
- the all-council meeting may be the last step in attempting to solve a conflict;
- the final stage of dispute settlement, if the dispute is related to a bylaw, is to use the mechanism in Division II, part 17 of the Municipal Government Act. This outlines a procedure for the municipalities to request the Municipal Government Board to solve the issue.

(f) Reciprocal Policies

An intermunicipal development plan should allow both parties to have the opportunity to comment on area structure plans, redesignations and development proposals.

(g) General Authority

Although the plan outlines a basis for cooperative planning, it is not the intent that any of the municipalities would give up the right to govern their own lands.

Councils may also wish to consider a plan expiry date of five years after adoption, after which a renegotiation would be required.

### **4.3 COOPERATION WITH OTHER RURAL MUNICIPALITIES AND IRRIGATION DISTRICTS**

There are other municipalities and agencies that conduct works that affect county operations. It would be to the benefit of the county to remain in contact in order to maximize opportunities.

#### **Objective**

(a) To promote a harmonious relationship between the County of Warner and its urban municipalities.

**4.3.1** Staff and council will endeavour to consult with adjacent rural municipalities regarding plans to undertake any major projects related to:

- secondary roads construction,
- infrastructure installation,
- other projects that may be of mutual interest.

**4.3.2** Council, together with the appropriate irrigation district, identify areas of mutual concern and establish a means of regular communication.

### **4.4 MUNICIPAL SERVICES AND TRANSPORTATION**

The County of Warner provides a series of services to its ratepayers including parks, recreation, roads, policing, fire protection and many others. These services are important to the community and represent a significant part of the budget of the county.

#### **Objective**

(a) To provide a basic policy for providing services at the time of subdivision and development.

#### **Policies**

**4.4.1** At the time of development, the provision of municipal services will normally be at the expense of the developer unless otherwise negotiated. These services may include:

- approaches,
- development of county road allowances,
- development of municipal reserve,
- installation of shallow utilities.

**4.4.2** At the time of subdivision or development, the approval authority should consider the use of development agreements to ensure the installation or paying for the installation of all services, including roads. A development agreement may be registered on the title of the property to ensure the agreement is binding on the land.

**4.4.3** Where possible, water and sewer systems will be owned and operated by community associations and built to a municipal standard.



- 4.4.4 All installations intended to be eventually transferred to the county for operation such as new roadways should be:
- built to county standards,
  - installed under the supervision of an engineer,
  - warranted by the builder for a period of at least one year after construction is completed.
- 4.4.5 Decision makers should balance the development opportunity of Highway 4 with the safe, efficient operation of this major transportation artery. They should consider:
- traffic movements,
  - safe access,
  - aesthetic considerations.
- 4.4.6 In cases of rail line abandonment, it is council's opinion that the lands should be consolidated back into the adjacent parcels and quarter sections through either the CPR, appropriate irrigation district or the county.

#### **4.5 MUNICIPAL RESERVE**

The Municipal Government Act allows for the taking of municipal reserve at the time of subdivision under certain circumstances. When that requirement is satisfied by a payment, the Act allows that a portion may be given to the school district in the area.

##### **Objectives**

- (a) To provide guidelines for the division of municipal reserve.
- (b) To confirm the policies for municipal reserve collection at the time of subdivision.

##### **Policies**

- 4.5.1 That municipal reserve will be provided in accordance with section 663 of the Municipal Government Act and taken at a rate of 10 percent of the subdivided parcel in either land or money in lieu of reserve.
- 4.5.2 When the reserve requirement is to be satisfied as money in place of land, the rate of payment will be established from time to time by council for the purpose of section 667(1)(b) of the Municipal Government Act. The values at the time of adoption of the plan are:
- irrigated land – \$1000.00 per acre,
  - farm land – \$500.00 per acre,
  - pasture land – \$300.00 per acre.
- These values are subject to change by council, therefore, applicants should verify values with the county office.
- 4.5.3 The County of Warner will receive all municipal reserve funds paid and, should a school district in the future require land for a school, an agreement for possible county assistance will be discussed at that time.
- 4.5.4 Environmental reserve will not normally be provided at the time of subdivision but, in accordance with section 664(3) of the Municipal Government Act, environmental easements may be considered.

## 4.6 SUBDIVISION OF PARCELS

When the approval authority is considering applications for subdivision it is important to consider both the policies of the land use bylaw and of this plan in its decision.

### Objectives

- (a) To maintain an open and informal decision process.
- (b) To direct residential development away from the agricultural areas of the county and toward the fringe districts.
- (c) To maintain high-quality subdivisions in all cases.

### Policies

- 4.6.1** Prior to making a decision upon a subdivision application, the approval authority shall ensure:
- minimum health standards are met,
  - standards in the land use bylaw are met,
  - comments from the circulation process are considered.
- 4.6.2** The approval authority may request that the applicant approach council for a redesignation if it determines:
- the standards of the land use bylaw cannot be met, or
  - there would be a benefit to having a formal public hearing.
- 4.6.3** The approval authority may request additional information about the application such as outlined in section 4.1.3 prior to making a decision.

## 4.7 SOUR GAS FACILITIES

Municipalities have no jurisdiction in the location of most oil field development as they are exempt from the planning legislation pursuant to the following section of the Municipal Government Act.

“**618(1)** This Part and the regulations and bylaws under this Part do not apply when a development or a subdivision is effected only for the purpose of

- (a) a highway or road,
- (b) a well or battery within the meaning of the *Oil and Gas Conservation Act*, or
- (c) a pipeline or an installation or structure incidental to the operation of a pipeline.”

The Municipal Government Act does recognize that these uses can create special planning concerns and requires they be addressed in a municipal development plan.

### Objectives

- (a) To meet the requirements of the Municipal Government Act and the Provincial Land Use Policies.
- (b) To provide guidelines for uses that are located in close proximity to sour gas facilities in order to protect persons from adverse impacts.

