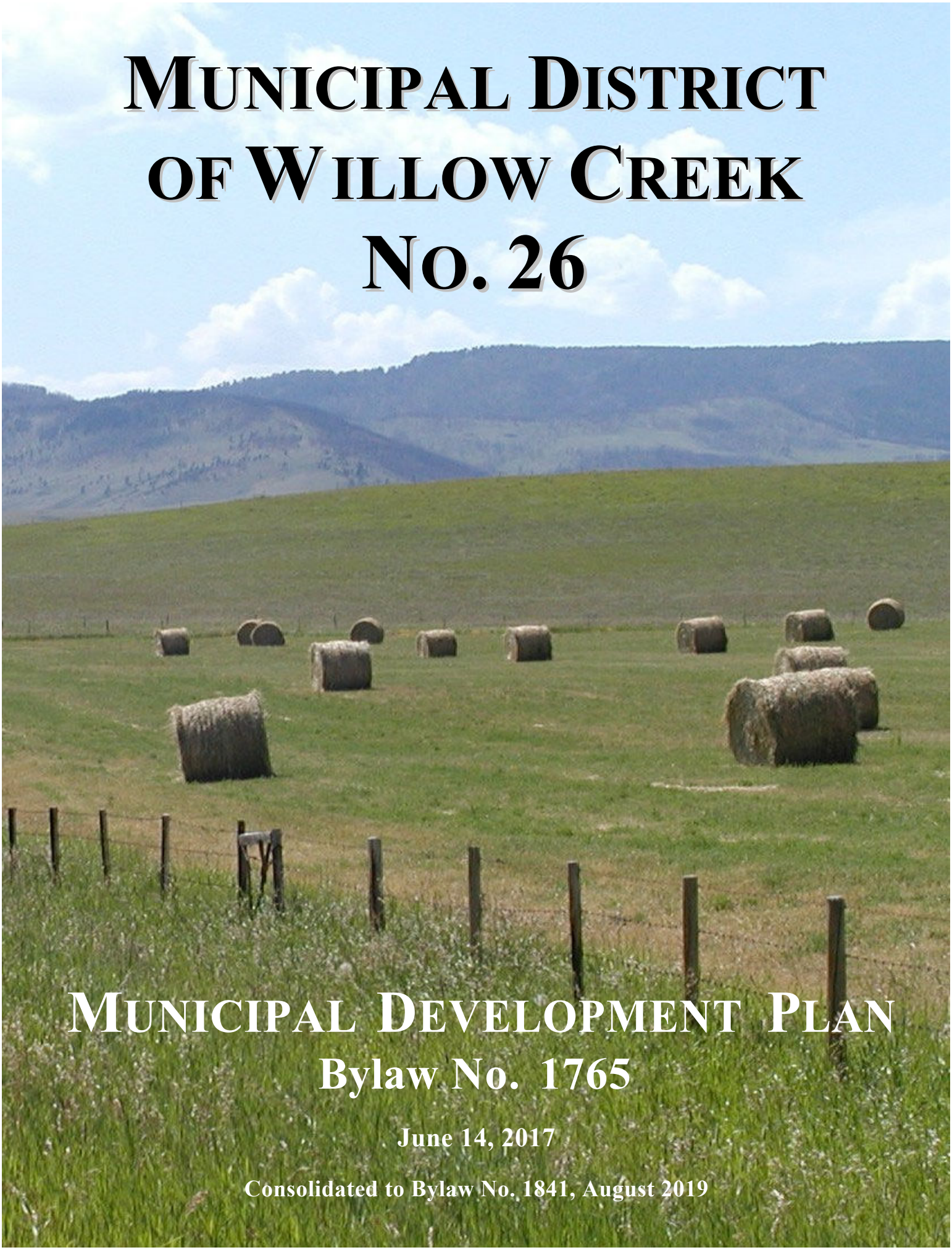


MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

MUNICIPAL DEVELOPMENT PLAN

Bylaw No. 1765

June 14, 2017

Consolidated to Bylaw No. 1841, August 2019



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MD of Willow Creek

Vision Statement

A community that preserves, enhances, and enriches our evolving rural way of life for all generations to live, work and prosper, as members of this farming and ranching community.

Mission Statement

The municipality strives to put in place policies that will ensure that all generations can continue to enjoy a safe and sustainable rural community that recognizes agriculture as a cornerstone.

Prepared by the

OLDMAN RIVER REGIONAL SERVICES COMMISSION

June 2017

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1765

BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to provide for a Municipal Development Plan in accordance with section 632(1) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26;

AND WHEREAS Bylaw No. 1765 provides a comprehensive planning document to guide long-range growth, change and development within the municipality in an orderly and economic manner pursuant to the provisions outlined in the Municipal Government Act; and

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No.1765, being the Municipal Development Plan, is hereby adopted.
2. This bylaw shall come into effect upon third and final reading hereof.
3. Bylaw No.1431 is hereby rescinded.

READ a **first** time this 14th day of June, 2017.

Reeve – Earl Hemmaway

Chief Administrative Officer – Cynthia Vizzutti

READ a **second** time this 14th day of June, 2017.

Reeve – Earl Hemmaway

Chief Administrative Officer – Cynthia Vizzutti

READ a **third** time and finally **PASSED** this 14th day of June, 2017.

Reeve – Earl Hemmaway

Chief Administrative Officer – Cynthia Vizzutti

M.D. of Willow Creek Municipal Development Plan Bylaw No. 1765 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
1841	Remove Section 8.7 of Section 8 Intermunicipal Coordination, Policies		21-Aug-2019

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MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

MUNICIPAL DEVELOPMENT PLAN
BYLAW NO. 1765

INTRODUCTION

In Alberta prior to 1995, the *Planning Act* established a system of land use planning that depended on various levels of legislative planning documents adopted by bylaw. At the top of this hierarchy was the *Planning Act*, adopted by the Province to provide guidance and general planning policies including the authority for the preparation of detailed regional plans. The *Planning Act* outlined broad provincial goals that could be accomplished through planning activities. Regional plans were prepared and adopted by 10 regional planning commissions. These plans outlined regional goals and objectives specifically tailored to the needs of each planning region.

The provincial and regional documents formed the basis for local land use bylaws and statutory plans. Restructuring by the provincial government in the mid-1990s resulted in the *Planning Act* being rescinded and the 10 regional planning commissions were dissolved. Planning matters were incorporated into Part 17 of the *Municipal Government Act (MGA)* giving municipalities authority to make decisions regarding subdivision and development.

The *MGA* required municipalities to prepare new land use bylaws. Municipalities with populations over 3500 people were required to adopt a Municipal Development Plan (MDP) (formerly known as a General Municipal Plan) in accordance with legislated guidelines.

The Alberta government's proposed changes to the *MGA* under Bill 21, the "*Modernized Municipal Government Act"* requires all municipalities to adopt MDPs. Fourteen years has passed since the MDP was adopted in 2003. A new modern MDP is required to replace Bylaw 1431.

What is a Municipal Development Plan?

A Municipal Development Plan is a long-range plan that typically incorporates policies concerning land use, infrastructure, economic development, social objectives, environmental matters and financial analysis into a comprehensive document that acts as a framework to be used to make sound decisions. A MDP defines the municipality's goals and objectives and outlines the policies and actions that will be used by elected officials, administration, taxpayers and developers to ensure a consistent and coordinated approach to decision making within all regions of the MD.

As the Municipal District of Willow Creek No. 26 (hereinafter referred to as the "MD") continues to grow and change, the purpose of this Plan is to manage and direct growth and development that minimizes the adverse impacts on adjacent activities, while making the best possible use of the land base and infrastructure.

The MD will continue to face major challenges as pressure for the development of non-agricultural uses, such as country residential, private recreation, solar and wind farms, and industrial entities, continue to locate on agricultural land. The MDP will identify objectives and establish policies for future land uses.

Legislative Requirements

Municipal Government Act

The contents of a MDP must comply with provincial land use polices including, but not limited to, the South Saskatchewan Regional Plan and its subsequent planning documents.

Specifically, section 617 states:

> *The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted*
>
> *(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and*
>
> *(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta,*
>
> *without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.*

Section 632 (3) states:

> *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 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,*
> - *(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 Regulation 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;*
>
> *(f) must contain policies respecting the protection of agricultural operations.*

Section 638.1 also states:

> *In the event of a conflict or inconsistency between*
>
> *(a) a statutory plan or a land use bylaw, and*
>
> *(b) an ALSA regional plan,*
>
> *the ALSA regional plan prevails to the extent of the conflict or inconsistency.*

South Saskatchewan Regional Plan

The South Saskatchewan Regional Plan (SSRP) is a legislative instrument developed pursuant to Section 13 of the *Alberta Land Stewardship Act* (ALSA). The SSRP uses a cumulative effect management approach to set policy direction for municipalities to achieve desired environmental, economic, and social outcomes within the South Saskatchewan Region. The SSRP, made up of four distinct parts (Introduction, Strategic Plan, Implementation Plan, and Regulatory Details), is guided by the vision, outcomes and intended directions set by the Strategic Plan portion of the document. The Implementation Plan establishes the objectives and strategies to be implemented, in order to achieve the regional vision. Pursuant to Section 15(1) of the *ALSA*, the regulatory details in the SSRP bind the Crown, decision makers, and local governments. All statutory plans must be brought into compliance with the SSRP by September 1, 2019. The timing of the 2017 update of this MDP, provides an opportunity for the MD to align its highest level statutory planning document with the SSRP.

Related Plans and Studies

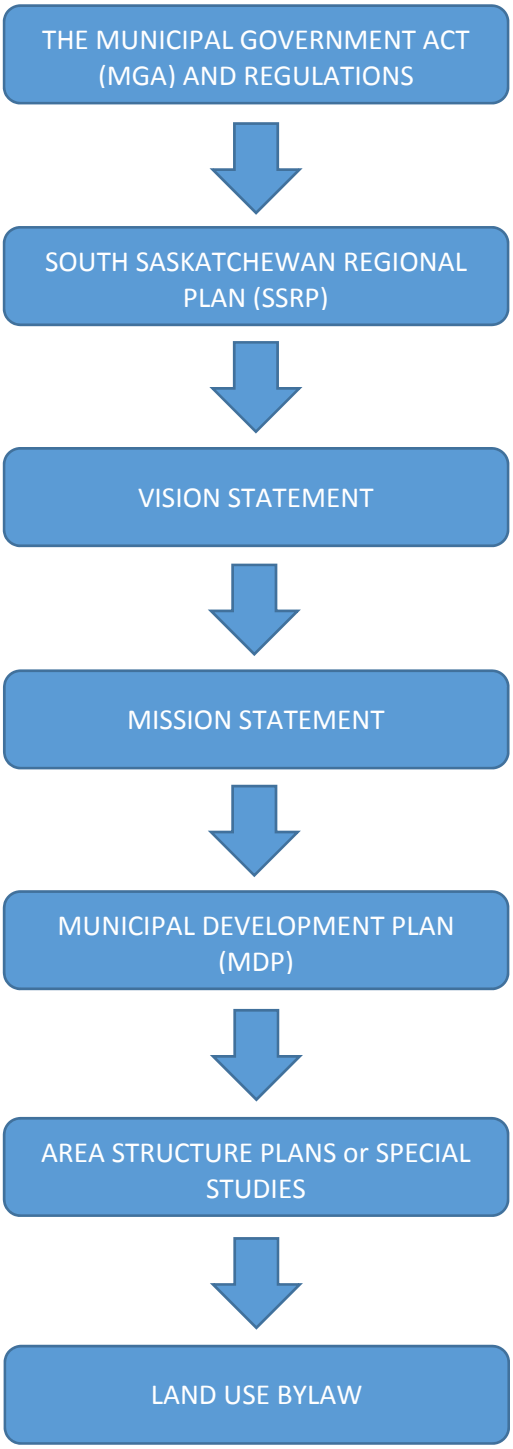
A number of planning documents and studies have been developed affecting the MD including, but not limited to, these studies, listed below:

- *South Saskatchewan Regional Plan;*
- *M.D. of Willow Creek & Cardston County Intermunicipal Development Plan Bylaws 1731 & 675.2015;*
- *M.D. of Ranchland & M.D. of Willow Creek Intermunicipal Development Plan Bylaws 2015-06 & 1732;*
- *M.D. of Willow Creek & M.D. of Foothills Intermunicipal Development Plan Bylaw 1728 & 82-2015;*
- *Vulcan County & MD of Willow Creek Intermunicipal Development Plan Bylaw 2015-006 & 1717;*
- *MD of Willow Creek Bylaw No. 1613 & Town of Nanton Bylaw No. 1227/10 Intermunicipal Development Plan;*
- *Pine Coulee Reservoir Area Structure Plan Bylaw No. 1258;*
- *Little Bow River Project Intermunicipal Development Plan;*
- *Clear Lake Area Structure Plan Bylaw No. 1466;*
- *M.D. of Willow Creek Environmentally Significant Areas;*
- *Stepping Back from the Water;*
- *Provincial Wetland Policy;*
- *MD of Willow Creek Floodplain Mapping Initiative; and*

- *other documents, reports or surveys that may be considered by the development authority.*

Document Hierarchy and Relationship

To better understand the relationship between some of these documents, the flow chart below describes the document hierarchy and relationship.



LAND USE ISSUES

A plan preparation and consultation process flow chart is provided to identify the key benchmarks the MD has performed to facilitate the adoption and implementation of a new MDP. A questionnaire, a council retreat and a public open house have been undertaken to identify the successes and issues found in the previous MDP known as Bylaw 1431.

Plan Preparation and Consultation Process



Successes Realized from Municipal Development Plan Bylaw No. 1431

- IDPs are now in place with most neighbouring rural municipalities.
- MDP includes maps, definitions, legislative requirements and development planning.
- Limits subdivisions to 1 per quarter without rezoning.
- Good management of development around the five urban neighbours.
- Consistent application of setbacks.
- Wind power is encouraged and well-managed to limit impact (Section 4.14 MDP).
- Authority regarding crown lands recognized (Section 4.9 MDP).
- Definitions in the MDP are clean, consistent and applicable but require updating.
- Use of fragmented parcels is consistent.
- MDP encourages regular Land Use Bylaw reviews and amendments.
- Application of setbacks, development restrictions and management of development around and in flood plains, floodways and floodway fringes is consistent.
- No successful legal challenges have been initiated against the municipality.

Issues the Current MDP Presents Today

- MDP has not been reviewed on a regular basis to prevent it from becoming outdated.
- The lack of acknowledgement in the document regarding the changes to agriculture including larger farms with less residents, application of technology on the farm, changes to farm practices, diversification and value added approaches to farming.
- Management of increase in acreage ownership, and the high resale rate of acreages as it impacts land use.
- Does not address increased demand for services by agriculture and acreage owners.
- Demand for high speed internet connectivity is increasing.
- Changes in demographics and an aging farm population impacts the relevance of the MDP.
- Conflict between the 2003 MDP and the more current Land Use Bylaw needs to be addressed.
- Updated flood mapping is required to make better informed development decisions.

Challenges Regarding the Development of a New MDP

- Parcel size should be decided whether it is 5 acres, 10 acres or something else.
- High speed internet connectivity opportunities should be encouraged.
- Management of development in flood prone areas to reduce the threat to life and property, and protect the municipality from liability.
- Development and continuance of a flood mapping program.
- Development of urban fringe land use districts around Stavely, Granum, Claresholm and Fort Macleod, to reduce potential conflicts with urban neighbours.
- Address the demand for increased services such as recycling, garbage collection, and emergency services.
- Management of land use conflicts between acreage owners and agricultural operations.
- Economic development and land use policies and how they work together.
- Decreasing and aging populations due to the loss of the family farm.
- New MDP alignment with the current Land Use Bylaw.
- Increased use of heavy haul agreements and development agreements as planning tools.
- A change to the format, font and layout.
- Use of Technological advancements in software, data management and mapping should be addressed in the MDP.
- A better use of schedules is required.
- Statistics should be removed to reduce redundancy or added as a schedule.
- Development of flood mapping and its use as a planning document or policy is required.
- Elected officials have the authority under the *MGA* to create the MDP, keeping in mind that individual rights may be affected for the greater public interest.
- The MDP should reflect the intent of the new Vision Statement and Mission Statement.
- The MDP shall reflect the purpose stated in section 617 and the intent stated in section 632 of the *MGA*.

MUNICIPAL DEVELOPMENT PLAN POLICIES

The previous section of this plan highlighted several issues, challenges and successes. The identification of these planning issues provides the opportunity to establish land use policies which are intent on mitigating those concerns. The policies presented in this Plan will provide guidance and direction for municipal decision-makers regarding future growth and other planning-related issues. These policies shall be reviewed by the Council, and the general public prior to adoption to ensure conformity exists with the *MGA*, the SSRP and the community.

1. General Policies

1.1 The subdivision of land to create two or more contiguous country residential lots shall require a land use re-designation prior to any decision being rendered by the municipal subdivision authority.

1.2 The appropriate referral agencies shall be contacted and their comments shall be considered by the Council or the MPC prior to a land use decision being rendered.

1.3 Input shall be sought from adjacent municipalities prior to a decision being rendered on matters of mutual concern or interest pursuant to the referrals established in any IDP.

1.4 This plan shall be consistent with and complement the demonstrated future growth strategies of adjacent municipalities, wherever possible.

1.5 The MD shall continue to prohibit certain land uses which are deemed to be detrimental to a specific land use district in the Land Use Bylaw.

1.6 To ensure consistency exists between this long-range plan, the Land Use Bylaw and any other duly adopted statutory plans.

1.7 To mitigate, to the best of the MD's ability, ESAs, wetland and riparian areas so they are not comprised by developments.

1.8 The MDP shall contain policies which prescribe criteria to be used for making subdivision and development decisions.

1.9 The MD, through its statutory plans and Land Use Bylaw, shall address hazard lands with the intention of reducing or eliminating risks to health, public safety and property.

2. Agriculture

Agriculture is the predominant land use in the MD. It is important to protect the agricultural endeavours that occur in the MD while balancing the interests and pressures for non-agricultural uses. Previous municipal councils adopted restrictive land use policies with the intent of preserving lands within the MD for farming and ranching. As such, guidance for development and subdivision matters are provided in the Land Use Bylaw and this statutory plan.

OBJECTIVES

- To support and encourage agriculture in the MD;
- To protect agricultural lands for agricultural activities, while providing some flexibility for non-agricultural uses to occur in the MD; and
- To mitigate, to the best of the MD's ability, the siting of any confined feeding operation (CFO)/intensive livestock operation (ILO) to minimize conflicts with adjacent land uses.

POLICIES

2.1 The subdivision and development criteria shall be drafted to protect agricultural land for agricultural uses.

2.2 The preparation of a detailed area structure plan or conceptual scheme may be required to be prepared in accordance with the provisions established in the Land Use Bylaw or a duly adopted area structure plan.

2.3 The MD shall establish guidelines with regards to the Natural Resources Conservation Board (NRCB) for the regulation and approval of CFOs/ILOs within the MD.

2.4 The MD may adopt a direct control district to accommodate or regulate a land use which is not presently contemplated in the Land Use Bylaw.

3. Non-Agricultural Uses

It is important the types of industry and commercial development that locate in the MD are appropriate for rural areas. Industrial development in the MD may be directed to locations which minimize environmental impacts and land use conflicts. In general, many commercial activities can co-exist with industry in designated districts. Because existing industrial and commercial activities in the MD are fundamental to the regional economy, it is important that the long-term viability of these activities is protected from incompatible land uses.