## **Policies**

- 4.7.1** The County of Warner will circulate all applications for redesignations, subdivision approval or development approval made to either council or the Subdivision and Development Authority to the Alberta Energy and Utilities Board when they are located within critical areas as shown on Map 2.
- 4.7.2** All comments received on the referral will be considered by council or the Subdivision and Development Authority.
- 4.7.3** In development and subdivision, setbacks shown in Diagram 1 will be implemented. This information is provided by the Energy Resources Conservation Board (ERCB) and should these standards be revised, the new standards shall apply.

## **4.8 ENVIRONMENTAL CONSIDERATIONS**

The County of Warner has unique areas that are of local, provincial and national importance and are identified in a report prepared in 1988 by the Oldman River Regional Planning Commission. Environmental protection should be a partnership between levels of government, interest groups and the public with the following policies outlining the county's commitment.

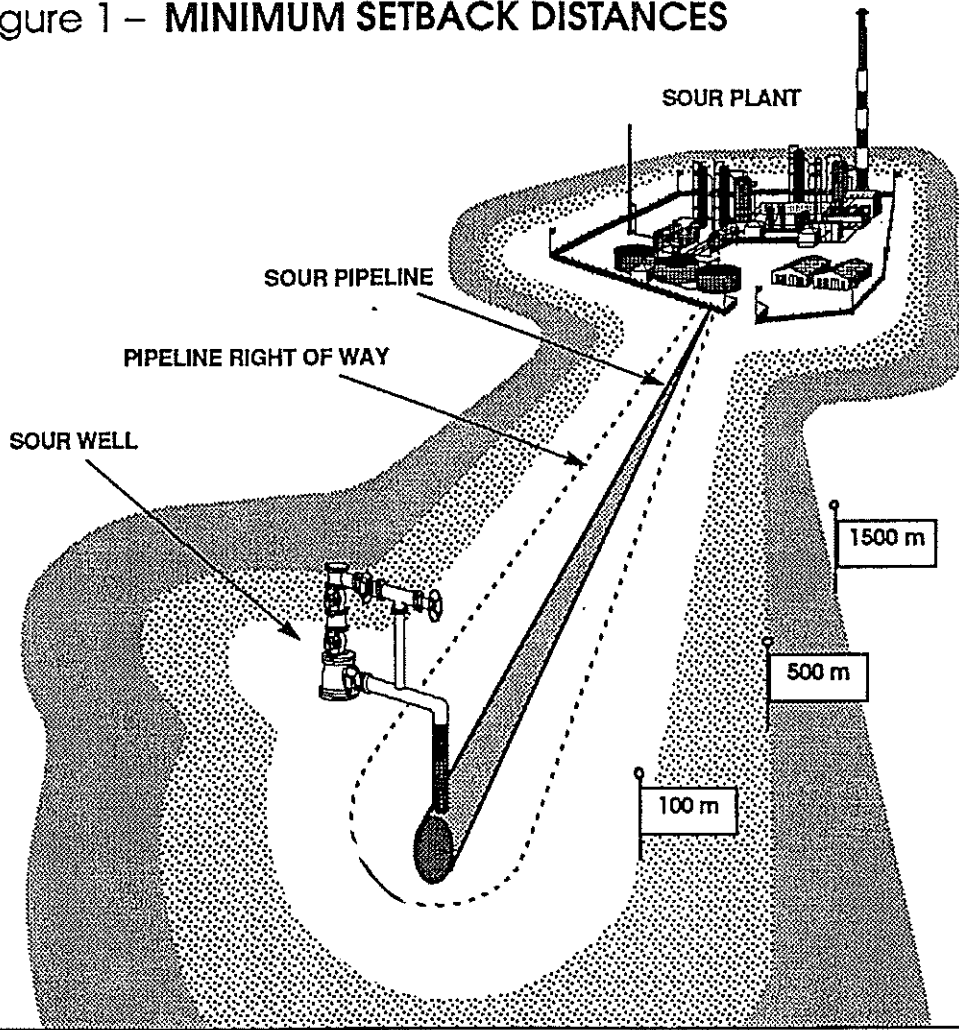
### **Objectives**

- (a) To promote environmental protection within the methods available to a local municipal government.
- (b) To ensure public awareness of activities within environmentally sensitive areas.

### **Policies**

- 4.8.1** All applications for redesignation or subdivision that lie within the areas shown on Maps 1 to 3 in Appendix 3 should be referred for comment to:
- Alberta Environmental Protection,
  - Alberta Community Development Historical Resources Services,
  - relevant environmental groups.
- 4.8.2** Where appropriate, at the time of subdivision the approval authority should make use of environmental easements as provided for in section 664(2) of the Municipal Government Act to protect areas identified as significant. If land is suspected to have environmental significance, the applicant may be required to provide further studies identifying the important aspects of the land.
- 4.8.3** If possible, the approval authority should obtain lands identified as significant using environmental reserve or municipal reserve provisions of the Act.
- 4.8.4** Map 4 in Appendix 3 indicates areas of potential hazard lands. In these areas or in other areas where hazard lands are identified such as past coal mining, no development or subdivision should occur until the relevant approval authority is satisfied the development can proceed safely. In assessing the nature of the hazard, the authority may request data and recommendations be prepared by an appropriate professional.

Figure 1 – MINIMUM SETBACK DISTANCES



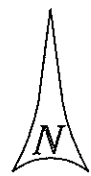
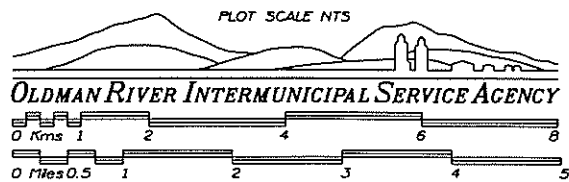
LEVEL OF SOUR FACILITY (Well, Pipeline or Plant)	MINIMUM SETBACK DISTANCES (ERCB Interim Directives ID 81-3, ID 87-2, IL 88-9 and Amendment)	DEFINITIONS:
1	100 metres (except for pipelines which have a right of way setback)	Individual Dwelling – permanently occupied by a resident
2	100 metres - Individual dwellings 500 metres - Unrestricted country development 500 metres - Urban centre or public facility	Unrestricted Country Development – dwellings situated outside an urban centre and having more than eight permanent dwellings per quarter section Urban Centre – a city, town, new town, village, summer village, or hamlet with not less than 50 separate buildings
3	100 metres - Individual dwellings 500 metres - Unrestricted country development 1500 metres - Urban centre or public facility	Public Facility – a public building such as a hospital, rural school or a major recreational facility and includes any other development the ERCB may designate as a public facility based on the complexity of evacuation
4	As specified by the ERCB – but not less than level 3	

Diagram 1



COUNTY OF WARNER No 5  
 SOUR GAS WELL LOCATIONS

 1.5 km BUFFER AREA





## **4.9 HAMLET PLANNING**

The Hamlets of Wrentham and New Dayton are urban settlements within the county that provide alternative housing and services to the residents of the county. There is considerable investment in services and infrastructure. Growth and development should be encouraged in these areas.

### **Objectives**

- (a) To maintain and encourage the orderly development of the designated hamlets in order to relieve development pressure on agricultural land.
- (b) To encourage the economic growth of designated hamlets in order to provide services to the agricultural community;
- (c) To provide a planning process for future growth and development.

### **Policies**

- 4.9.1** Council should consider a program of preparing area structure plans for each designated hamlet to act as "mini" municipal development plans. These area structure plans would address issues of:
  - growth,
  - proposed land uses,
  - hamlet expansion,
  - other issues identified through a public participation program.
- 4.9.2** Development and subdivision decisions should direct non-agricultural development toward the existing hamlets.
- 4.9.3** In portions of hamlets that were commercial areas, flexibility in decisions should occur to allow use of the existing structures. This should continue to be implemented through the use of a direct control district.





APPENDIX 1

**Excerpts from the Municipal Government Act**



## EXCERPTS FROM THE MUNICIPAL GOVERNMENT ACT

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### Municipal Development Plans

**632(1)** A council of a municipality with a population of 3500 or more must, by bylaw, adopt a municipal development plan.

**(2)** A council of a municipality with a population of less than 3500 may adopt a municipal development plan.

**(3)** A municipal development plan

- (a) must address
  - (i) the future land use within the municipality,
  - (ii) the manner of and the proposals for future development in the municipality,
  - (iii) the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,
  - (iv) the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
  - (v) the provision of municipal services and facilities either generally or specifically,
- (b) may address
  - (i) proposals for the financing and programming of municipal infrastructure,
  - (ii) the co-ordination of municipal programs relating to the physical, social and economic development of the municipality,
  - (iii) environmental matters within the municipality,
  - (iv) the financial resources of the municipality,
  - (v) the economic development of the municipality, and
  - (vi) any other matter relating to the physical, social or economic development of the municipality,
- (c) may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies,
- (d) must contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities, and
- (e) must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities.

1995 c24 s95

## Planning Bylaws

**692(1)** Before giving second reading to

- (a) a proposed bylaw to adopt an intermunicipal development plan,
- (b) a proposed bylaw to adopt a municipal development plan,
- (c) a proposed bylaw to adopt an area structure plan,
- (d) a proposed bylaw to adopt an area redevelopment plan,
- (e) a proposed land use bylaw, or
- (f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

APPENDIX 2

**Age Structure and Population Projections**

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## AGE STRUCTURE AND POPULATION PROJECTIONS

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Population pyramids for the County of Warner illustrate the distribution between the various age groups as well as between the male and female segments of the population (see Charts 1-4). The county's population structures reveal a number of particular traits as they are compared over the years. Some of these, such as the smaller number of persons in the 20-something age groups, are characteristics that are shared with other rural areas. The following observations are made in examining the various population structures:

- Chart 1 shows that those aged 65 and over make up just 7.3 percent of the County of Warner's population in 1996. It is expected that in rural areas, there is somewhat of a lower percentage of seniors, as this age group often retires to urban municipalities.
- The 70 plus age-cohort represents about 4.5 percent of the total population, while the 65 to 69 age group makes up 2.8 percent.
- The 70 plus age group actually ranks only about 11<sup>th</sup> in size overall, in comparison to the county's other age groups.
- The 20-year cohort projection indicates that in 2016 the percentage of those aged 65 and over will remain fairly consistent at 7.5 percent of the population, while the overall population decreases by approximately 4.5 percent from 1996.
- The largest single sized age group in the county is the 10-14 age cohort, which consists of 11.7 percent of the total population. This is followed by the younger 5-9 age cohort, as this group comprises 11.4 percent of the total population.
- The younger age groups actually comprise a good percentage of the overall total population. The 1996 pyramid reveals that those aged 15 and younger make up a healthy 32.4 percent of the total population. This is one of the higher proportions of this age group population, as compared to other municipalities in southern Alberta. Over the last 15 years, the proportion comprising this age group has consistently been large, slowly increasing from 30.6 percent in 1981.
- The pyramid for 1996 shows that there is a smaller number of persons in the 25-29 age group as compared to the other age-cohorts, both preceding and following it. This age group only makes up 5.2 percent of the total population for the county. In 1981, this age group had represented over 7.1 percent of the total population.
- The proportion of persons aged 20-24 comprises 5.5 percent of the population total. In many smaller or rural communities, the percentage in this age group is usually lower than the 25-29 age group total.
- The number of persons 20-29 years of age makes up 10.7 percent of the total population, which is about average for many rural or smaller municipalities in the region. However, in 1981 this age category comprised 16.2 percent of the total population. In rural areas the loss of people in this age category is a common trend, as many young people leave to pursue education or employment opportunities elsewhere.