OBJECTIVES

- To expand and diversity the local economy;
- To create a positive municipal environment that encourages and supports business;
- To ensure industrial and commercial development is done in a manner that reduces conflict with other uses; and
- To encourage home-based businesses or home occupations.

POLICIES

Industrial and Commercial Development

3.1 The MD shall include provisions within the Land Use Bylaw to regulate industrial and commercial development consistent with the policies in this Plan.

3.2 The MD shall require single industrial and commercial subdivisions and developments to obtain access to water, fire suppression, and emergency services.

3.3 The MD shall require grouped industrial and commercial subdivisions and developments to obtain access to water treatment facilities, fire suppression facilities, and emergency services.

3.4 The approval of industrial or commercial development may require the developer to enter into an agreement with the MD regarding the construction of roads, accesses, utilities or other servicing, which the MD may require.

3.5 The storage and handling of hazardous goods or wastes associated with industrial activities shall comply with established provincial regulations and standards and MD statutory plans and bylaws.

3.6 The following shall be considered when locating industrial and commercial development in the MD:

a. the compatibility of the proposed development with existing uses in the surrounding area;
b. the presence of natural landscape features that may be impacted by the proposed development;
c. the impact on MD emergency services;
d. the impact on agricultural operations in the area; and
e. the impact on local roads and the provincial highway network.

3.7 Where industrial development is proposed adjacent to an urban municipality, the MD shall consider the following:

a. future growth patterns of the adjacent municipality;
b. future servicing and transportation corridors;
c. impact on traffic within either municipality;
d. impact on adjacent land uses within both municipalities;
e. effect on environmentally sensitive or hazardous areas; and
f. the need for intermunicipal roads and utilities.

3.8 Industrial and commercial development should be clustered where possible.

3.9 Industrial and commercial development should not be allowed adjacent to established residential districts.

3.10 The MD shall establish, through statutory plans and the Land Use Bylaw, provisions to regulate land uses adjacent to existing industrial and commercial activities.

3.11 When evaluating applications for the subdivision of land, the Subdivision Authority shall consider the impact of the proposals on existing industrial and commercial activities in the area.

3.12 Commercial or industrial subdivisions and development shall occur in suitable locations and in a manner that allows for the planned expansion of local roads or provincial highways.

3.13 The MD may require the preparation and adoption of area structure plans for commercial or industrial development.

3.14 The MD shall consult with provincial and local transportation authorities when evaluating proposed commercial and industrial land use designations, in the vicinity of local roads and provincial highways, which may be affected by the proposed development.

4. Natural Resources

The MD has significant natural resources, some of which are regulated by the Provincial government. Those resources that fall within the purview of the MD include, but are not limited to, sand, gravel and stone. The MD recognizes the importance of the natural resources industry and will work with resource companies and provincial legislative bodies to allow for the planned and managed extraction of natural resources.

OBJECTIVES

- To allow for the managed extraction of natural resources;
- To minimize conflicts between natural resource extraction and other existing or future land uses;
- To ensure post resource extraction leaves the land in a developable and usable state; and
- To cooperate with other agencies involved in the management of natural resources, for the preservation of habitat and protection of water quality.

POLICIES

4.1 Lands subject to resource extraction and/or processing shall be designated as Rural Industrial prior to making application for a development permit or subdivision.

4.2 An open house shall be undertaken by proponents for any new resource extraction or the expansion of an existing operation prior to re-designation and/or development permit applications being processed.

4.3 In consultation with the MD's Public Works department, the resource extraction industry shall be directed to specific haul routes to minimize impact on municipal roads. Where appropriate, the designated haul route shall be the shortest route to the provincial highway network.

4.4 Where appropriate, buffering and screening between the natural resource extraction and adjacent land uses shall be required as a condition for development approval.

4.5 All natural resource extraction operations shall adhere to applicable provincial standards and a reclamation certificate from Alberta Environment shall be required.

4.6 Consultation with provincial and federal governments shall be required to ensure the protection of the MD's historic, environmental, natural, archaeological and cultural resources, from the impacts of proposed resource extraction.

5. Country Residential

The subdivision and subsequent development of country residential acreages is the most controversial land use issue facing the MD today. The future of multi-lot subdivision and development shall be a primary focus of the Council. Since the adoption of Municipal Development Plan Bylaw No. 1431 in September 2003, the MD has dealt with 13 multi-lot subdivision proposals and subsequent applications. These applications have ranged in size from 4 to 57 lots of at least 1.0 acre in size.

Most of the pressure for subdivision and development is located in close proximity to the man-made reservoirs being Pine Coulee, Clear Lake and Twin Valley, where 11 proposals of various magnitudes have been contemplated. The majority of the lots created have been used as recreational sites for weekenders rather than permanent residences which has resulted in land use conflicts. Prior to the consideration of multi-lot subdivisions in the MD, the majority of country residential development occurred in the designated hamlets or on an isolated, single-lot basis as per the one subdivision per quarter section policy.

OBJECTIVES

- To protect and maintain the quality of existing residential development;
- To contemplate future subdivision and development of new, multi-lot country residential proposals;
- To minimize the impacts of residential development in intermunicipal fringe and agricultural areas; and
- To ensure that future subdivision of acreages occurs on lands that are suitable for the proposed uses.

POLICIES

5.1 The MD Council shall undertake a comprehensive re-evaluation of their multi-lot country residential policies regularly.

5.2 The MD shall ensure any future multi-lot subdivisions register with Land Titles, the appropriate architectural controls, by restrictive covenant, to regulate the timing of construction and the types and quality of development to occur within the proposed area.

5.3 Subdivision policies shall provide direction to future decision-makers regarding location and suitability of lands for development by using flood mapping , soil stability testing, percolation and groundwater evaluations, government and environmental studies and pertinent agency referrals.

5.4 The MD shall use public meetings and hearings to provide opportunities for stakeholders, and government departments and affected citizens to participate in the consultation process.

5.5 The MD shall continue to consider single lot country residential subdivision and development.

6. Transportation

The transportation system within the MD is comprised of roads, highways, one airport and a railway line, which play a key role in the growth and development of the region. Careful planning will help to eliminate detrimental effects on:

- agricultural operations, due to fragmentation and the loss of agricultural land;
- adjacent land uses;
- the environment; and
- potential of future development.

OBJECTIVES

- To maintain a transportation network that meets the needs of MD residents and industry and provides efficient and effective connections and routes through the MD;
- To consult with Alberta Transportation regarding transportation routes of mutual interest or jurisdiction;
- To help coordinate local, provincial and national transportation objectives; and
- To prepare and adopt transportation master plans in accordance with sound planning practices.

POLICIES

6.1 The MD shall maintain a road network that provides for the safe and efficient movement of people, goods and services.

6.2 Development adjacent to local roads and provincial highways should occur in a manner which allows for the safe operation and the future upgrading of existing corridors.

6.3 Identified transportation corridors should be protected from inappropriate subdivision and development.

6.4 The MD shall make every effort to coordinate land use planning and development with Alberta Transportation in order to reduce land use conflicts along provincial transportation corridors.

6.5 The MD shall provide regulations in the Land Use Bylaw to control development in areas adjacent to the airport.

6.6 The MD shall ensure the function, safety and construction standards of the MD road system are not compromised by subdivision and development proposals.

7. The Environment

The MD is home to a number of diverse landscapes including forest, foothills, native grasslands, river valleys and reservoirs. These landscapes support various uses such as irrigation infrastructure, farming, ranching, wildlife habitat, wildlife corridors and resource extraction operations.

Numerous reports, studies and legislation provide directives and guidance to the Council and the development authority to be used when making land use decisions. These include, but are not limited to, the following:

- *Environmentally Significant Areas in the Oldman River Region: M.D. of Willow Creek;*
- *South Saskatchewan Regional Plan;*
- *Water Act;*
- *Clean Air Act;*
- *Environment Protection and Enhancement Act;*
- *MD of Willow Creek Floodplain Mapping Initiative;*
- *Provincial Wetland Policy;*
- *Stepping Back from the Water; and*
- *other documents, reports or surveys that may be considered by the development authority.*

OBJECTIVES

- To protect natural and unique features, river valleys, flood plains, floodways, flood fringe, flood prone, riparian areas and wetlands from inappropriate development;
- To provide for appropriate and compatible development of recreational, historical and cultural resources;
- To comply with the requirements established in the SSRP and other pertinent legislation;
- To provide policies to provide for the development of non-renewable resources and to encourage and support the proper reclamation of extraction sites; and
- To cooperate with other agencies involved in the management of natural resources, the preservation of habitat areas and the protection of water quality.

POLICIES

7.1 The MD shall endeavour to protect environmentally significant areas and other significant natural areas and resources from inappropriate development.

7.2 The MD may consult with other agencies to develop management plans which integrate land use development, and recreational activities.

7.3 Development in or adjacent to river valleys shall take into consideration slope stability and soil characteristics in order to minimize adverse environmental impacts.

7.4 Within flood plains, floodways, flood way fringe, and flood prone areas, developments shall be regulated to protect the natural area and to minimize potential degradation to the environment.

8. Intermunicipal Coordination

A MDP must address the coordination of land use issues with neighbouring municipalities. The new Modernized *MGA* now requires all adjacent municipalities to adopt IDPs and Intermunicipal Collaborative Frameworks (ICFs). Recognizing that it is important for adjacent municipalities to work together to promote efficiency and effectiveness, a positive dialogue must occur for this process to be successful.

OBJECTIVES

- To encourage cooperation and dialogue between municipalities on matters of mutual interest or concern; and
- To allow municipalities to take advantage of mutual opportunities to maximize the efficient use of transportation systems, infrastructure and joint use agreements.

POLICIES

8.1 The MD shall provide land use referrals to adjacent urban or rural municipalities when preparing and adopting an IDP in accordance with the provisions established in the new Modernized *MGA*.

8.2 Adjacent rural municipalities shall be consulted with respect to any major road improvement projects or programs, that may affect them.

8.3 The MD in cooperation with adjacent municipalities, shall continue the coordination of disaster assistance, fire protection programs, and any other joint initiatives addressed in the ICF.

8.4 All proposed statutory plans, Land Use Bylaws and/or amendments that may have an impact on an adjacent municipality shall be forwarded for their input.

8.5 The MD will encourage cost sharing of intermunicipal planning-related studies.

8.6 The MD will seek partnerships with municipalities and public and private organizations to provide services to ratepayers in the most cost-effective and efficient manner possible.

9. Confined Feeding Operations / Intensive Livestock Operations

The following objectives and policies are adopted to provide guidance regarding the NRCB and the local municipality when rendering decisions related to agriculture.

OBJECTIVES

- To provide the NRCB with development and siting requirements that the MD wish to have considered when applications for CFOs/ILOs are considered for approval;
- To provide guidelines for the MD when providing comments to the NRCB regarding applications for CFOs/ILOs;

- To provide the MD with development and siting guidelines for operations that do not meet the threshold numbers established by the *Agricultural Operations Practices Act (AOPA)* and its regulation, but require municipal approval as established in the Land Use Bylaw.

POLICIES

9.1 The following development setbacks are to be applied:

a. the appropriate setbacks from the right-of-way of any public roadway which is not designated as a primary highway as established in the municipal Land Use Bylaw;

b. as required by Alberta Transportation for roads designated in the Memorandum of Agreement with the MD.

9.2 The NRCB shall be requested to consider:

a. the cumulative effect of a new approval on any area near other existing CFOs/ILOs;

b. environmentally significant areas contained in the, "Municipal District of Willow Creek: Environmentally Significant Areas in the Oldman River Region" report;

c. providing notice to adjacent landowners including applications for registration or authorization;

d. applying minimum distance separation calculations to all country residential development;

e. restricting development in the flood plain, floodway, the flood way fringe and flood prone, or hazard lands within or adjacent to any watercourse within the MD; and

f. restricting development in any wetland or riparian area.

9.3 The Council or development authority shall consider the results of a minimum distance separation calculation using the *AOPA* Standards and Administration Regulation when considering:

a. the re-designation of a parcel to a non-agricultural district that allows a use that may directly affect a CFOs/ILOs;

b. any development; and

c. any subdivision application allowed for in this Plan.

10. Municipal, School and Environmental Reserves

The *MGA* requires, under certain circumstances, the Subdivision and Development Authority to address municipal and/or school reserve at the time a subdivision decision is rendered.

OBJECTIVES

- To establish guidelines for the allocation of municipal, school and environmental reserves;
- To ensure applicable municipal and/or school reserves are addressed and acquired at the time of subdivision; and
- To establish a policy, in cooperation with the Livingstone Range School Division, respecting the provision of municipal and/or school reserves including the amount and the allocation of those reserves.

POLICIES

10.1 Municipal and/or school reserve shall be provided in accordance with the provisions of Section 666 of the *MGA*.

10.2 Where the reserve requirement is to be satisfied as money in place of land, it shall be done in accordance with the provisions of Section 667 of the *MGA*.

10.3 The MD may require the provision of municipal or school reserve as land if such provision is prescribed in an approved Area Structure Plan or IDP or if, in the opinion of the Subdivision and Development Authority, the provision is warranted.

10.4 Municipal and/or school reserve shall not be required to be provided under the circumstances authorized in section 663 of the *MGA*.

10.5 Environmental reserve will not normally be provided at the time of subdivision but, in accordance with section 664(3) of the *MGA*, environmental reserve easements may be considered.

10.6 Where the provision of land for municipal, school or environmental reserve has been required, such lands shall be designated on a final instrument and registered for that purpose at Land Titles Office, in accordance with section 665 of the *MGA*.

10.7 Where the MD is of the opinion certain lands may be re-subdivided in the future, the Subdivision and Development Authority may require municipal or school reserves be deferred by caveat pursuant to section 669 of the *MGA*.

10.8 Where money has been provided in place of land to satisfy the municipal reserve provisions of the *MGA*, the MD shall deposit the monies into its reserve account.

10.9 Where a school site is required within the MD the site shall be purchased, subdivided and subsequently developed at no cost to the MD.

10.10 Any joint agreement entered into by the MD and the Livingstone Range School Division may be rescinded or amended by mutual agreement and consent by both parties to the agreement.

11. Sour Gas Facilities

The *MGA* requires the MDP to contain policies compatible with the Subdivision and Development Regulation regarding the type and location of land uses adjacent to sour gas facilities. For the most part, the oil industry is regulated by the Alberta Energy Regulator (AER) and is exempted from the municipal legislation pursuant to section 619 of the *MGA*.

OBJECTIVES

- To meet the legislative requirements of the *MGA*, the SSRP and the Subdivision and Development Regulation;
- To identify any sour gas facilities located within the MD; and
- To minimize any adverse land use conflicts for a proposed subdivision or development in close proximity to a sour gas facility.

POLICIES

11.1 The MD shall ensure all subdivision and development applications are referred to the AER when they are located within the 1.5 km buffer from a sour gas facility.

11.2 Pursuant to Section 619 of the *MGA*, a licence, permit, approval or other authorization granted by the AER shall prevail over any bylaw or land use decision rendered by the MD.

11.3 The MD shall not allow subdivision and development within the legislated setbacks as they apply to sour gas facilities.

11.4 Setback guidelines for sour gas facilities shall be in accordance with the standards established by the AER or any subsequent standards should these existing guidelines be revised.

12. Hamlets

Four hamlets exist within the MD. The Land Use Bylaw provides guidance as to the types of uses and parcel sizes that are allowed in each hamlet. Each hamlet exhibits different attributes and complexities and has its own separate land use district.

OBJECTIVES

- To promote and maintain the orderly development within hamlets in order to relieve the pressure for subdivision on agricultural lands; and
- To promote and maintain orderly development around hamlets to avoid land use conflicts.

POLICIES

12.1 The Land Use Bylaw shall refer to the hamlets for this Plan as "Designated Hamlets" for the purpose of managing urban growth and development.

12.2 The MD shall encourage compatible residential, commercial and industrial development to locate in suitably-designated areas of hamlets recognizing that:

a. this may serve to strengthen the service centre role of hamlets, and reduce the consumption of agricultural land for non-agricultural uses;

b. this will not preclude residential, commercial and/or industrial development in other locations in the MD.

12.3 The Land Use Bylaw shall establish hamlet districts, standards, and boundaries for subdivision and development.

12.4 Once a designated hamlet is established, its boundaries shall not be expanded unless, in the opinion of Council, it is not possible for further development to occur.

13. Crown Land

The *MGA* requires a municipality to adopt a land use bylaw which prohibits, regulates and controls the use of land or buildings in the MD. It is recognized that, although lands are zoned in a land use bylaw, the MD has no jurisdiction over public lands or provincial Crown lands in terms of issuing dispositions, licences of occupation or permits for land use activities. It is desirable that dialogue occurs between the government departments having jurisdiction on Crown lands and the MD.

OBJECTIVES

- To coordinate land use decisions made between the two levels of government recognizing the planning processes established for integrated resource plans and MDPs; and
- To ensure land uses are compatible on private land adjacent to provincial Crown lands.

POLICIES

13.1 The appropriate government departments having jurisdiction on Crown lands are requested to have regard for the policies established in this Plan.

13.2 Provincial departments are requested to obtain municipal approval for any development proposed on Crown land, to ensure proper notification of adjacent land owners.

13.3 Prior to the disposition on Crown lands, the appropriate government department is requested to inform the MD of the said disposition.

14. Alternative Energy Systems

Alternative energy shall include, but not be limited to, the following: wind, solar, bio-mass, bio-fuel, water turbines, natural gas generation and geothermal. In order to regulate these innovative land uses within the MD, the following objectives and policies have been incorporated into this Plan.

OBJECTIVES

- To ensure that alternative energy systems are compatible with adjacent land uses; and
- To ensure the approval, erection, construction and decommissioning of alternative energy systems comply with the Land Use Bylaw and appropriate provincial and federal requirements regulating the alternative energy system.

POLICIES

14.1 The protection of agricultural lands shall be considered when decisions regarding alternative energy systems are made.

14.2 Where possible, the MD shall coordinate the approval and ongoing monitoring of alternative energy systems with the appropriate government departments and agencies.

14.3 The MD shall ensure obsolete or abandoned alternative energy developments are decommissioned.

14.4 The Land Use Bylaw shall be amended to address alternative energy systems identified in this section.

15. Development Criteria

The intent of this section is to minimize land use conflicts with other uses in the immediate vicinity, to ensure that a quality and compatible development can be provided.

OBJECTIVES

- To ensure all developments in the MD follow the standards established in the Land Use Bylaw;
- To provide applicants with guidance as to the acceptable standards for development in the MD.

POLICIES

15.1 All development shall occur on parcel sizes outlined in this MDP or the Land Use Bylaw suitable for the proposed use.

15.2 Development approvals should ensure that non-compatible land uses are sited properly.

15.3 The Development Authority may require a developer to provide additional information to determine the suitability of a site. Such information may include the provision of percolation and soil stability tests as well as other geotechnical data.

15.4 The Development Authority shall ensure development within the MD meets or exceeds the minimum distance separation (MDS), unless waived by the Subdivision and Development Authority.

15.5 The Development Authority shall require the NRCB to take into consideration the policies adopted in this plan and the Land Use Bylaw, when issuing an approval.

16. Subdivision Policies

The following objectives and policies provide guidance to the Subdivision Authority and Subdivision and Development Appeal Board when rendering decisions.

OBJECTIVES

- To allow for subdivision to occur in the MD while protecting agricultural land; and
- To provide subdivision policies which comply with the provisions of this Plan, the Land Use Bylaw or other duly adopted statutory plans.