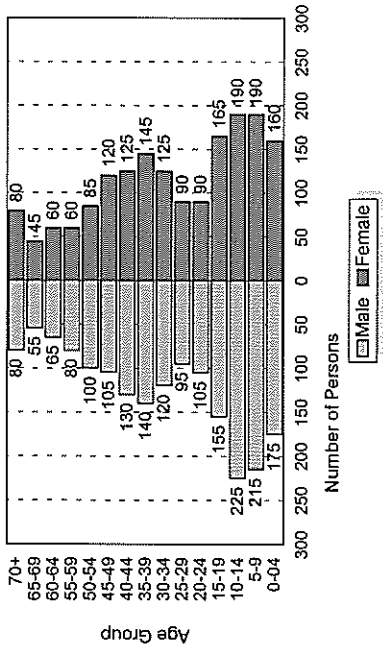
- Another noticeable trend is that a fairly large number of the population can be classified as in the middle-age category (30 to 59). However, the County of Warner's percentage of people at this age (37.5), is slightly below the average present in many other southern Alberta communities. The percentage of those people between the ages of 30 and 59 has slowly increased from 1981 where it was 32.9 percent. The increase in this age group is an expected trend in the population structure of our society.
- The 20-year cohort projection indicates that in 2016 the percentage of those between the ages of 30 and 59 will decrease once again, to approximately 33.2 percent of the population.
- The proportion of the female population in the child-bearing years (15-44) is fairly comparable to other communities in the region. They comprised about 20.8 percent of the total population in 1996. This group has averaged at around 20.5 percent of the total population since 1981.
- The county's proportion of those 4 years of age or under is slightly higher than the average among other communities in southern Alberta. This percentage in 1996 (9.4) has actually decreased slightly from 1981 where it comprised 10.5 percent of the total, and even 1991 where it was 11.4 percent. This age group ranks third overall in size in relation to the other age groups.

The population pyramids show that the percentage of persons classified as senior citizen is not that high in comparison to many other southern Alberta communities. The percentage of people 65 and over was even smaller in 1981, when it comprised just 5.6 percent of the total population. In 1996, the number of people aged 65-69 is actually the smallest age group in the county. The number of people 35 years of age and older has only risen about 5.7 percent over the 15-year census period (1981-1996). In 1996, 58.9 percent of the county's population was under the age of 35 years.