POLICIES

General

16.1 All subdivision applications shall be circulated to individuals or agencies required to be notified pursuant to the *MGA* and its regulations.

Legal Access

16.2 A subdivision application shall not be approved unless:

a. each lot or parcel, including any residual parcel, has access to a public roadway; or

b. the lot has a means of access satisfactory to the Subdivision Authority which includes a panhandle, a registered easement, a registered access, right-of-way plan, or access derived through the MD's Private Driveway Policy (see Diagram 1).

Additional Information Requirements

16.3 In order to determine the land's suitability for subdivision, pursuant to section 654(1)(a) of the *MGA*, the Subdivision Authority may require the applicant to provide additional information including, but not limited to, percolation tests, slope stability reports, ground, soil and surface water tests, and the preparation of an area structure plan or conceptual scheme.

16.4 Applications for subdivisions which require geotechnical analysis or involve environmental matters shall be reviewed in accordance with the provincial "Environmental Reference Manual for the Review of Subdivisions in Alberta" (see Diagram 2).

Parcel Size Waivers

16.5 Measurable standards outlined in the Land Use Bylaw shall be met when rendering a decision on a subdivision application unless waived by the Subdivision Authority, or by the Subdivision and Development Appeal Board (see Diagram 3).

16.6 Parcel sizes shall be between 3.0 and 10.0 acres in size, unless waived by the Subdivision Authority to accommodate a larger development.

16.7 Minimum residual parcel size shall be 140.0 acres (56.7 ha) for developed parcels and 145.0 acres (58.7 ha)[*] for vacant parcels unless waived by the Subdivision Authority or the Subdivision and Development Appeal Board.

Redesignation Requirement

16.8 Where a subdivision application does not meet the use provisions of the Land Use Bylaw, the Subdivision Authority shall refuse the application or request the applicant to apply for a land use re-designation.

16.9 Except where lands have been redesignated to Grouped Country Residential – GCR or a non-agricultural designation, the Subdivision Authority should not approve any application for subdivision approval which would create more than two parcels per quarter section (see Diagram 4).

Vacant Single Lot Country Residential Subdivisions

16.10 A subdivision application which proposes to create a vacant single lot country residential parcel from a previously unsubdivided quarter section may be approved provided:

[*] NOTE: The residual parcel size reflects up to 10.0 acres (4.05 ha) for registered exceptions from the parent parcel.

a. the proposed site has been redesignated from Rural General – RG to Vacant Country Residential – VCR prior to an application being filed for subdivision approval (see Diagram 5);
b. the proposed parcel to be created shall be no greater than 5.0 acres (2.0 ha) in size and contain a buildable site on the proposed parcel, unless the parcel size has been waived by the Subdivision Authority;
c. the applicant shall enter into a development agreement when required as a condition of approval by the Subdivision Authority;
d. the proposed vacant parcel and the resulting residual parcel shall have direct legal and physical access to a public roadway;
e. where no road exists or the road does not meet current municipal standards, the developer shall be responsible for the construction of the required road and access as outlined in Section 16.2 of this Plan and in accordance with municipal local road and access policies;
f. the proposed site has been subjected to percolation tests to prove suitability for sewage disposal in accordance with provincial regulations;
g. the proposed site has been subjected to testing to adequately address groundwater management;
h. the proposed access is satisfactory to Alberta Transportation where the access may affect the provincial highway system;
i. the size and location of the proposed vacant parcel will not affect any irrigation system in the immediate area;
j. the proposed vacant parcel can meet or exceed the minimum distance separation (MDS) requirements from an existing CFO/ILO as established in the Agricultural Operations Practices Standards and Administration Regulation, unless waived by the Subdivision Authority;
k. the residual parcel being created is a minimum of 140 acres (56.7 ha) in size*;
l. the proposed vacant parcel will be the first subdivision from a previously unsubdivided quarter section; and
m. the Subdivision Authority, at its sole discretion, may request additional information or studies to be performed prior to rendering a decision to approve a vacant parcel subdivision.

Vacant Single Lot Country Residential Prohibition

16.11 The MD, by bylaw, may prohibit the subdivision of vacant parcels in any part of the municipality.

Minimum Agricultural Parcel Size

16.12 The minimum agricultural parcel size shall be 140.0 acres (56.7 ha)* unless waived by the Subdivision Authority or the Subdivision and Development Appeal Board (see Diagram 6).

* NOTE: The residual parcel size reflects up to 10.0 acres (4.05 ha) for registered exceptions from the parent parcel.

80-Acre Subdivisions Prohibited

16.13 With the exception of policy 16.24 or 16.25, a subdivision application which proposes to create two or more agricultural parcels for agricultural use of less than 120.0 acres (48.56 ha)* is prohibited (see Diagram 7), unless this parcel size is waived by the Subdivision Authority or the Subdivision and Development Appeal Board.

Consolidation of Parcels

16.14 Where a subdivision application proposes to create a residual parcel of less than 140.0 acres (56.7 ha)*, consideration may be given by the Subdivision Authority to:

a. grant a waiver of the 140.0 acre (56.7 ha) minimum parcel size; or

b. request a consolidation of the substandard parcel with adjacent lands in order to comply with the parcel size policies of this Plan (see Diagram 8).

Single Lot Country Residential

16.15 A subdivision which proposes to create a single lot country residential parcel containing a developed residence or farmstead may be approved provided:

a. the proposed parcel to be created is no less than 3.0 acres (1.21 ha) and no greater than 10.0 acres (4.05 ha) and contains a permanent habitable dwelling unit (see Diagram 9);

b. the area of the proposed lot is limited in size by its location and the extent of physical characteristics and vegetation;

c. the proposed lot on which the dwelling is located and the proposed residual parcel have direct legal and/or physical access to a public roadway;

d. the access is satisfactory to Alberta Transportation where the access may affect a primary highway;

e. the size and location of the proposed lot will not significantly affect a irrigation system in the area;

f. the dwelling unit located on the proposed country residential parcel can meet or exceed the minimum distance separation (MDS) requirements from an existing CFO/ILO, as established in the *AOPA* Standards and Administration Regulation (see Diagram 10); and

g. the residual parcel being created is at least 140.0 acres (56.7 ha)* in size.

Grouped Country Residential

16.16 A subdivision application which proposes to create a multi-lot residential use shall not be approved unless the property is redesignated to Grouped Country Residential – GCR in accordance with the provisions outlined in the *MGA* (see Diagram 11).

16.17 Lands considered to be high quality agricultural land should not be subdivided for grouped country residential use.

16.18 In accordance with the provisions established in a duly adopted municipal statutory plan or land use bylaw, the Council may require a developer to prepare a detailed area structure plan or conceptual scheme for an area proposed for grouped country residential use (see Diagram 11).

* NOTE: The residual parcel size reflects up to 10.0 acres (4.05 ha) for registered exceptions from the parent parcel.

16.19 All parcel sizes for serviced or unserviced grouped country residential use shall be in accordance with those established in the Land Use Bylaw or a duly adopted municipal statutory plan.

16.20 A subdivision application which proposes to create two or more residential lots of less than the minimum agricultural parcel size for non-agricultural use shall be deemed to constitute a grouped country residential proposal.

16.21 A subdivision application which proposes to create a grouped country residential subdivision shall meet or exceed the minimum distance separation (MDS) requirements from an existing CFO/ILO, as established in the *AOPA* Standards and Administration Regulation (see Diagram 12).

Intensive Agricultural Operations / Confined Feeding Operations

16.22 A subdivision application which proposes to create a separate title for an existing CFO/ILO shall not be subdivided from the original parcel on which the operation was allowed to locate (see Diagram 13).

16.23 A subdivision application which proposes to subdivide an intensive horticultural operation may be approved if the proposed parcel has been redesignated to Rural Commercial – RC or Rural Industrial – RI.

Fragmented Parcels

16.24 A subdivision application which proposed to create one or more fragmented parcels may be approved if:

a. the existing parcel is severed by a registered roadway, a railway right-of-way with rails, the Oldman River or Pine Coulee Reservoir;

b. the proposed parcel being created and the residual parcel shall have direct legal and physical access to a public roadway or in accordance with the access criteria established in policy 16.2;

c. such fragmentation would not significantly affect an irrigation system in the area (see Diagram 14);

d. the fragmented parcel and/or the residual could be consolidated with adjacent lands to achieve the minimum parcel size policies of this Plan, if possible; and

e. the proposed lands to be subdivided have been previously redesignated to a land use district other than Rural General – RG.

Single-Lot Subdivision from Greater Half of a Fragmented Quarter Section

16.25 At the discretion of the Subdivision Authority, a quarter section which has been subdivided pursuant to the provisions of the above policy or previous provincial policies may be eligible for the subdivision of an existing farmstead from the greater half of the fragmented quarter section provided that the proposal is consistent with the requirements established for single lot country residential parcels outlined in policy 16.15 (see Diagram 15).

Existing Parcels Realignment

16.26 A subdivision application which proposes the enlargement, reduction or realignment of an existing separate parcel may be approved provided:

a. the additional lands required are to accommodate existing or related improvements;
b. the proposal is to rectify or rationalize existing habitational, occupancy, cultivation or settlement patterns;
c. no additional parcels are created over and above those presently in existence;
d. the proposed new lot and the proposed residual lot will continue to have direct legal and physical access to a public roadway or have legal access consistent with policy 16.2;
e. the proposed new lot and proposed residual lot will have adequate development setbacks and at least one suitable building site;
f. the size, location and configuration of the proposed lot will not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities (see Diagram 16).

Historic 80-Acre Parcels

16.27 A subdivision application which proposes to create a new parcel containing a developed residence taken from an 80-acre title may be approved provided:

a. the 80 acres (32.29 ha) are presently contained on a separate certificate of title;
b. the proposed new parcel will not exceed 10 acres (4.04 ha) in size;
c. the proposed residual parcel will contain at least 70 acres (28.33 ha); or
d. in the case of registered exceptions described on the certificate of title, the resulting residual parcel will contain at least 70 acres (28.33 ha) (see Diagram 17).

Resubdivision of a Previously Subdivided Quarter Section or Fragmented Parcel

16.28 A application which proposes to subdivide a second subdivision from a previously subdivided quarter section or fragmented parcel may be approved if:

a. the proposed site to be subdivided has been redesignated to a land use district other than Rural General – RG or Vacant Country Residential – VCR, that designation being Rural Recreational – RR, Rural Industrial – RI or Rural Commercial – RC (see Diagram 18);
b. the proposed site is to be used for a use not found in the Rural General – RG land use district;
c. Municipal Reserve is provided as money in lieu of land as a condition of subdivision approval; and
d. the proposed new lot and residual lot will continue to have direct legal and physical access to a public roadway or have legal access consistent with Policy 16.2.

16.29 A subdivision application which proposes to subdivide a developed farmstead or vacant country residential parcel from a previously subdivided quarter section or fragmented parcel may be approved provided:

a. the original subdivided parcel was previously redesignated to a land use district other than Rural General – RG or Vacant Country Residential – VCR, that designation being Rural Recreational – RR, Rural Industrial – RI or Rural Commercial – RC (see Diagram 18);
b. Municipal Reserve is provided as money in lieu of land as a condition of any subdivision approval; and

c. the proposed new lot and the proposed residual lot will continue to have direct legal and physical access to a public roadway or have legal access consistent with policy 16.2.

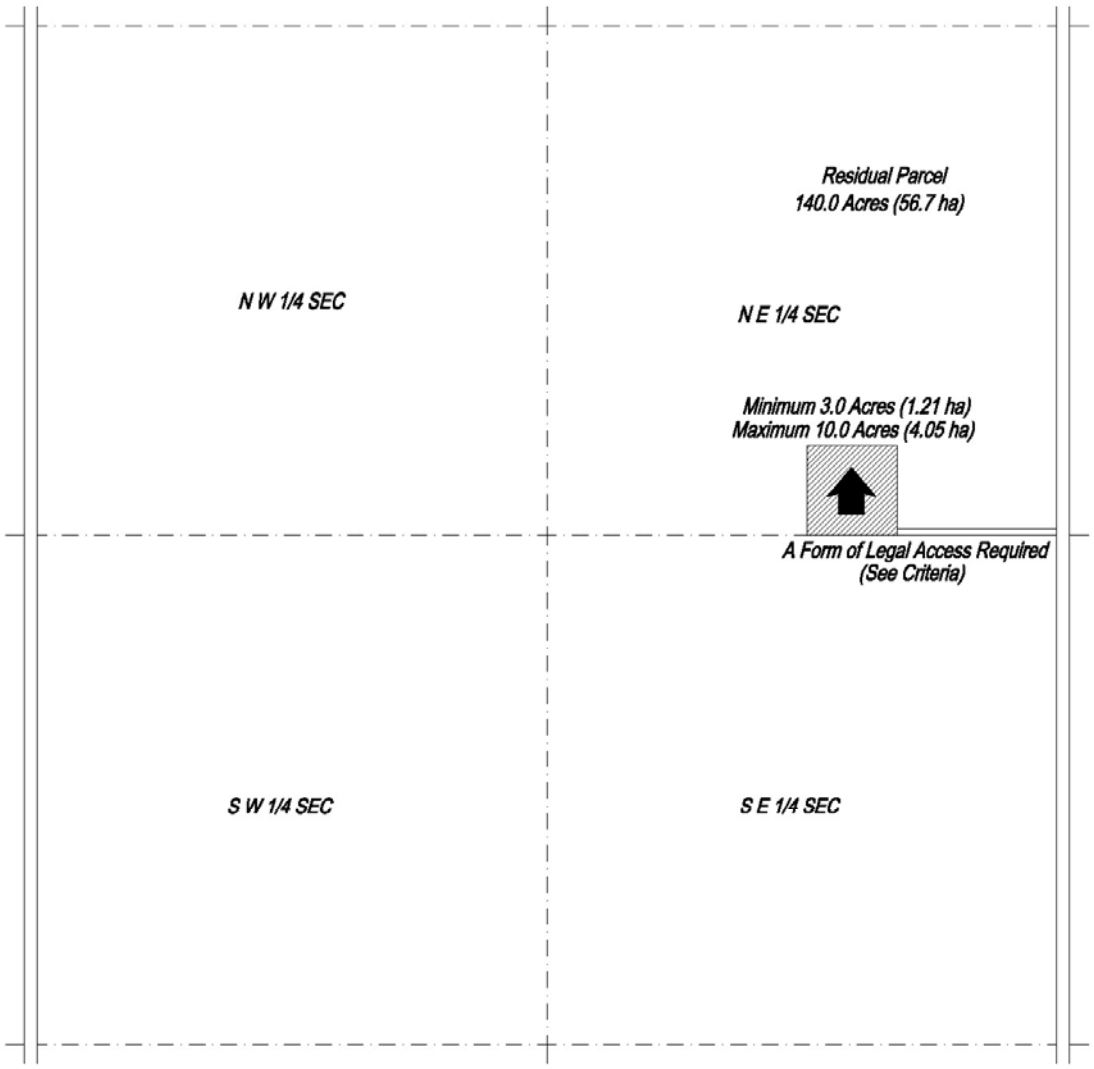
Waivers of Measureable Standards

16.30 Adherence to minimum parcel size and measurable standards may be waived to a certain extent if:

a. the applicant has proven the existence of a special or extenuating circumstance;

b. the effect of the variance would not, in the Council or Subdivision Authority's opinion, conflict with the agricultural or adjacent land uses in the area; and

c. reasons for the variance are clearly stated in the decision made by the Subdivision Authority or the Subdivision and Development Appeal Board.



PROPOSED SUBDIVISION WITH NO ACCESS

M.D. OF WILLOW CREEK No. 26
SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

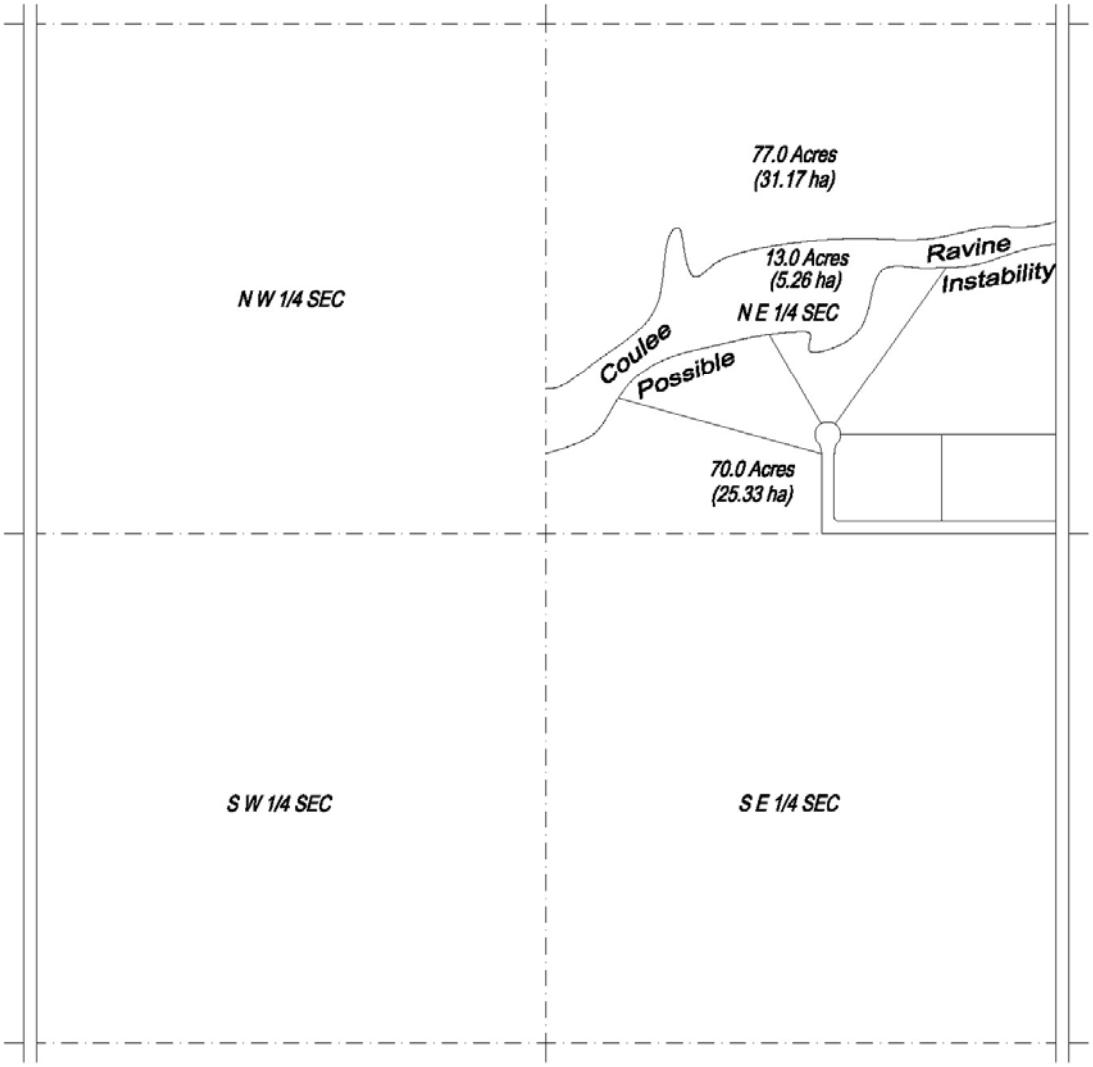
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DIAGRAM 1