### CHART 1 - CO. OF WARNER

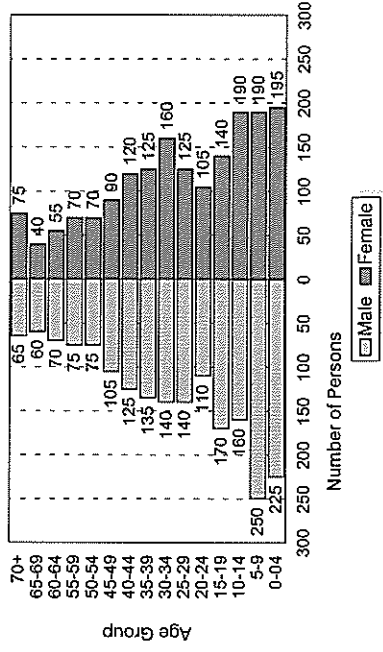
1996 Population Structure



Source: Statistics Canada

### CHART 2 - CO. OF WARNER

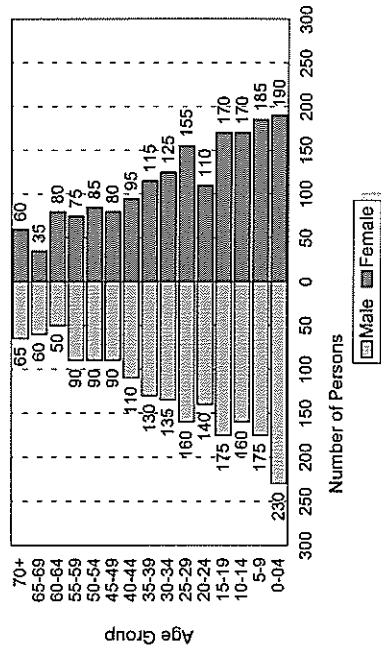
1991 Population Structure



Source: Statistics Canada

### CHART 3 - CO. OF WARNER

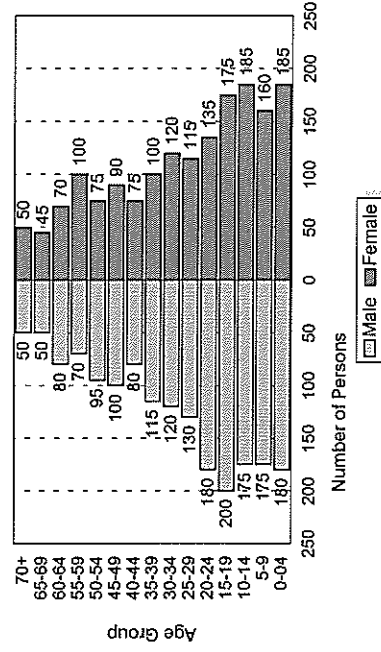
1986 Population Structure



Source: Statistics Canada

### CHART 4 - CO. OF WARNER

1981 Population Structure

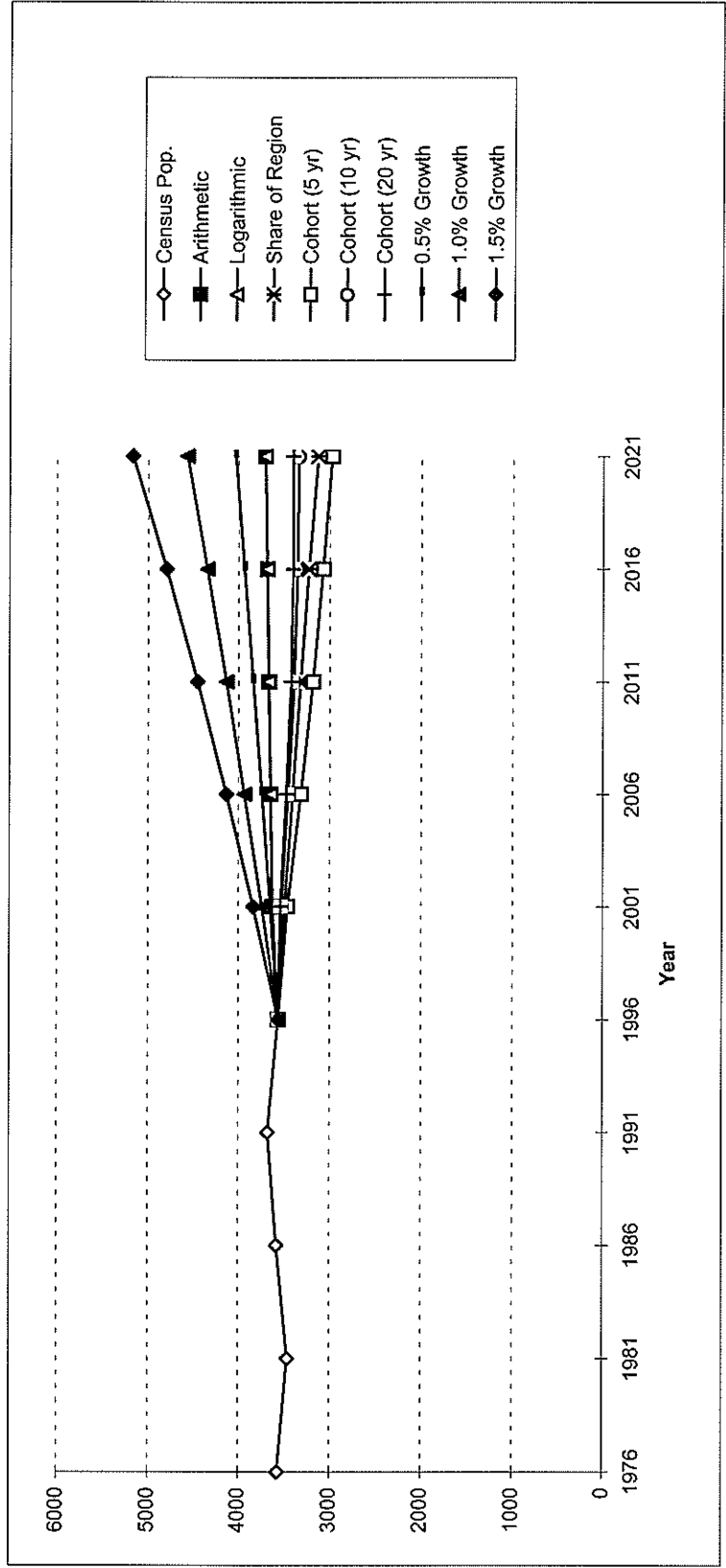


Source: Statistics Canada



# Chart 5 - CO. OF WARNER POPULATION PROJECTIONS

Year	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (5 yr)	Cohort (10 yr)	Cohort (20 yr)	0.5% Growth	1.0% Growth	1.5% Growth
1976	3571									
1981	3460									
1986	3578									
1991	3677									
1996	3561	3561	3561	3561	3561	3561	3561	3561	3561	3561
2001		3629	3628	3491	3459	3527	3538	3651	3743	3836
2006		3648	3648	3406	3315	3453	3475	3743	3934	4133
2011		3668	3669	3319	3180	3389	3422	3838	4134	4452
2016		3688	3689	3228	3073	3356	3402	3935	4345	4796
2021		3707	3709	3128	2973	3341	3404	4034	4567	5167





**NOTE:** The following maps have been reproduced from the report:

Environmentally Significant Areas in the Oldman River Region – County of Warner, prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

Interested persons are encouraged to review the original report.

APPENDIX 3

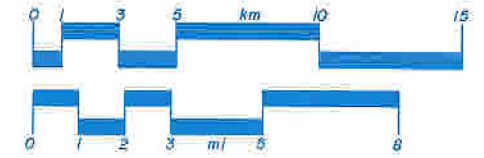
## **Environmentally Significant Areas Maps**

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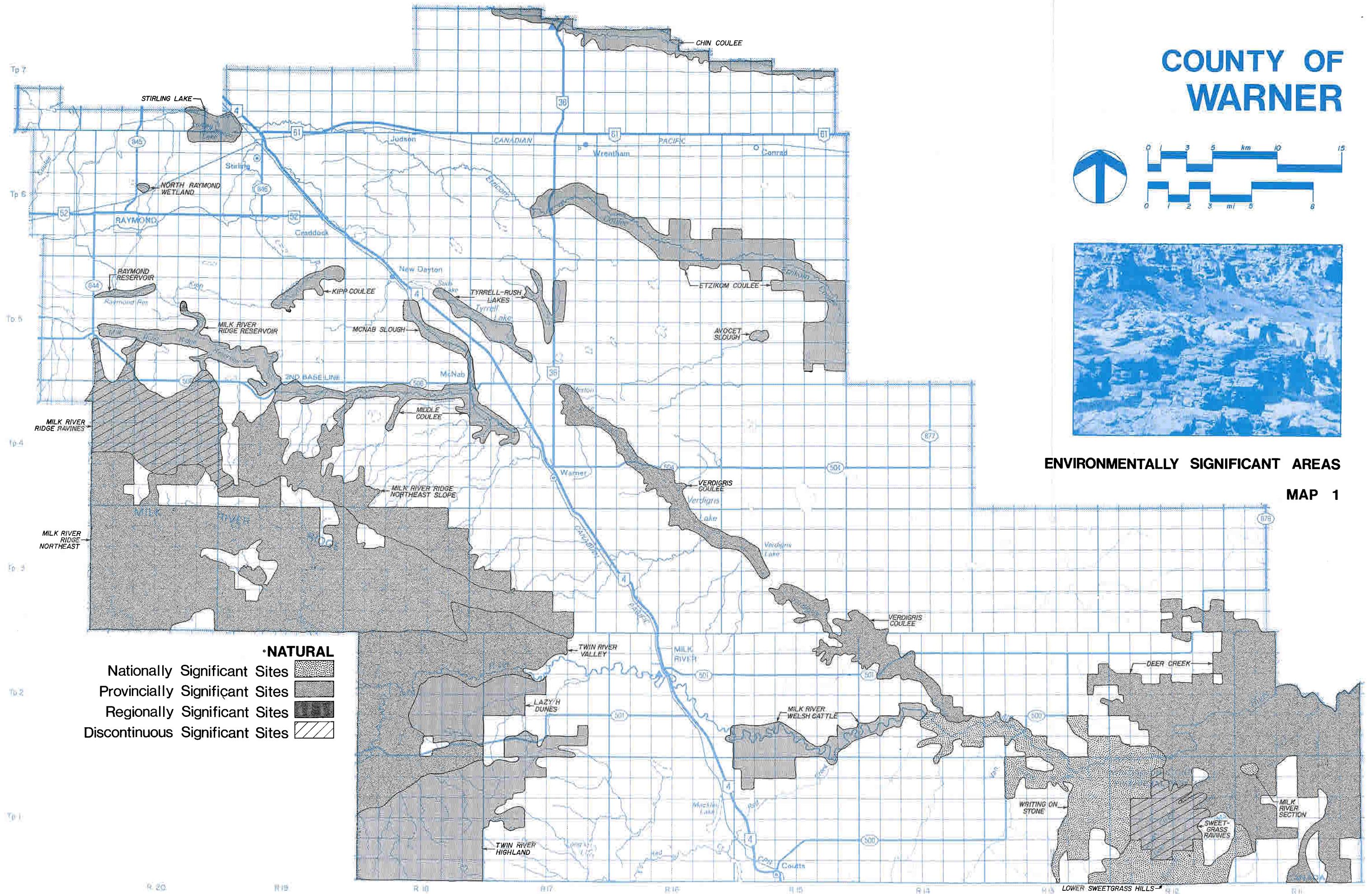


# COUNTY OF WARNER



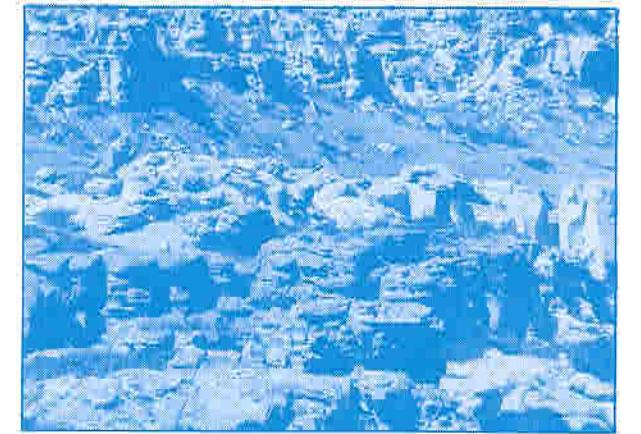
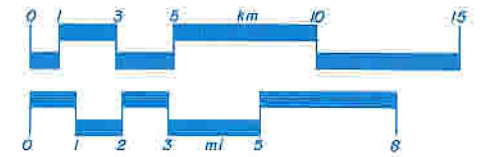
## ENVIRONMENTALLY SIGNIFICANT AREAS