ENVIRONMENTAL CONCERNS
GEOTECHNICAL INFORMATION REQUIRED

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

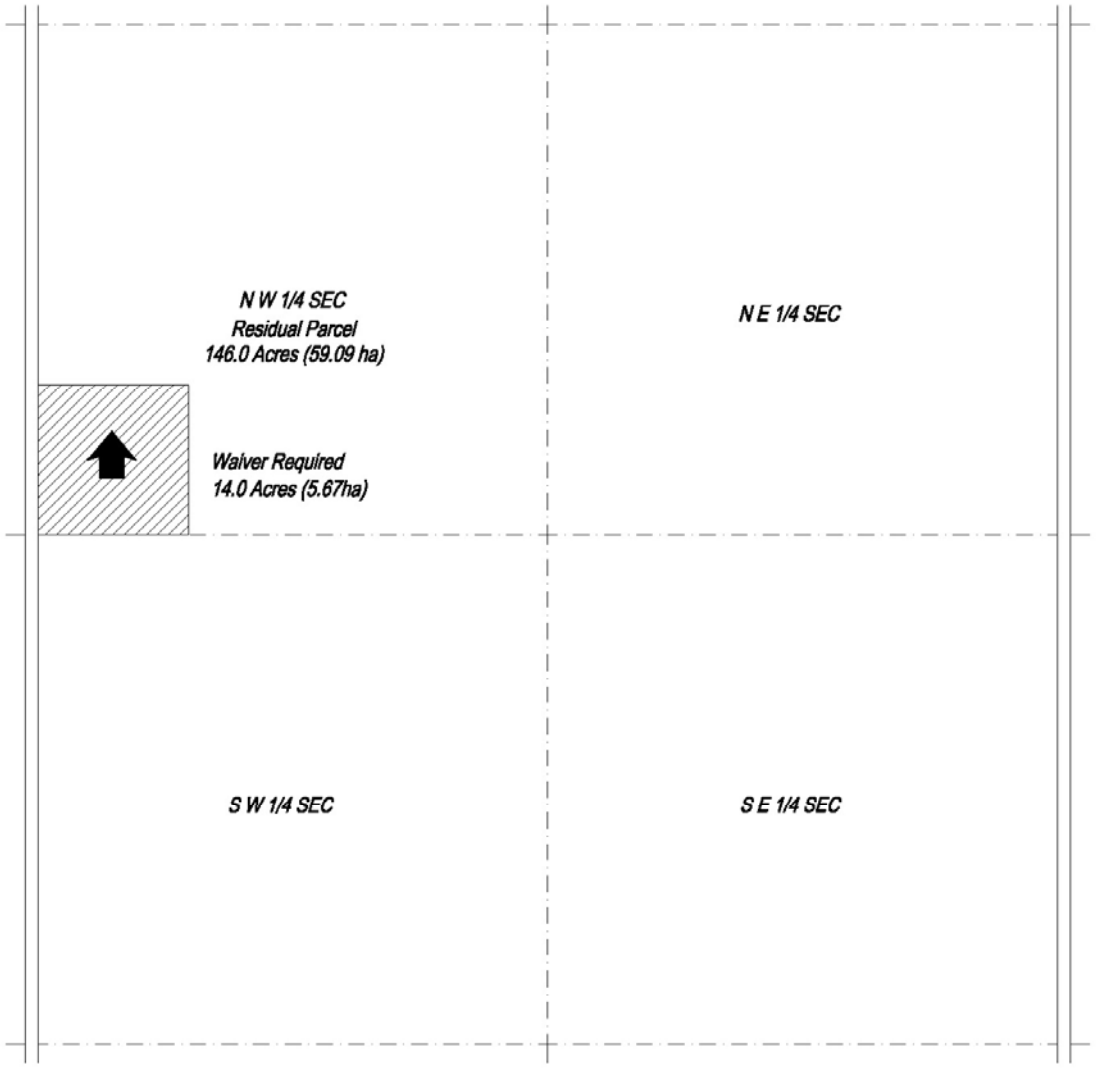
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DIAGRAM 2



FARMSTEAD PARCEL SIZE WAIVER REQUIRED

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Bylaw No.1765, June 14, 2017

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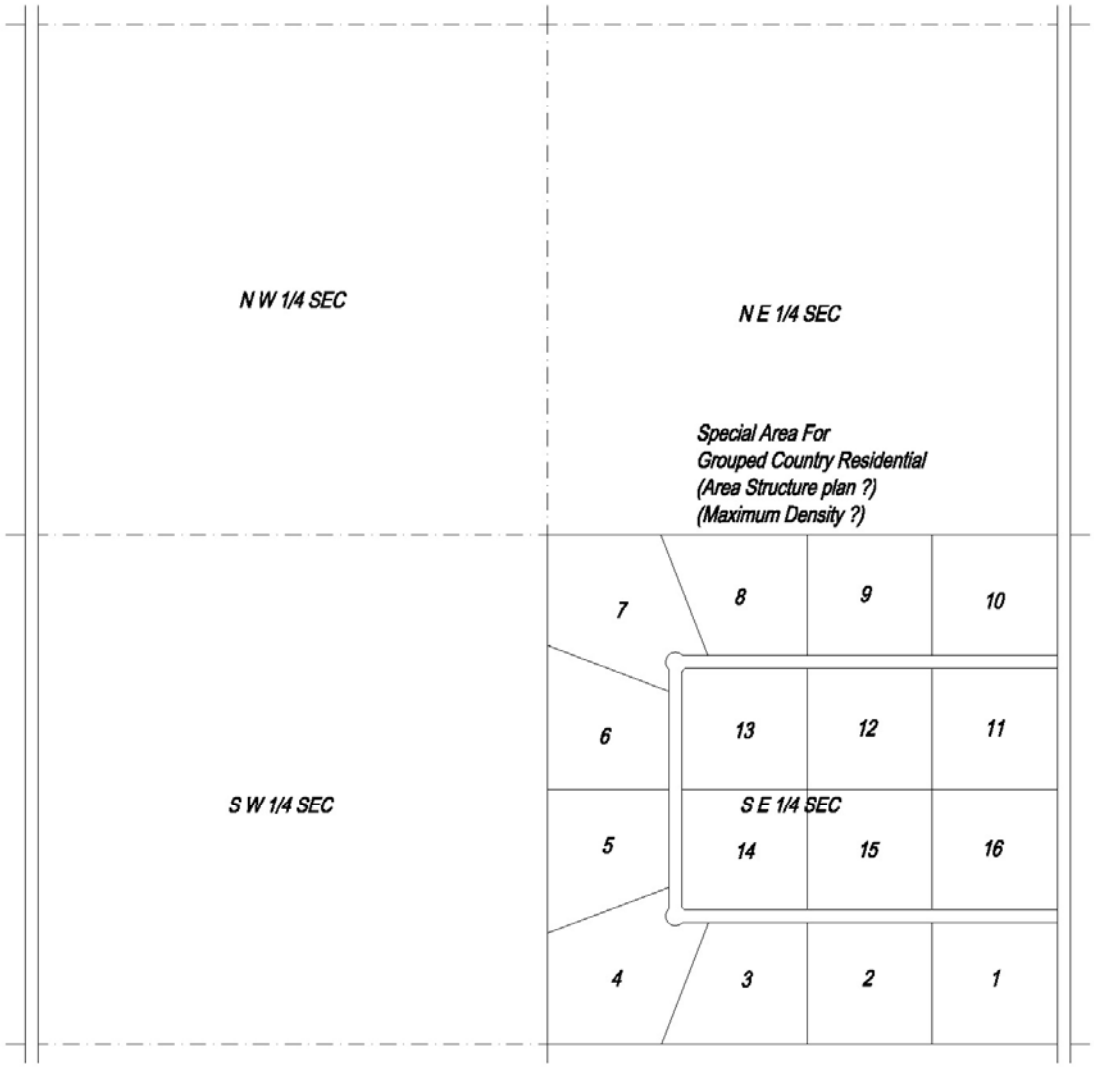
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DIAGRAM 3



DESIGNATED FOR GROUPED COUNTRY RESIDENTIAL

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

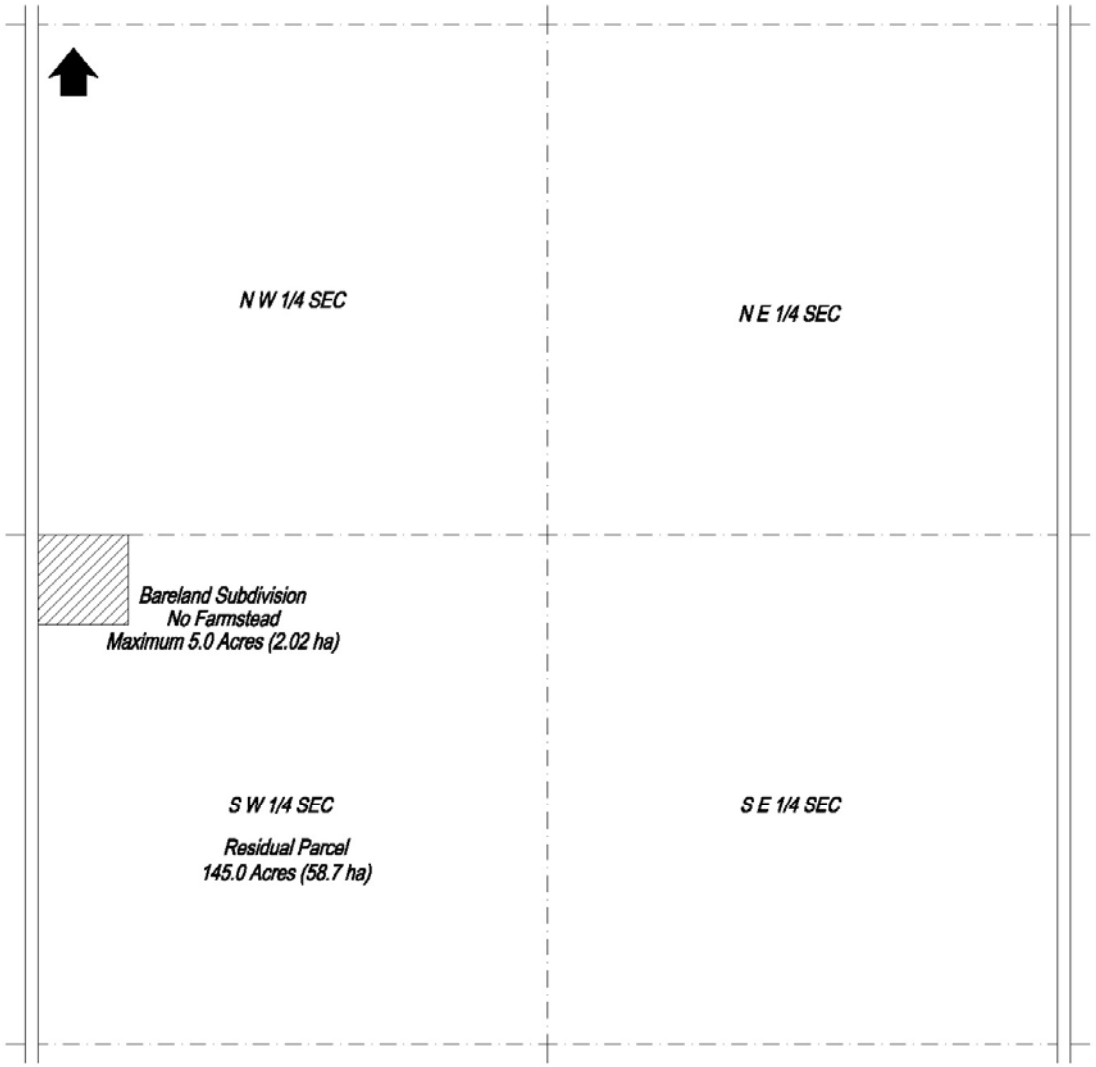
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DIAGRAM 4



BARELAND SUBDIVISION REQUIRES REDESIGNATION TO VACANT COUNTRY RESIDENTIAL - NO FARMSTEAD

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FARMSTEAD

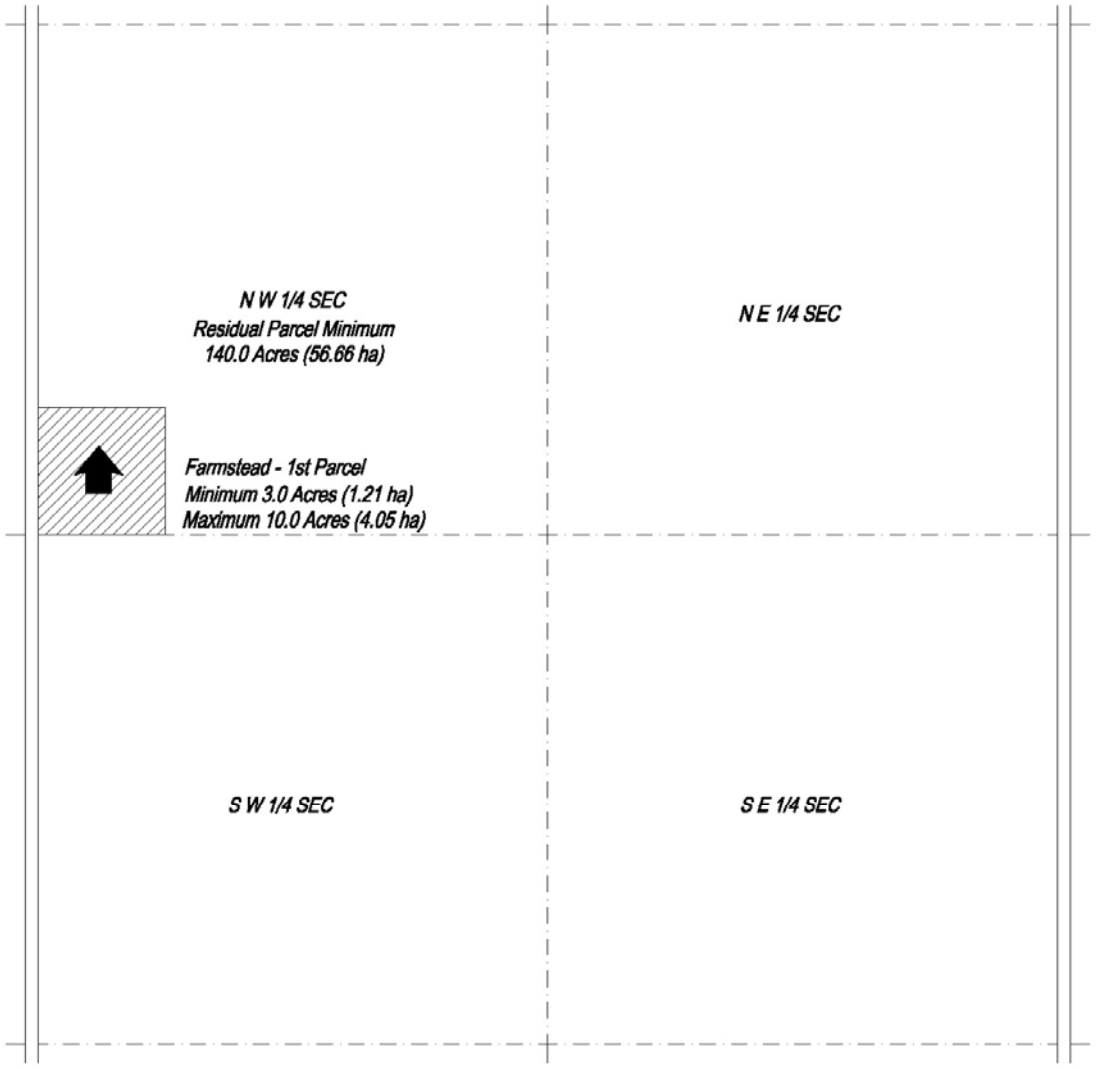
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DIAGRAM 5



MINIMUM RESIDUAL PARCEL SIZE

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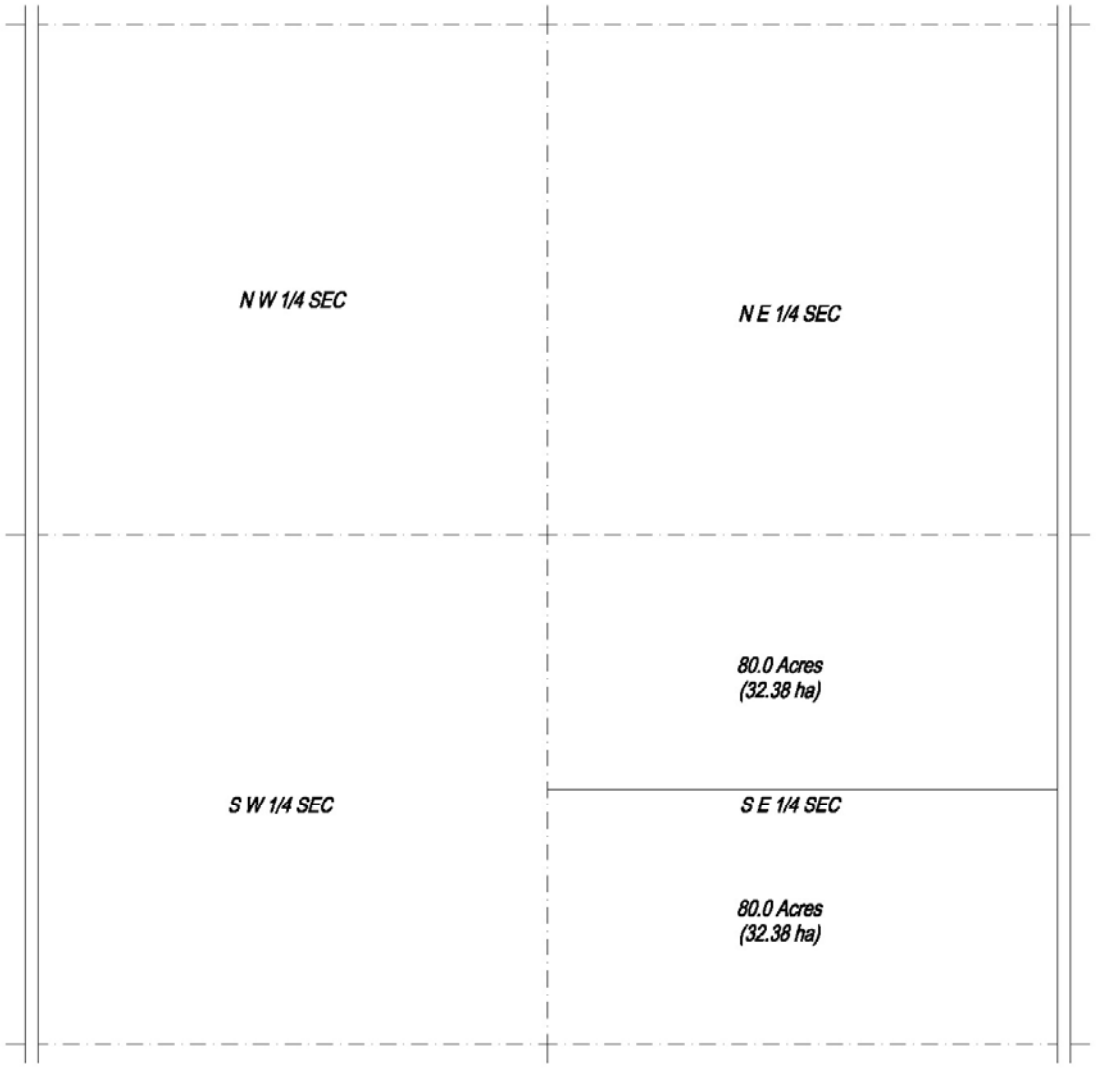
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DIAGRAM 6