### MAP 1



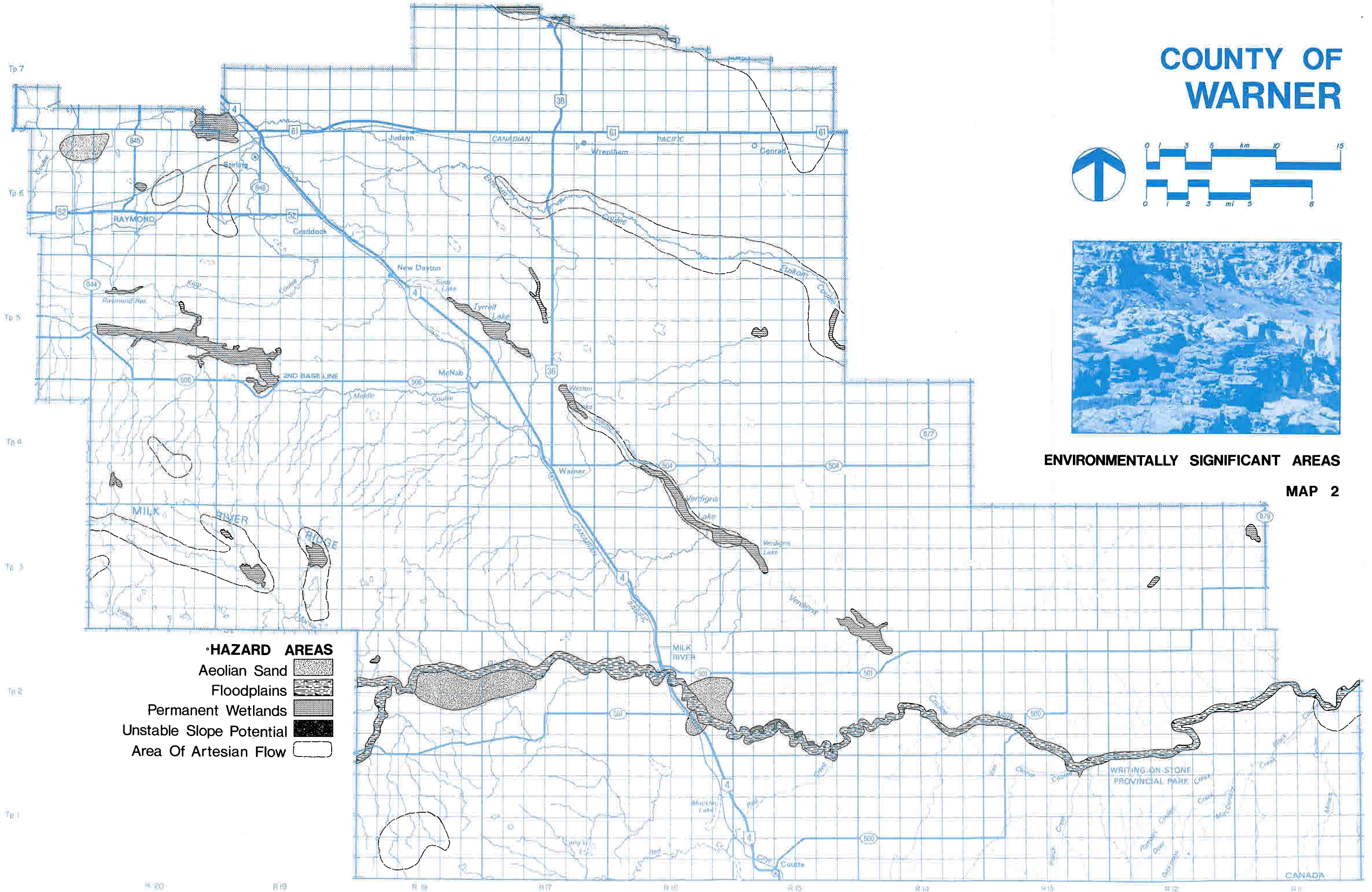
- NATURAL**
- Nationally Significant Sites
  - Provincially Significant Sites
  - Regionally Significant Sites
  - Discontinuous Significant Sites

# COUNTY OF WARNER



## ENVIRONMENTALLY SIGNIFICANT AREAS

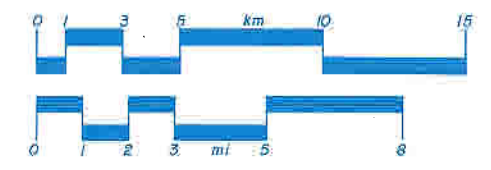
### MAP 2



- HAZARD AREAS**
- Aeolian Sand
  - Floodplains
  - Permanent Wetlands
  - Unstable Slope Potential
  - Area Of Artesian Flow