80 ACRE SPLIT PROHIBITED

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SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

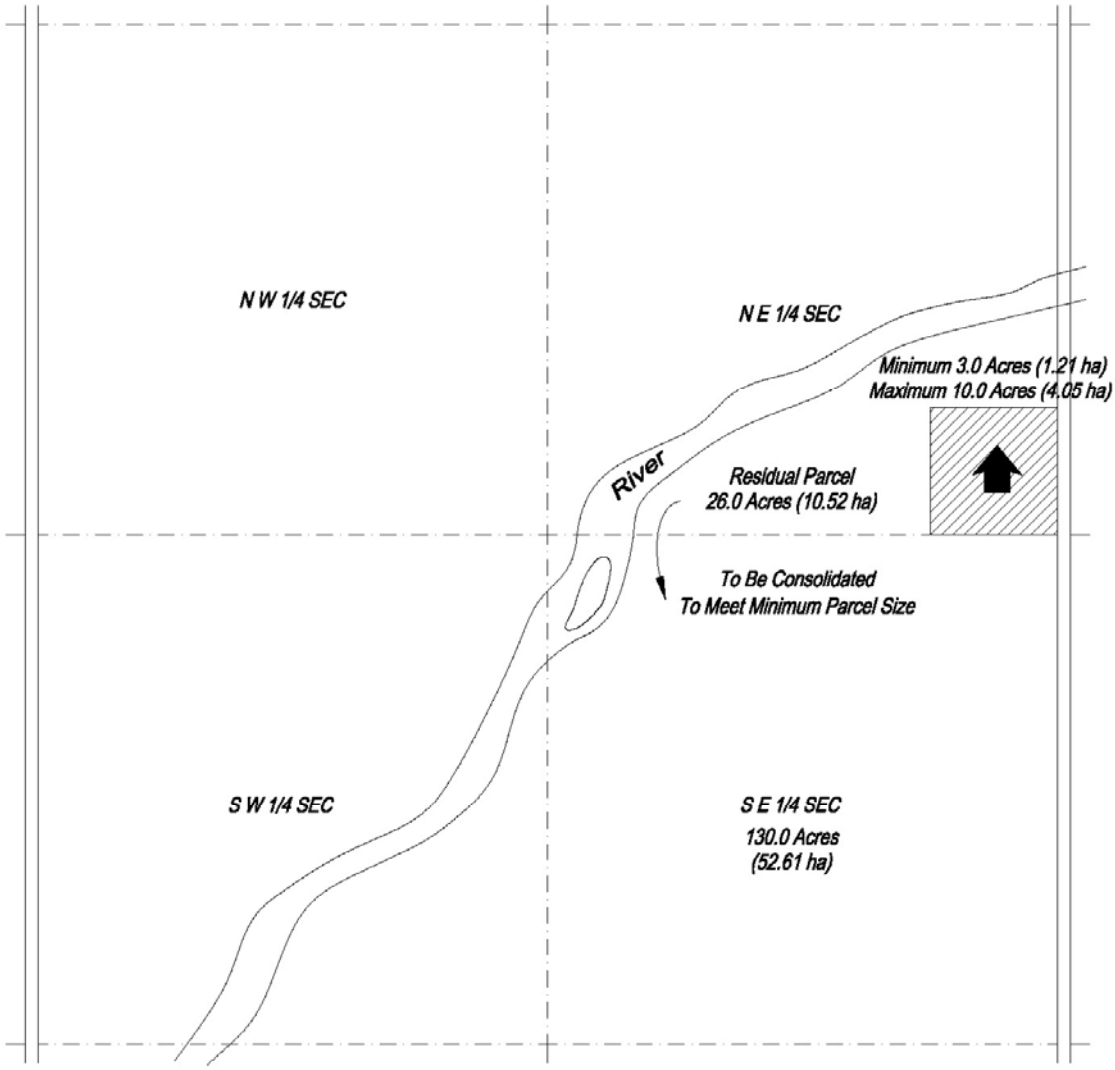
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DIAGRAM 7



CONSOLIDATION WITH ADJACENT PARCEL
TO MEET MINIMUM AGRICULTURAL PARCEL SIZE

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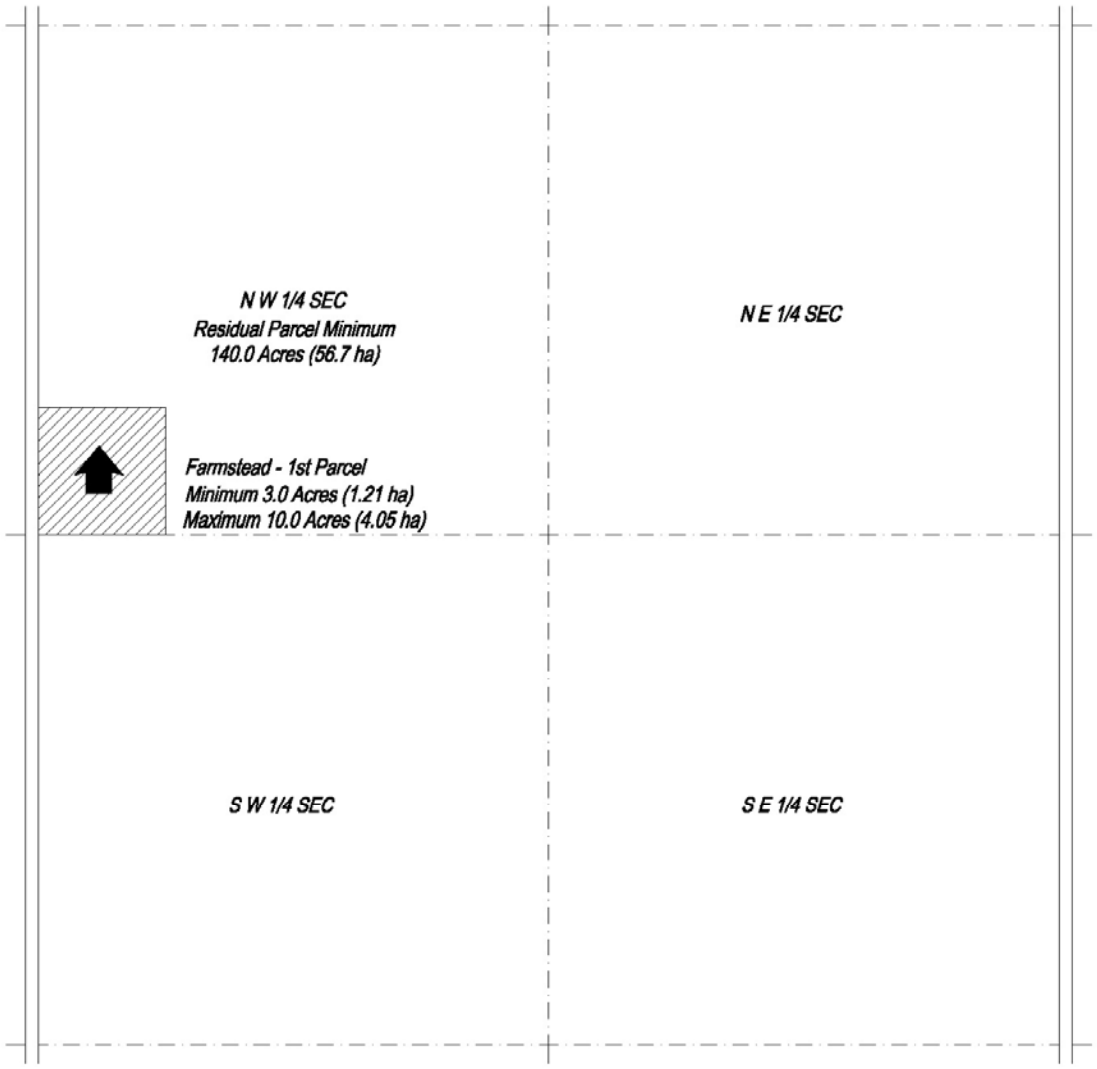
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DIAGRAM 8



FARMSTEAD CONTAINING A DWELLING UNIT - 1st PARCEL

M.D. OF WILLOW CREEK No. 26
SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

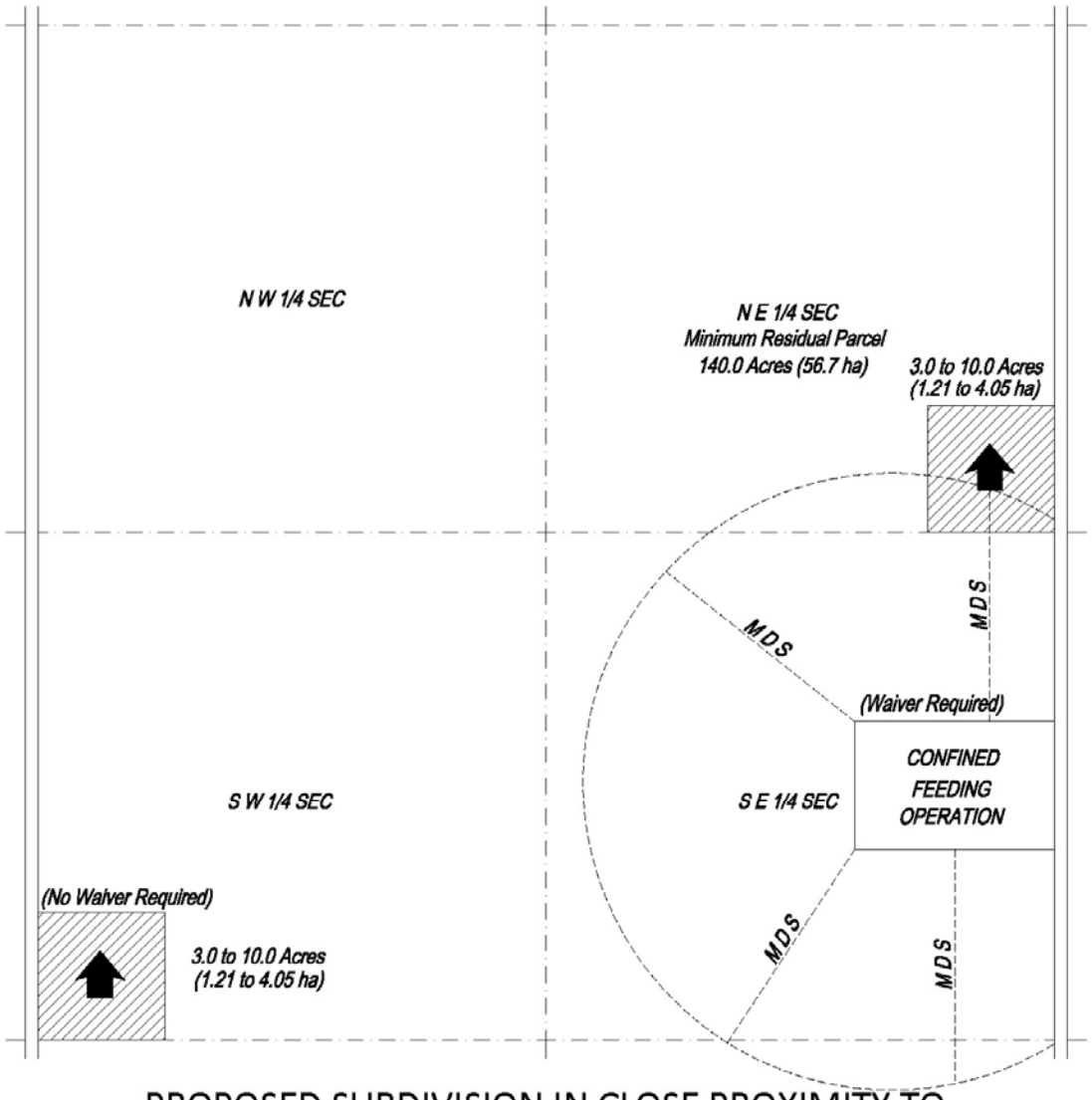
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DIAGRAM 9



PROPOSED SUBDIVISION IN CLOSE PROXIMITY TO CONFINED FEEDING OPERATION

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

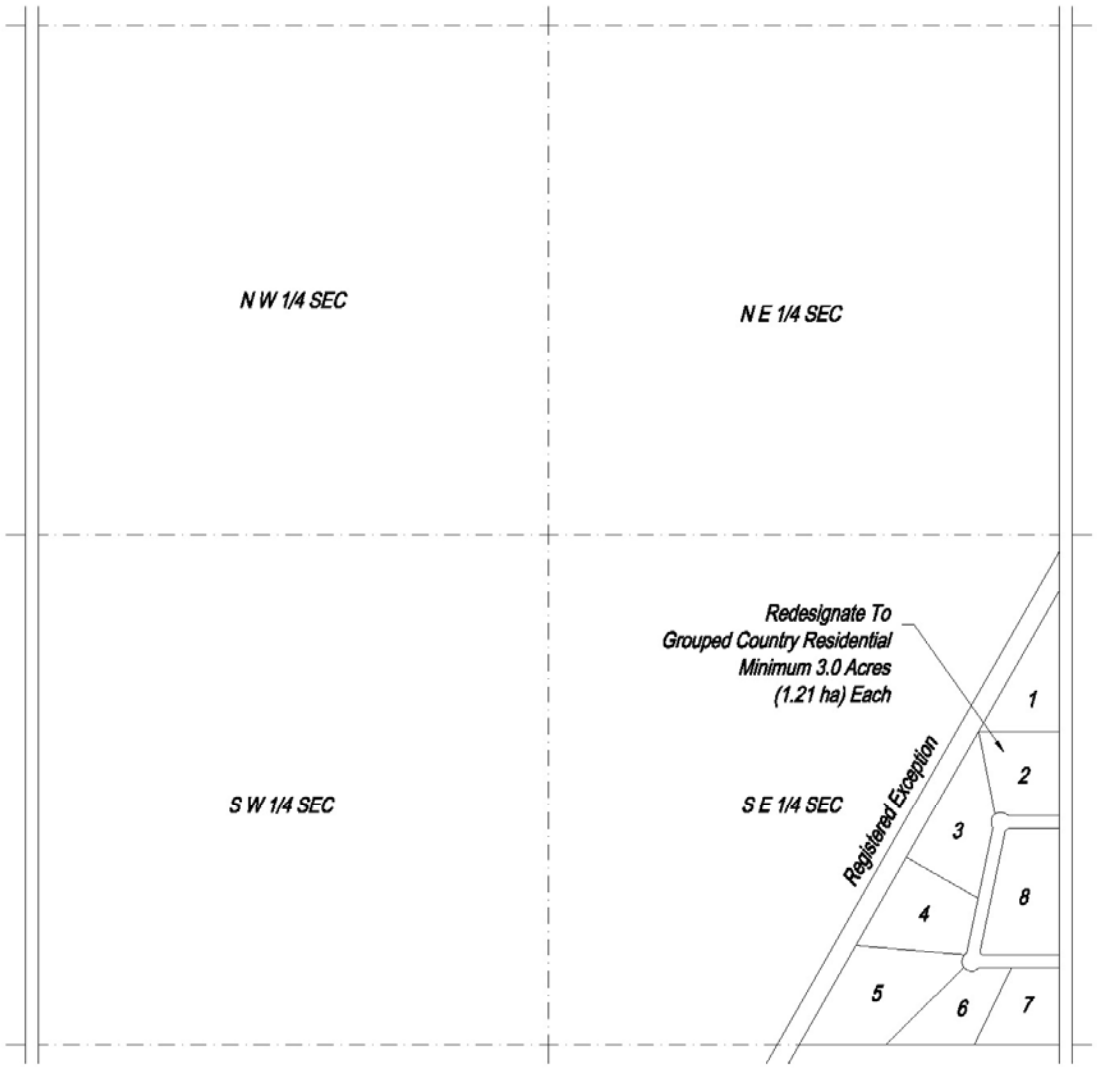
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DIAGRAM 10



REDESIGNATION / AREA STRUCTURE PLAN

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SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

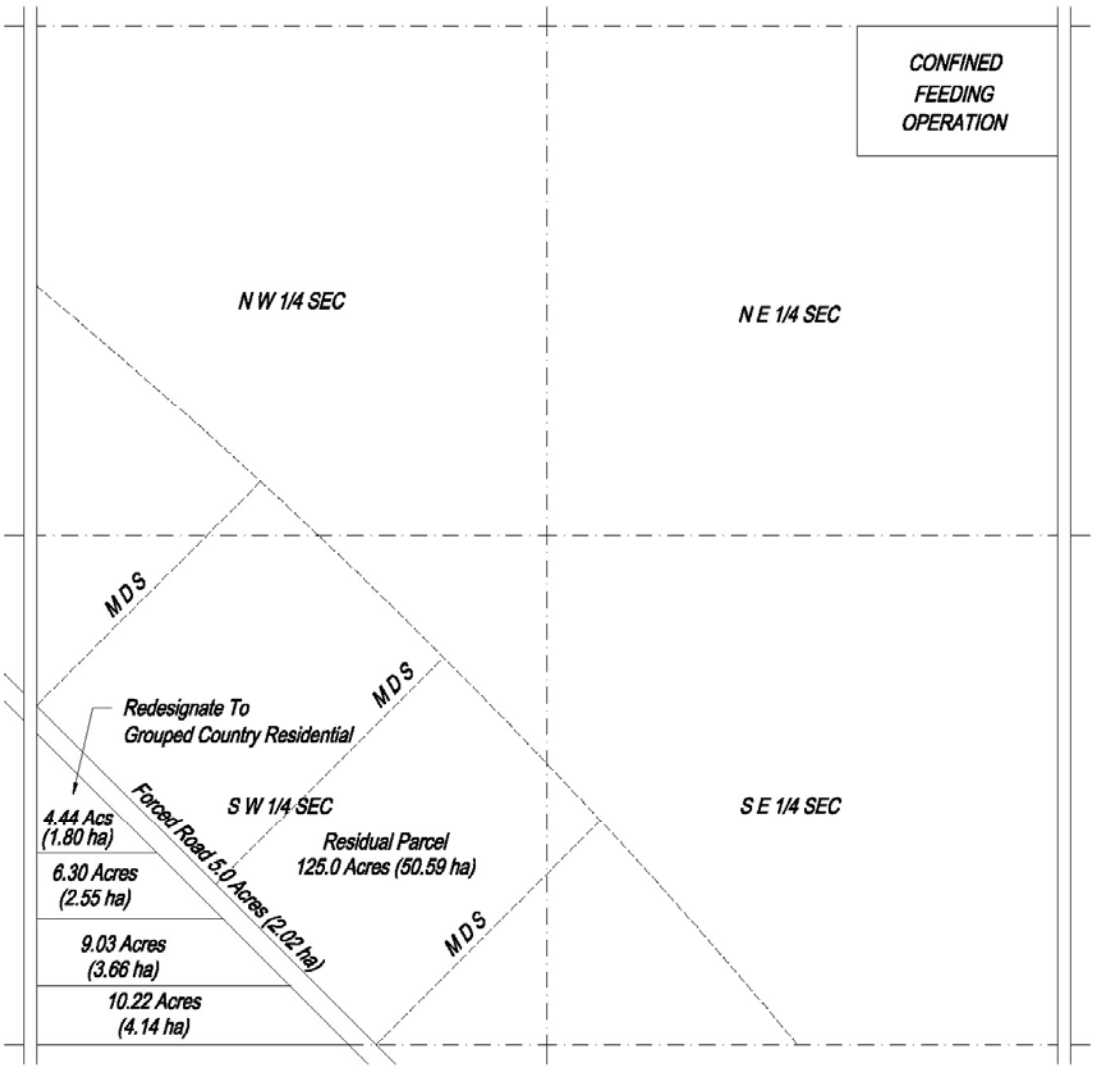
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DIAGRAM 11



MINIMUM DISTANCE SEPARATION FROM CONFINED FEEDING OPERATION FOR GROUPED COUNTRY RESIDENTIAL SUBDIVISION

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

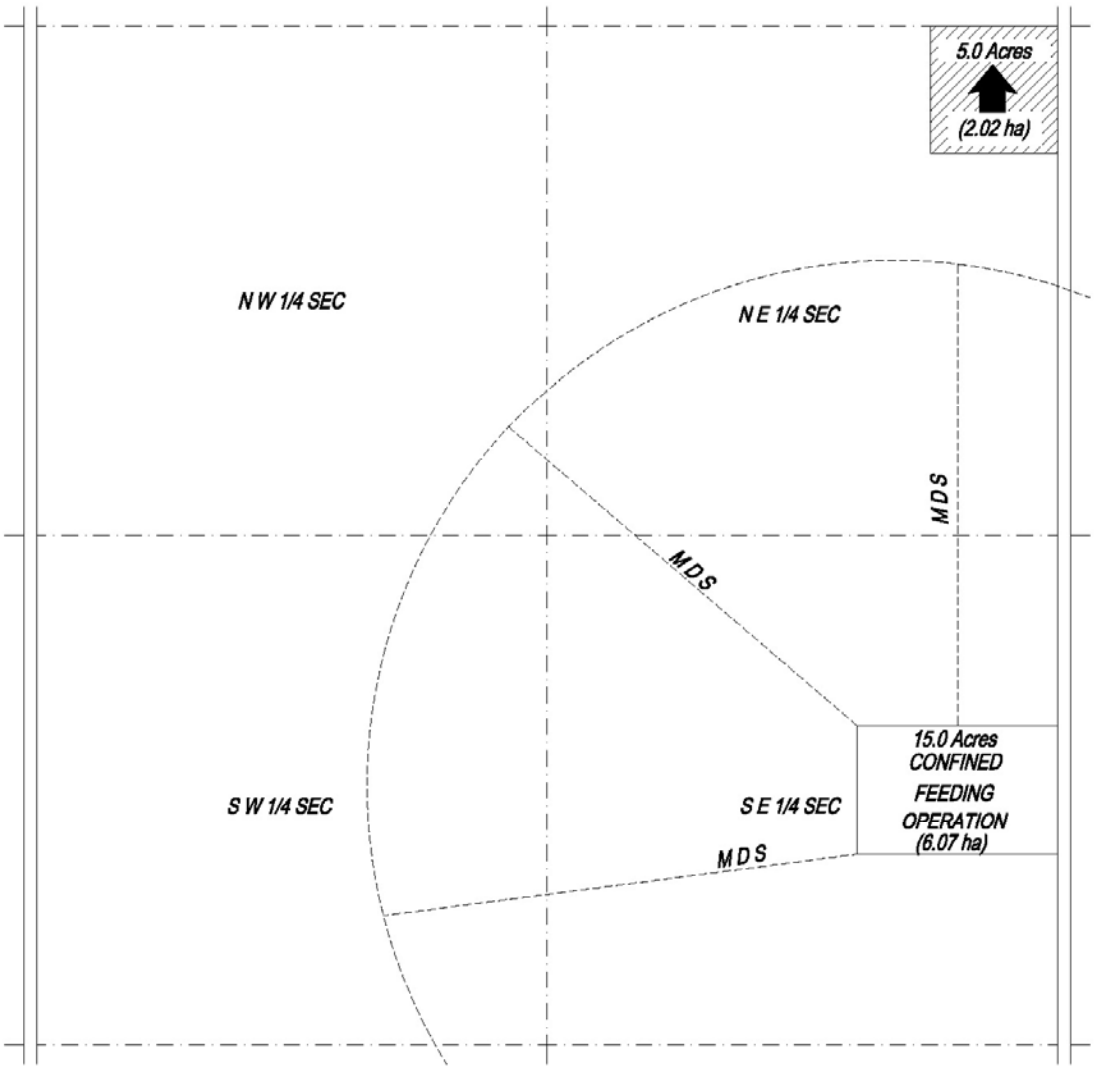
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DIAGRAM 12



SUBDIVISION OF CONFINED
FEEDING OPERATION PROHIBITED

M.D. OF WILLOW CREEK No. 26
SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

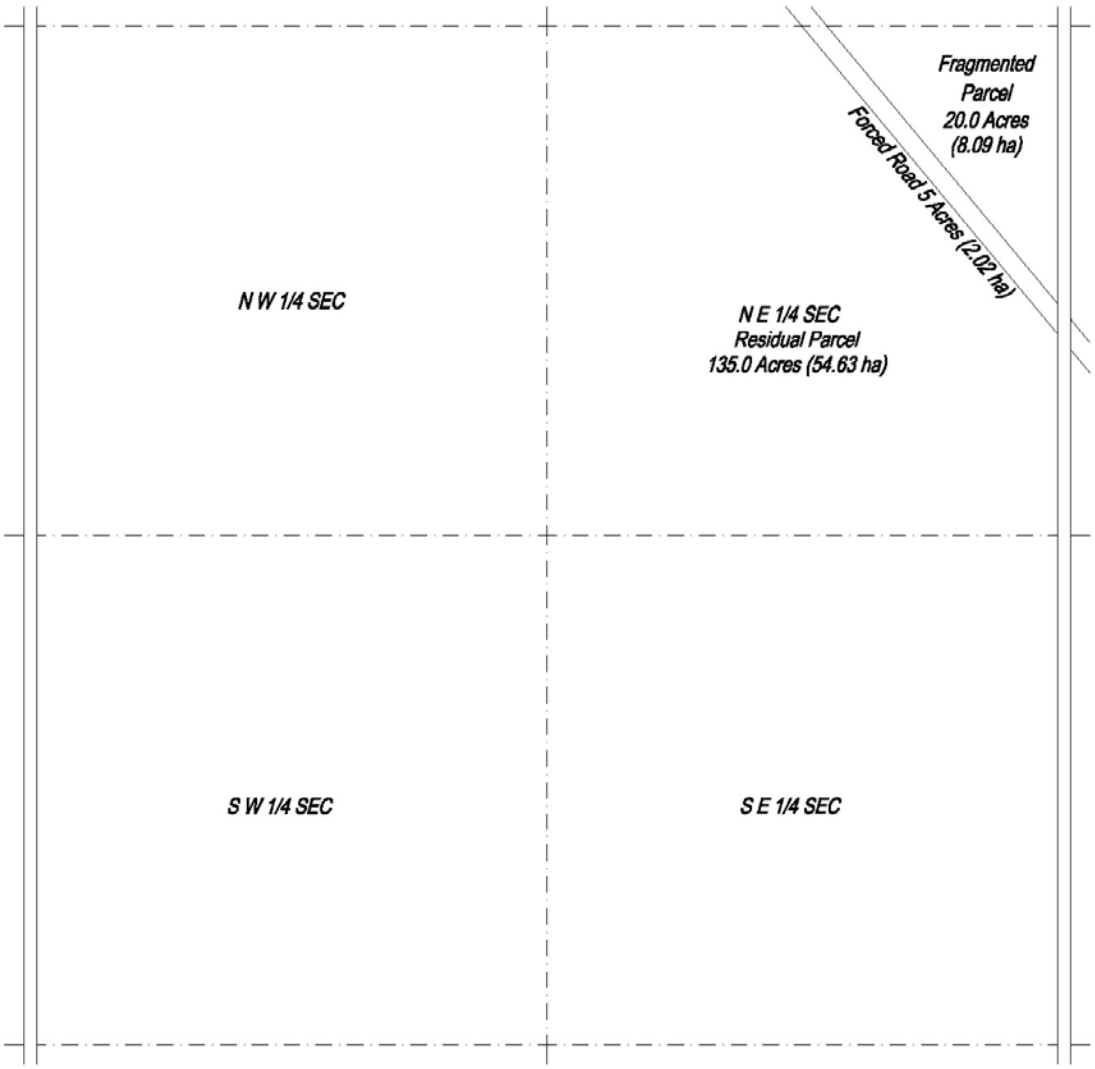
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DIAGRAM 13



FRAGMENTED PARCELS

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

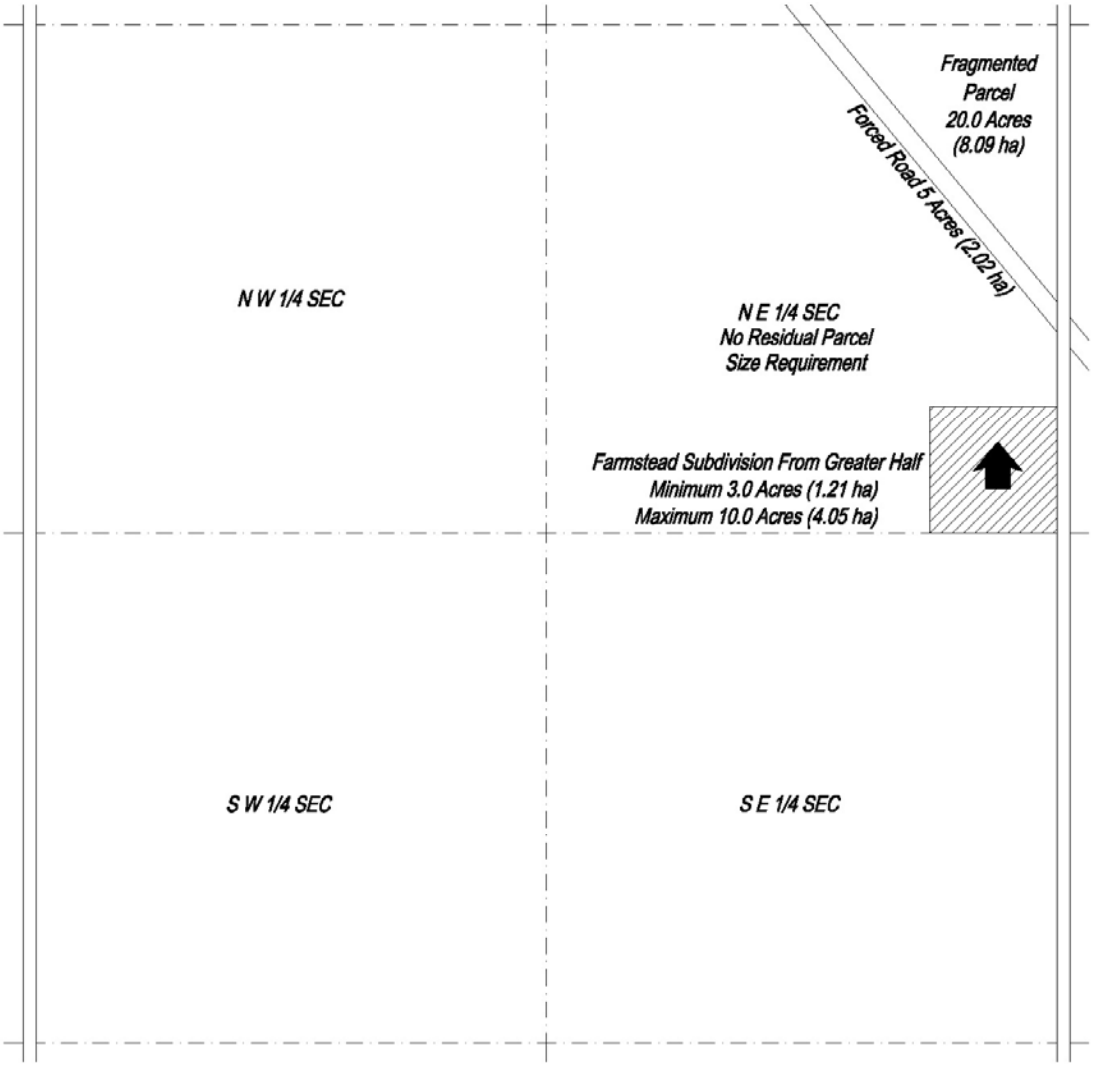
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DIAGRAM 14



FARMSTEAD SUBDIVISION FROM GREATER HALF OF FRAGMENTED QUARTER SECTION

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SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

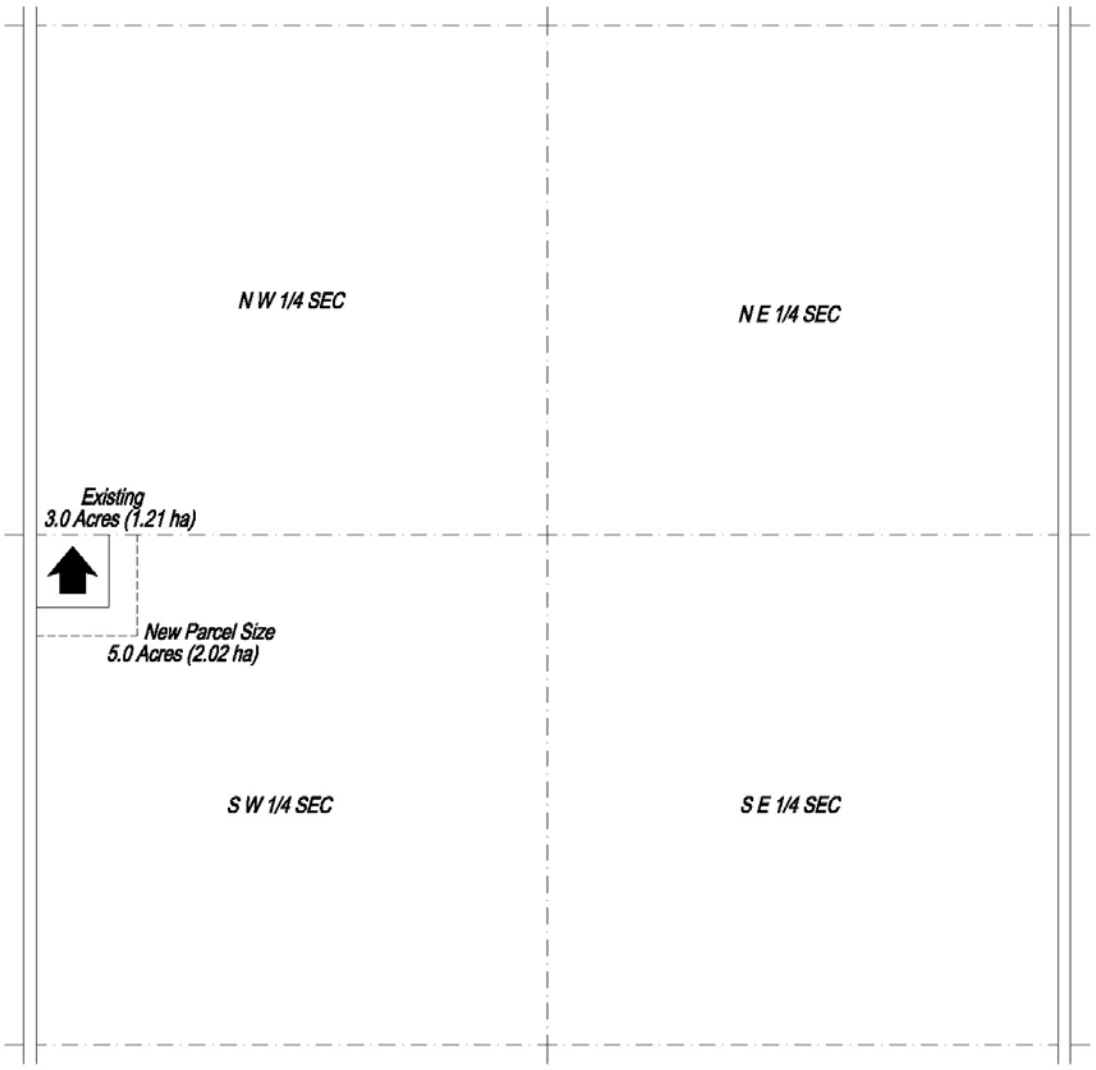
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DIAGRAM 15



EXISTING PARCEL REALIGNMENT

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

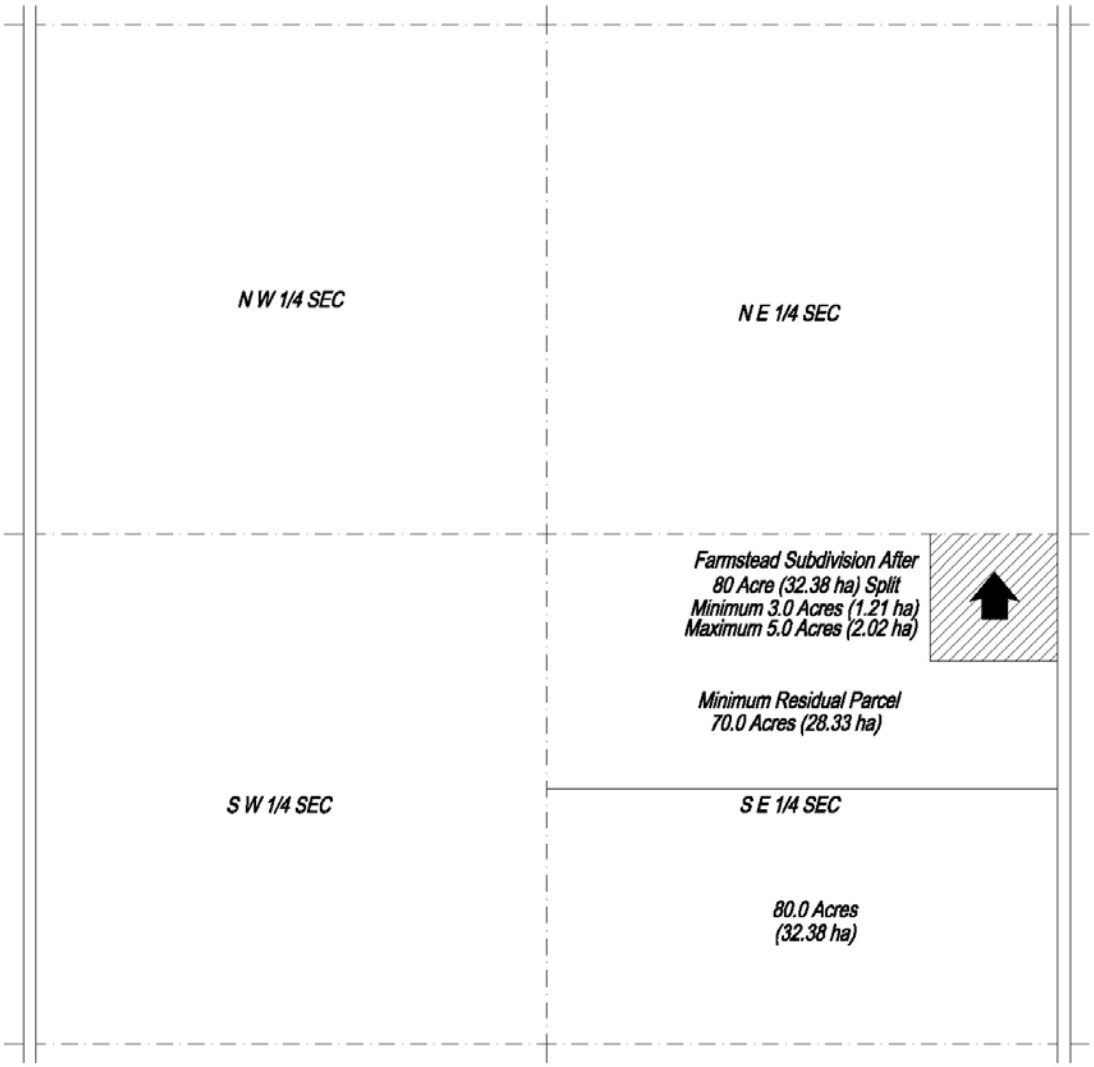
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DIAGRAM 16