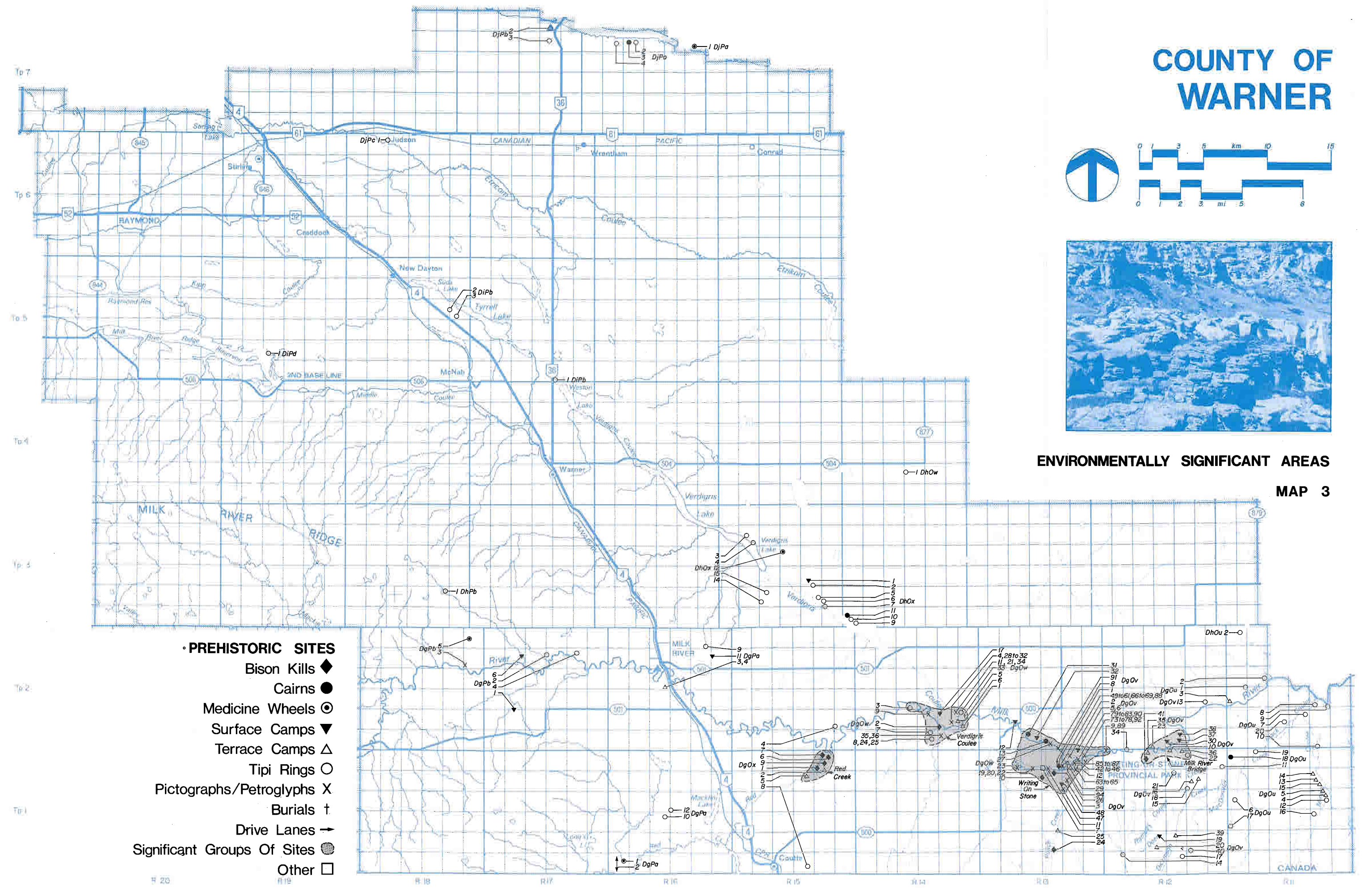


# COUNTY OF WARNER



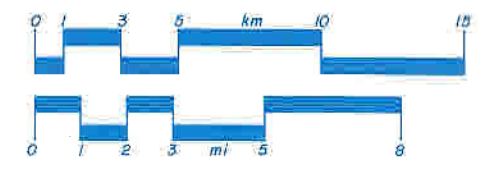
## ENVIRONMENTALLY SIGNIFICANT AREAS

### MAP 3

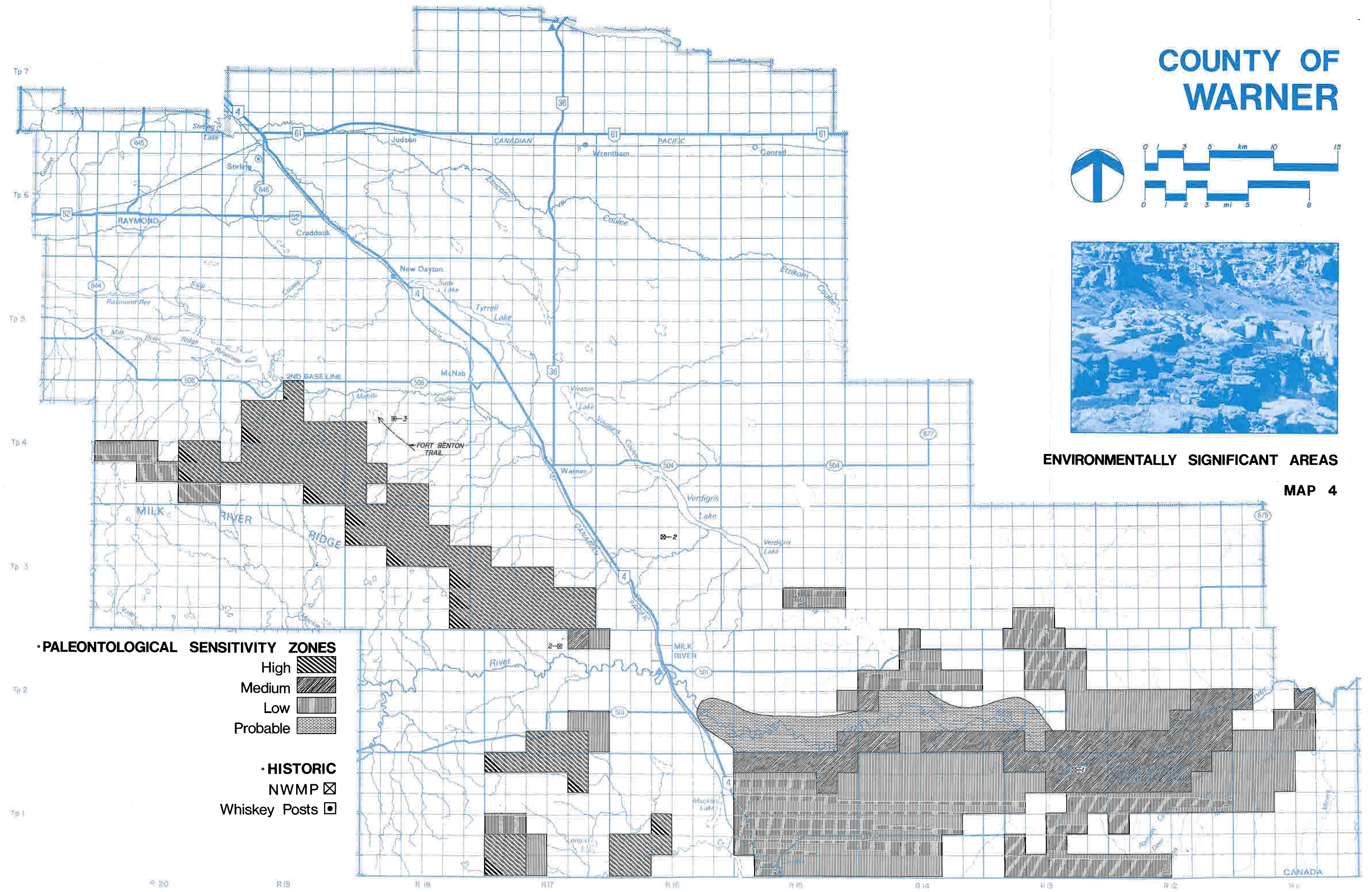


- PREHISTORIC SITES
- Bison Kills ◆
- Cairns ●
- Medicine Wheels ⊙
- Surface Camps ▼
- Terrace Camps △
- Tipi Rings ○
- Pictographs/Petroglyphs X
- Burials †
- Drive Lanes →
- Significant Groups Of Sites ●
- Other □

# COUNTY OF WARNER



**ENVIRONMENTALLY SIGNIFICANT AREAS  
MAP 4**



- **PALEONTOLOGICAL SENSITIVITY ZONES**
- High
- Medium
- Low
- Probable

- **HISTORIC**
- NWMP
- Whiskey Posts

R 20      R 19      R 18      R 17      R 16      R 15      R 14      R 13      R 12      R 11      CANADA