FARMSTEAD SUBDIVISION FROM A HISTORIC 80 ACRE SPLIT

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MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

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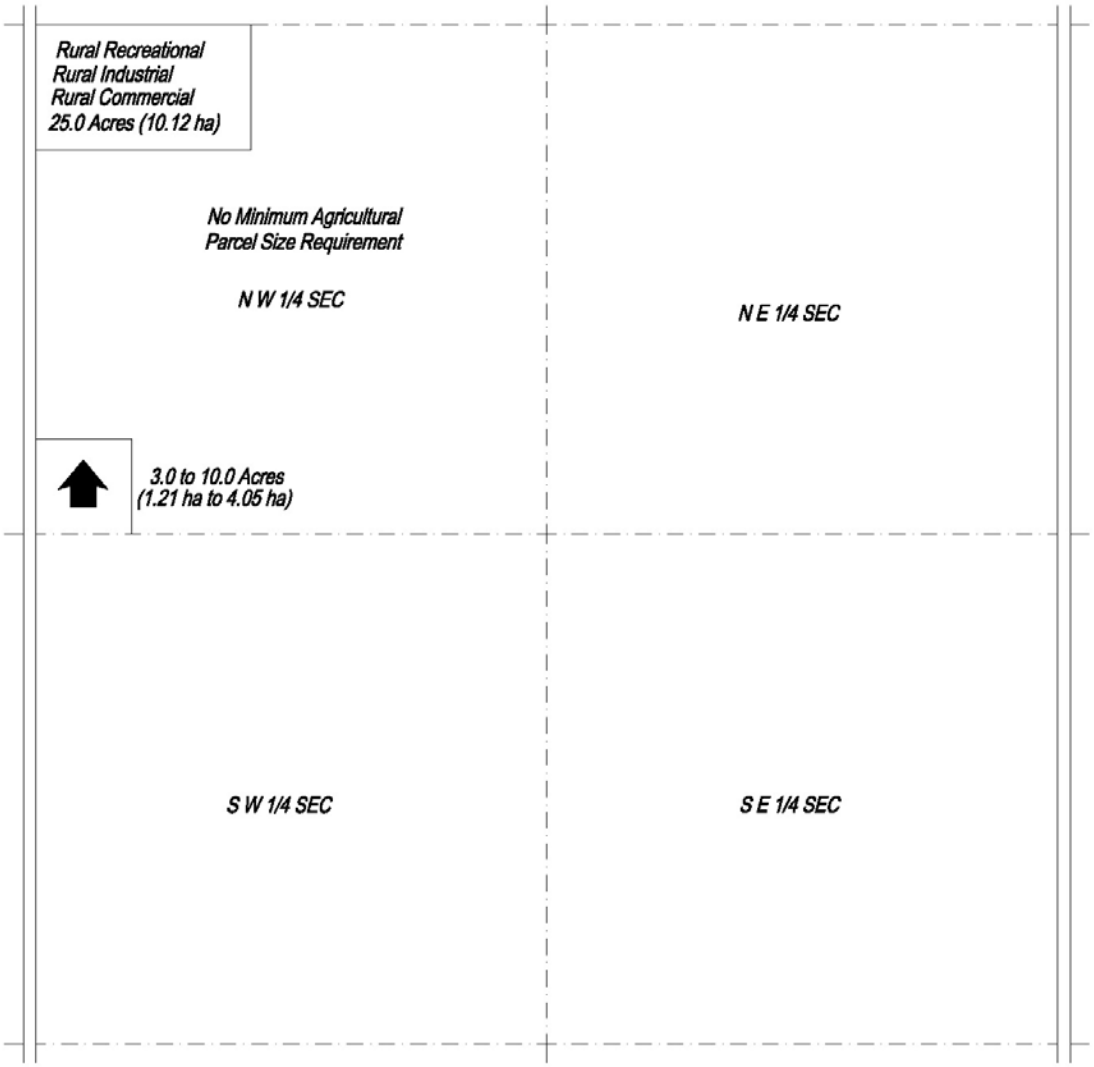
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DIAGRAM 17



RE-SUBDIVISION OF A PREVIOUSLY SUBDIVIDED QUARTER SECTION OR FRAGMENTED PARCEL

M.D. OF WILLOW CREEK No. 26
SUBDIVISION POLICIES
MUNICIPAL DEVELOPMENT PLAN
Bylaw No.1765, June 14, 2017

FARMSTEAD

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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DIAGRAM 18

17. Implementation and Procedural Issues

The MDP is a statutory plan identified in the hierarchy of plans in the *MGA*. It has been prepared for the MD in accordance with the provisions of the *MGA*, the SSRP and the Subdivision and Development Regulation. The *MGA* requires all local plans and bylaws to be consistent with the provincial legislation and must be adopted by bylaw.

The *MGA* establishes a detailed public participation component which provides opportunities for input, referrals to adjacent municipalities and a mandatory public hearing prior to second reading of the bylaw. By the time this bylaw has received its third and final reading it will have been refined and rewritten based on the comments of ratepayers, municipal administration and elected officials.

With the final revisions made, the Plan will become the long-range planning document for the MD under which the Land Use Bylaw will provide further guidance to implement the day-to-day decisions regarding subdivision and development matters. Because the Plan envisions changes within the MD, it should be reviewed and amended regularly to maintain accuracy and relevance.

OBJECTIVES

- To adopt a plan which provides guidance for future land use decisions in the MD;
- To meet the legislative requirements established in the *MGA* and the SSRP; and
- To establish a mechanism where the MDP is revised, refined and amended on a regular basis.

POLICIES

17.1 The MDP shall be adopted and amended if required pursuant to sections 230, 606 and 692 of the *MGA*.

17.2 Prior to adoption of the Plan it shall be sent to adjacent urban and rural municipalities for their comments and concurrence.

17.3 The Land Use Bylaw shall be amended to comply with any policies that may be in contravention to this Plan.

17.4 Any amendments or changes to this Plan shall be forwarded to the MD planning advisor for review and comment.

APPENDIX A: BACKGROUND INFORMATION

Regional Location

The MD covers an area of approximately 450,000 hectares (1.1 million acres). The population according to the 2016 census is 5179. The MD has within its boundaries, five urban municipalities being the Towns of Nanton, Stavely, Claresholm, Fort Macleod, and Granum; four hamlets of Moon River Estates, Orton, Parkland and Woodhouse. It is bordered by six rural municipalities: Cardston County, Lethbridge County, Vulcan County, MD of Ranchland No. 66, MD of Foothills No. 31, MD of Pincher Creek No. 9; and by the Blood First Nations and Pikani First Nations. The MD of Willow Creek is located 100 km south of the City of Calgary and approximately 85 km west of the City of Lethbridge. Primary access routes intersecting the MD are Highway 2 and 3. These major corridors increase development pressures from city residents seeking a rural lifestyle, and from large developers wishing to remain close to urban centers. The economy of the MD is predominately agriculture, but natural resources, utilities, alternative energy and acreage subdivisions continue to increase development pressures on agricultural lands.

The MD was officially formed on January 1, 1954 upon the amalgamation of several portions of other municipalities including:

- part of Improvement District No. 27,
- part of the Municipal District of Pincher Creek No. 9,
- part of the Municipal District of Bright No. 16,
- part of the Municipal District of Barons No. 25,
- part of the Municipal District of Turner Valley No. 32,
- part of the Municipal District of Highwood No. 31, and
- the entire Municipal District of Argyle No. 26.

Historical Population

The MD has experienced slow, population growth with some fluctuation, over the last 50 years. Chart 1 depicts historic population numbers from 1961 - 2016, and changes in population between each census period. The MD experienced a population decline of 546 persons (4863 to 4317) between 1961 and 1966 of -11.22%. Since 1966 a steady rate of growth has seen population numbers increase resulting in a positive trend of .13% over the past 50 years, with the current population being 5179.

Chart 1 (Statistics Canada)

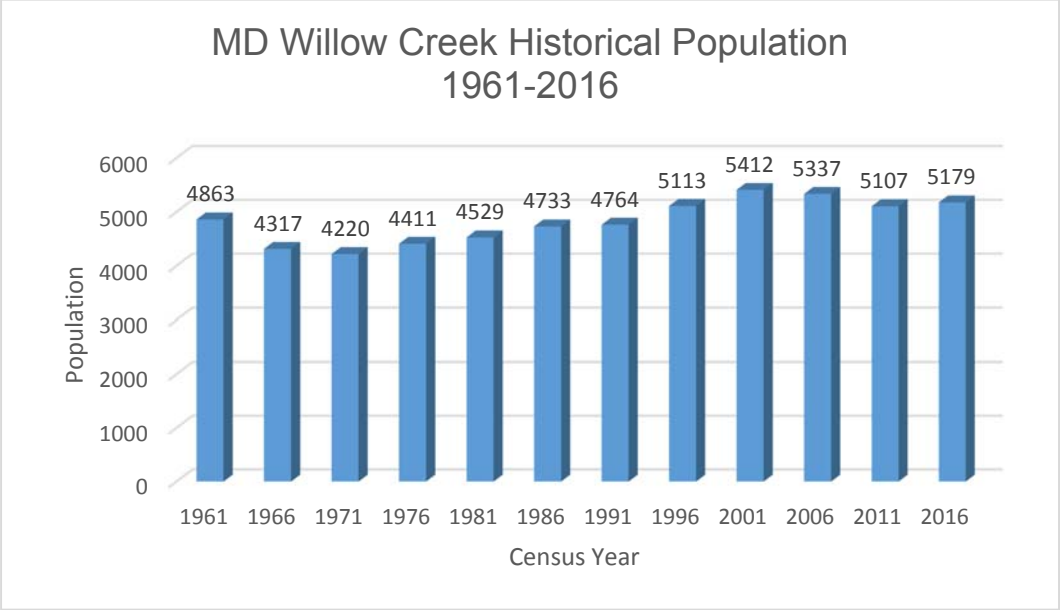
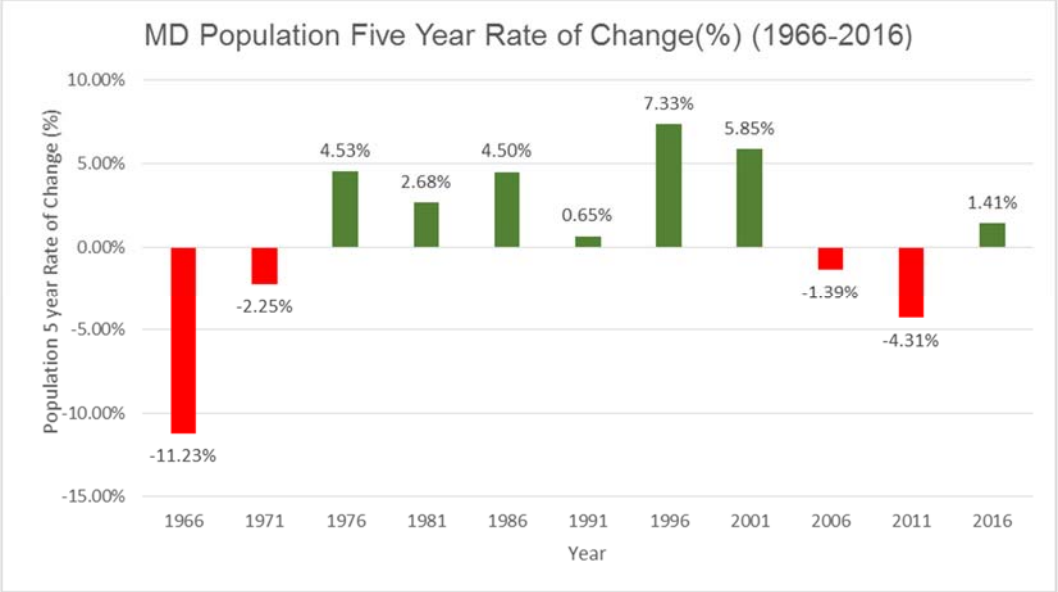


Chart 2 (Statistics Canada)



Population Projections

Population projections are key to understanding future development needs and trends. Growth in the MD is related to many factors including, but not limited to, population, migration, birth and death rate, and proximity to large centres and economic activity. Population projections are based on past trends and present data.

According to Table 1, the MD has experienced a positive overall growth rate of 0.35% over the past 20 years (1990 - 2011), despite experiencing a slight negative growth rate between 2001 and 2006. When considering the logarithmic projections for 2016 - 2036, the graph and population data in Table 1 and Chart 3 indicate that the MD is projected to experience a 0.62% to 0.67% growth rate over the next 20 years. However, when analyzing the 5 year, 10 year and 20 year cohort, the projections in Table 1 and Chart 3 show the MD is projected to experience a negative growth rate of -1.94 %, -1.84% and -0.32% respectively. Given the data, the most likely scenarios for growth projection for the MD is between negative -0.5% growth rate and a positive 0.5% growth rate resulting in a population estimated between 4505 people and 5784 people in 2036.

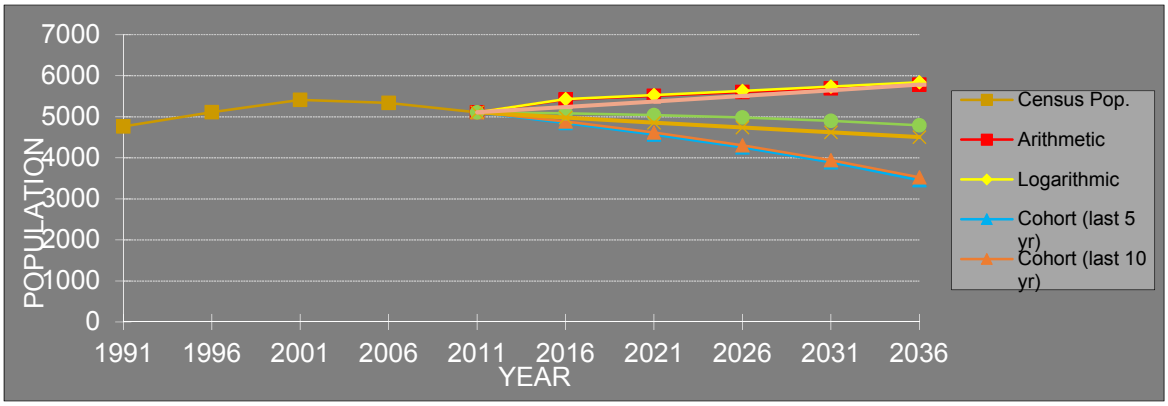
Although the difference between these population projections shows an influx of 1000 people on the high end or a net population loss of 602 on the low end, these figures provide a check and balance for the MD regarding planning policy over the next 25 years.

Due to the partial release of the 2016 Statistics Canada Census it is important to note Table 1 contains 2016 projections. Without more detailed census information regarding the 2016 population numbers, projections containing 2016 census update in Table 1 cannot be calculated at this time. For this reason, only Chart 1 and Chart 2 include 2016 census information.

Table 1 (ORRSC Population Projections)

MD OF WILLOW CREEK								
Year	**Census Pop.**	**Arithmetic**	**Logarithmic**	**Cohort (last 5 yr)**	**Cohort (last 10 yr)**	**Cohort (last 20 yr)**	**-0.5 % Decline**	**0.5% Growth**
1991	4764							
1996	5113							
2001	5412							
2006	5337							
2011	5107	5107	5107	5107	5107	5107	5107	5107
2016		5420	5430	4846	4885	5085	4980	5236
2021		5511	5530	4564	4616	5042	4856	5368
2026		5602	5631	4254	4305	4983	4737	5504
2031		5693	5735	3890	3943	4902	4619	5642
2036		5784	5840	3453	3525	4793	4505	5784

Chart 3 (ORRSC Population Projections)



Age Structure

Population pyramids illustrate the distribution between various age groups and genders in the MD. According to the population pyramids shown in Charts 4 - 8 (1991 - 2011), the MD continued to have a significant population under the age of 15. In the 1991 population census, the population under the age of 15 comprised 29% of the MD population. When comparing this number to the 2011 census population for those under the age of 15, the MD experienced a reduction of 6% in this age category representing 23% of the population. This is an indication that the overall population of the MD has continued to be relatively stable. The population figures indicates that some of the younger age groups may be staying to raise their families here. The MD population pyramids indicate an increase in population ages 50 and up from 1991 - 2011. In 1991 those 50 and older comprised 22% of the population, compared to 2011 where those 50 and older comprised 36% of the population. The continuous rise of this age group from 1991 - 2011 indicate an increase in aging population. Should the population of the MD in this age group continue to rise, development decisions will be shaped by the increase in this demographic.

Chart 4 (1991 Census Canada)

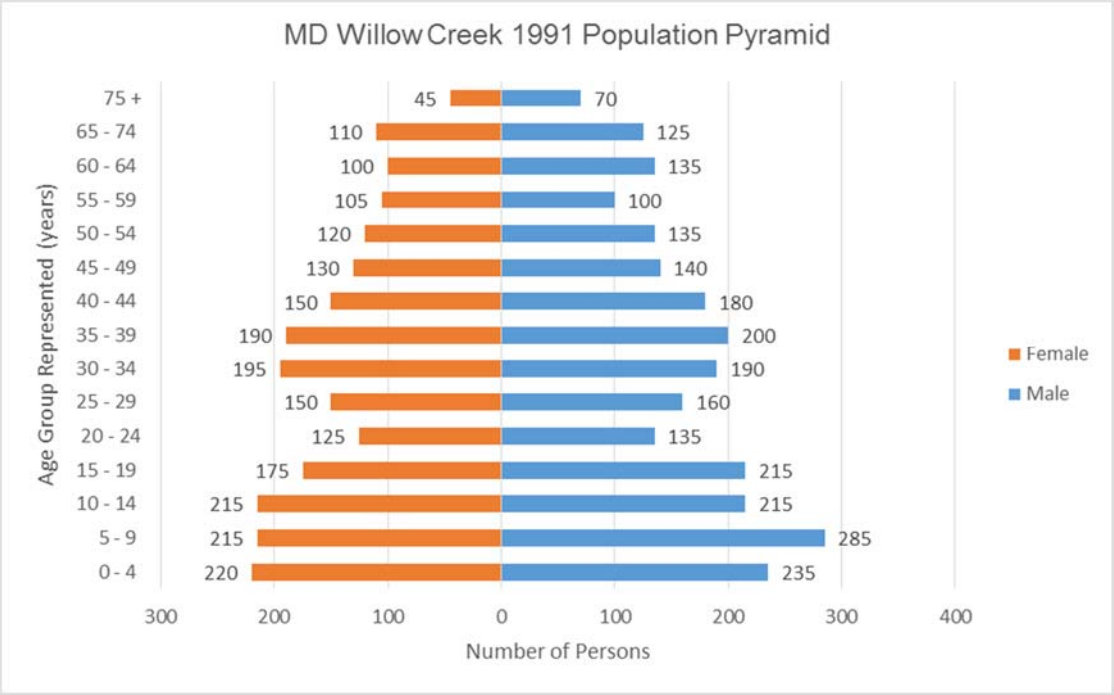


Chart 5 (1996 Census Canada)

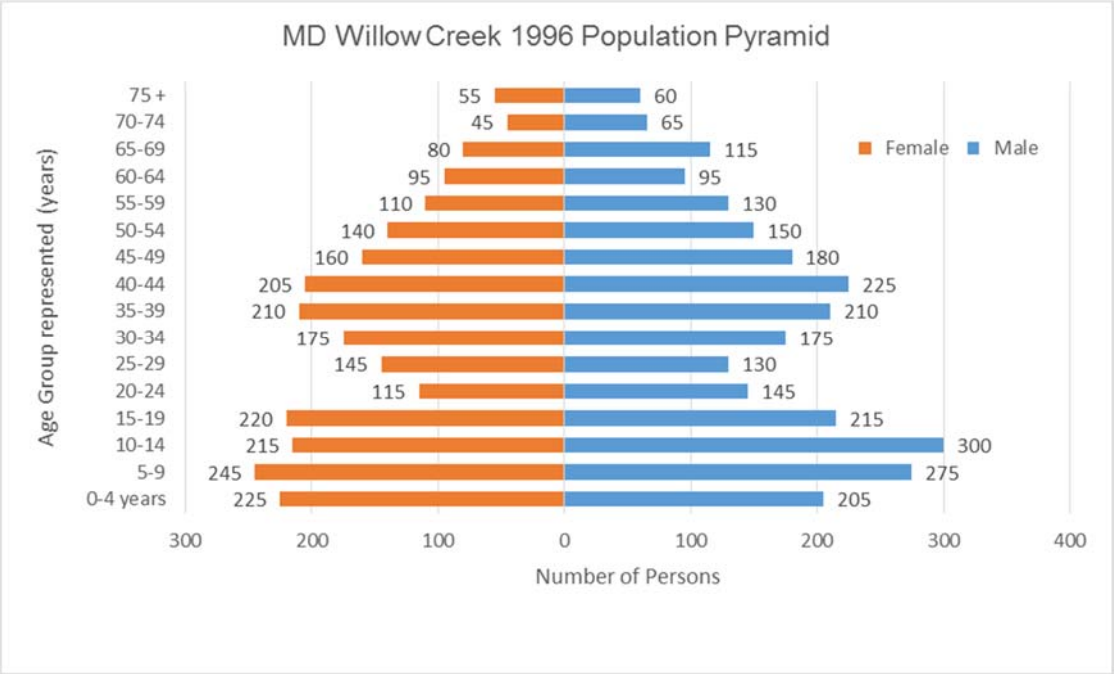


Chart 6 (2001 Census Canada)

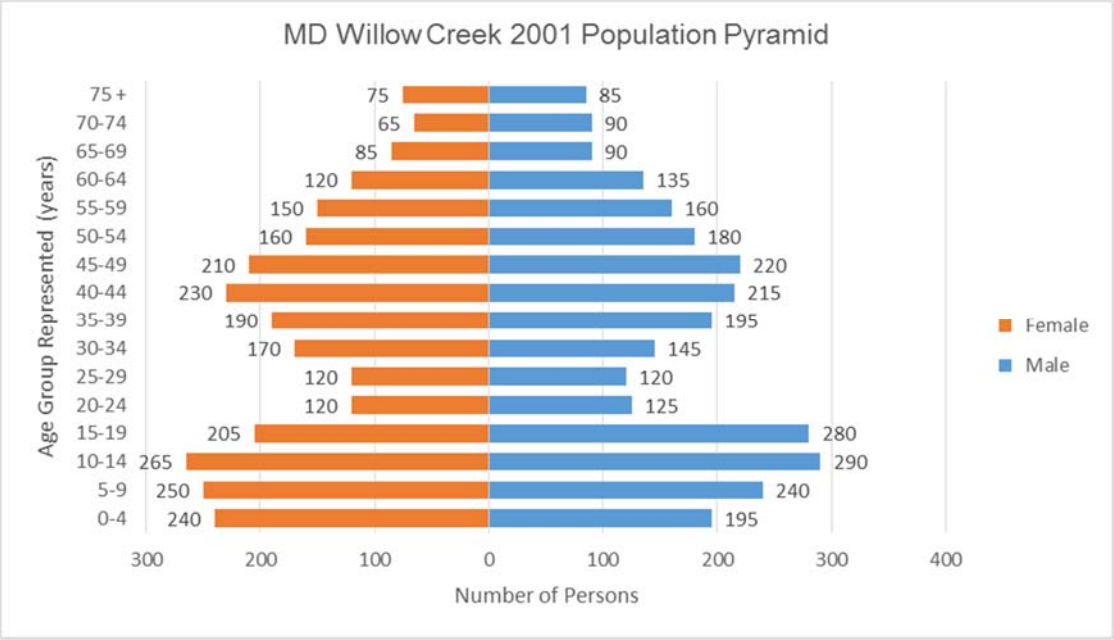


Chart 7 (2006 Census Canada)

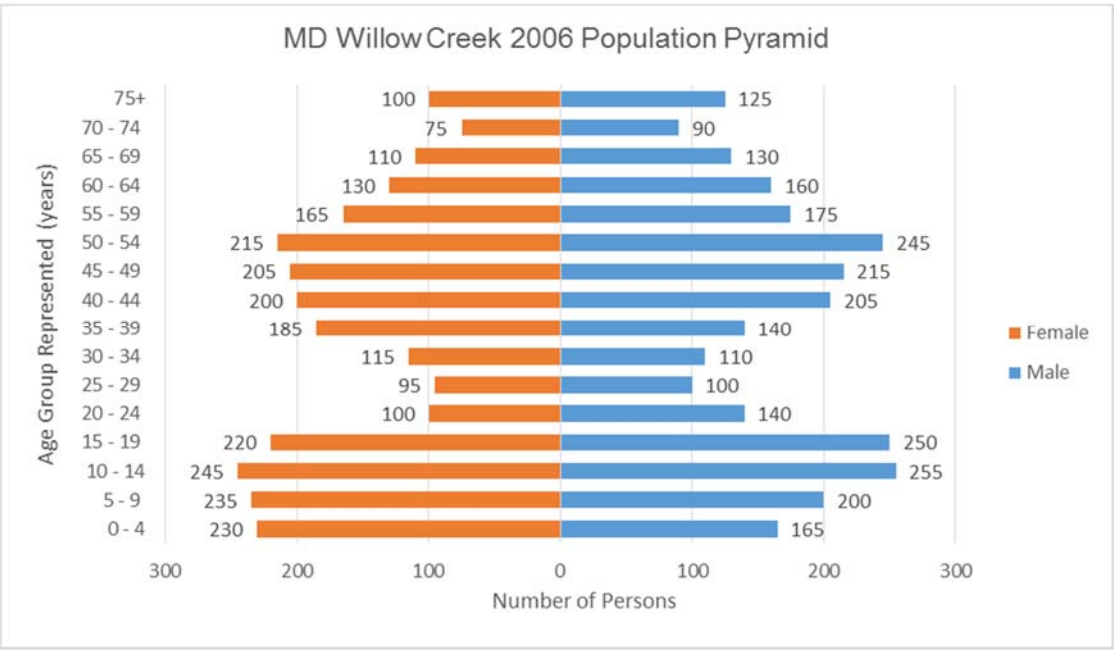
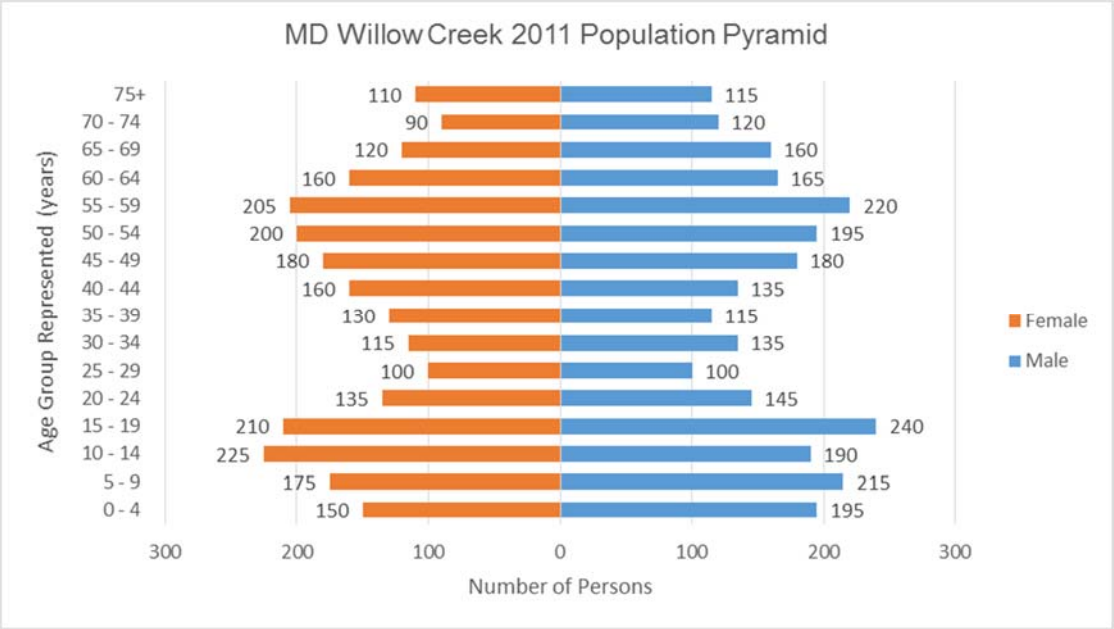
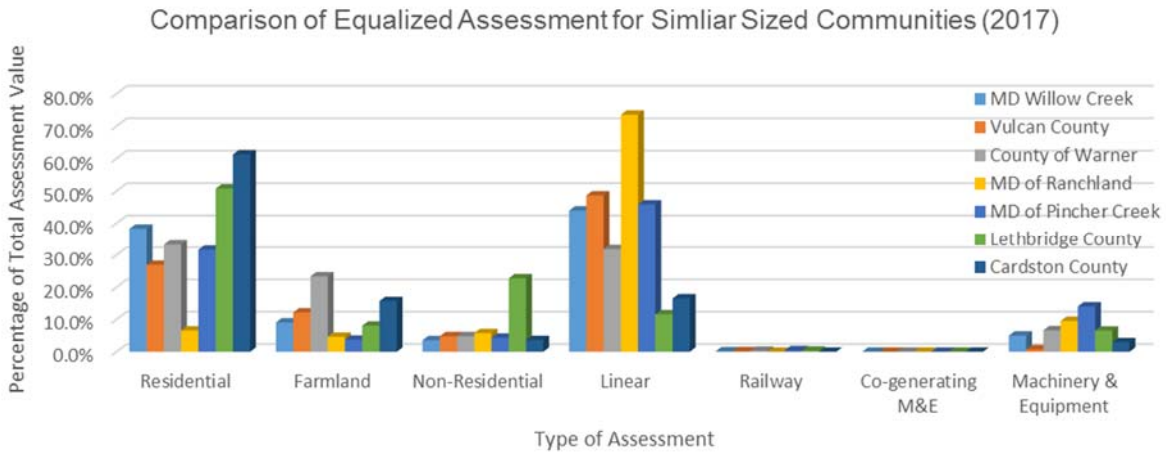


Chart 8 (2011 Census Canada)



Municipal Assessment

Chart 9 (2017 Alberta Government Equalized Assessment)



Subdivision Activity and Comparisons

Subdivision is used to separate the farm residence from the actual farmable land, creates residential, commercial and industrial titles and provides for orderly transfers of lands to new owners. Understanding how much subdivision activity is occurring in the MD can help identify the development trends occurring. Table 2 and Chart 10 show the MD has experienced an average of 25.6 subdivision applications per year over the past decade, creating an average of 41.7 lots per year. According to the information in Table 2 and in Chart 11, the majority of these subdivisions are for country residential use.

Table 3 and Chart 12 show a comparison of subdivision activity in similar rural communities. MD subdivision activity has been relatively consistent over the past decade when compared to the numbers in surrounding MDs. Understanding the data will help formulate development policies in the future.

Table 2 (ORRSC Subdivision Records)

Subdivision Activity in the MD of Willow Creek 2005 - 2015										
	Newly Created Lots by Use									
Year	Subdivision Applications	Residential	Commercial	Industrial	Country Residential	Agriculture	Public/ Institutional	Misc.	Recreational	Total Lots Created
2005	24	0	1	0	23	1	0	1	0	26
2006	20	0	1	0	20	2	0	0	0	23
2007	34	2	0	1	43	5	0	1	0	52
2008	25	0	0	3	36*	2	0	0	0	5
2009	21	1	0	0	69**	1	0	1	0	3
2010	29	0	0	1	28	4	0	0	0	33
2011	17	0	0	0	19	4	0	0	0	23
2012	19	0	0	1	18	0	0	0	0	19
2013	18	0	0	0	15	6	0	0	0	21
2014	28	0	0	1	80***	3	0	0	0	4
2015	21	0	0	0	16	6	0	1	0	23

* Bland Investment Ltd. – 8 lots registered, plan was cancelled in 2015.
** Twin Valley Resort Ltd. – 51 lots tentatively approved, never registered.
*** Twin Valley Resort Ltd. – 57 lots tentatively approved, never registered.

Chart 10 (ORRSC Subdivision Records)

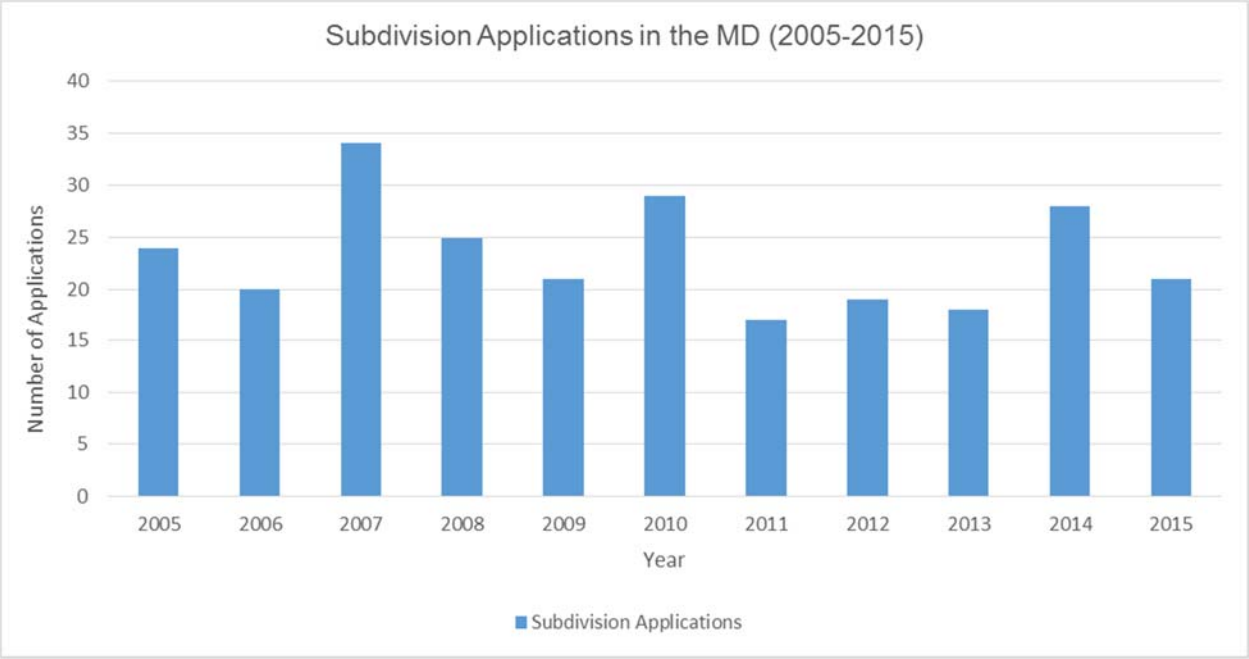


Chart 11 (ORRSC Subdivision Records)

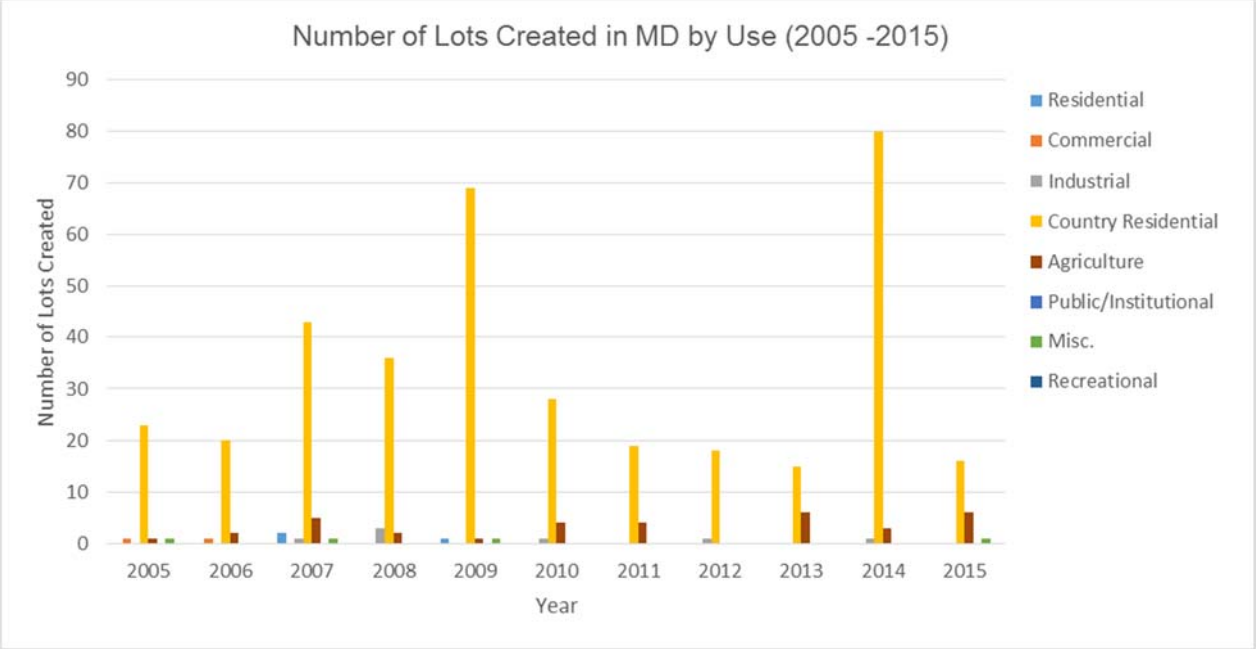


Table 3 (ORRSC Subdivision Records)

Comparison of Similar County/MD Subdivision Activity by Application Numbers							
Year	Number of Applications						
	MD of Willow Creek	Vulcan County	County of Warner	MD of Ranchland	MD of Pincher Creek	Lethbridge County	Cardston County
2005	24	30	19	0	17	35	22
2006	20	28	20	0	23	50	29
2007	34	33	38	0	29	57	57
2008	25	29	25	0	27	43	42
2009	21	18	12	0	14	38	40
2010	29	23	21	0	21	51	28
2011	17	17	10	0	13	32	23
2012	19	18	17	0	19	42	22
2013	18	18	6	0	11	36	18
2014	28	21	12	0	9	27	19
2015	21	20	8	0	15	37	17
Average	25.6	25.5	18.8	0	19.8	44.8	31.7

Chart 12 (ORRSC Subdivision Records)

