

Vulcan County

MUNICIPAL DEVELOPMENT PLAN

Bylaw No. 2012-003

April 2012





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VULCAN COUNTY

Vulcan - Alberta

BYLAW 2012-003

BEING a Bylaw of Vulcan County in the Province of Alberta to adopt a Municipal Development Plan.

WHEREAS the Council of Vulcan County wishes to adopt a municipal development plan to comply with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

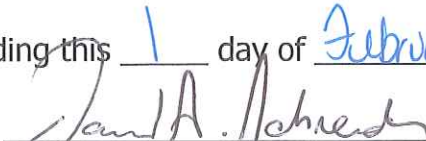
AND WHEREAS the purpose of proposed Bylaw 2012-003 is to provide a comprehensive, long-range land use plan pursuant to the provisions outlined in the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the municipality must adopt a municipal development plan pursuant to section 632 of the Municipal Government Act, RSA 2000, Chapter M-26 and provide for its consideration at a public hearing;


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 Vulcan County in the Province of Alberta, duly assembled does hereby enact as follows:

1. Bylaw 2012-003, being the new Municipal Development Plan is hereby adopted.
2. Bylaw 2003-003, being the former Municipal Development Plan and any amendments thereto are hereby rescinded.
3. Bylaw 2012-003 shall come into effect upon the third and final reading hereof.

Received first reading this 1 day of February 2012



David Schneider, Reeve




Leo Ludwig, CAO

Received second reading this 4 day of April, 2012

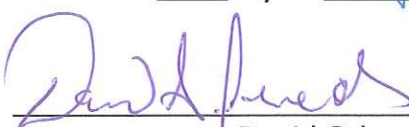


David Schneider, Reeve



Leo Ludwig, CAO

Received third reading and finally passed this 4 day of April, 2012



David Schneider, Reeve



Leo Ludwig, CAO

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Introduction

A municipal development plan is a long-range statutory planning document providing a municipality's elected officials, administration, ratepayers and developers with a framework of policies for making decisions regarding future growth and development opportunities. The policies of a municipal development plan shape the growth and development of a municipality. For a rural municipality where expanding the land base to allow for physical growth is often not an option, growth and development involves the establishment of new land uses and the intensification of existing ones within the current municipal boundaries. This can take the form of diversification of agricultural operations, industrial development of natural resources, highway commercial enterprises and the subdivision of agricultural lands for residential acreages.

Philosophy

Vulcan County is a rural municipality and we celebrate our rural way of life. A large part of what residents' value about living within the County is an appreciation for being rural. As a County, we face pressures for growth and development and as such, need to balance these pressures against our rural character.

Vulcan County's land base is agricultural and Council wishes to promote the agriculture industry as the primary land use within the County. Council recognizes the ability to diversify is a necessity to many agricultural producers, many of whom still operate under the auspices of the family farm and incorporates a degree of flexibility into its planning document for that reason.

Mission

Our intent is to manage our lands wisely and ensure that Vulcan County remains a great place to live, work and raise a family.



Objectives

Vulcan County has identified specific objectives in terms of future land uses and proposals for future development.

To protect good quality agricultural land while allowing for subdivision and development to occur for a variety of uses as specified in the Land Use Bylaw.

To encourage development opportunities within Vulcan County to expand the County's assessment base while limiting conflicts with existing land uses.

To delineate basic standards that must be met when making applications for redesignations, developments or subdivisions.

To encourage a consistent decision-making process by Vulcan County's various approval authorities when dealing with redesignations, developments or subdivisions.

To continue to promote intermunicipal cooperation.

To promote and encourage the development of a variety of energy generating facilities with an emphasis on renewable energy generating facilities.

Public Participation

As a municipal development plan is a statutory planning document, it must follow the legislative process outlined in the Municipal Government Act, 2000. This requires notice to the public, adjacent municipalities and school authorities of plan initiation with the opportunity for input into the plan before a draft document is prepared. This was accomplished by way of direct notification by letter, newspaper advertisement and the holding of an open house. A further public hearing was held prior to second reading of the plan by Vulcan County Council.



Legislative Requirements

Vulcan County's Municipal Development Plan has been developed in accordance with section 632(3) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, (MGA) for the purpose of identifying future land use goals, defining the long-term expectations and aspirations and clearly defining the municipality's development philosophy. The goals, objectives and policies of this Plan are reflective of the values and philosophy of the landowners and residents of Vulcan County. The Municipal Government Act requires that the plan provide policies on a broad range of issues including future land use and development, co-ordination with adjacent municipalities, provision of transportation systems, and provision of municipal services and facilities (see Appendix A).





Regional Setting


Vulcan County is centrally located within southern Alberta, approximately 40 km (25 miles) southeast of the City of Calgary and 56 km (35 miles) north of the City of Lethbridge. Vulcan County is linked to other areas of Alberta by a network of provincial highways and the Canadian Pacific Railroad's mainline which runs in a north-south direction through the municipality. The closure of several CPR branch lines in southern Alberta brings added importance to the location of the mainline and increased opportunities for the municipality.

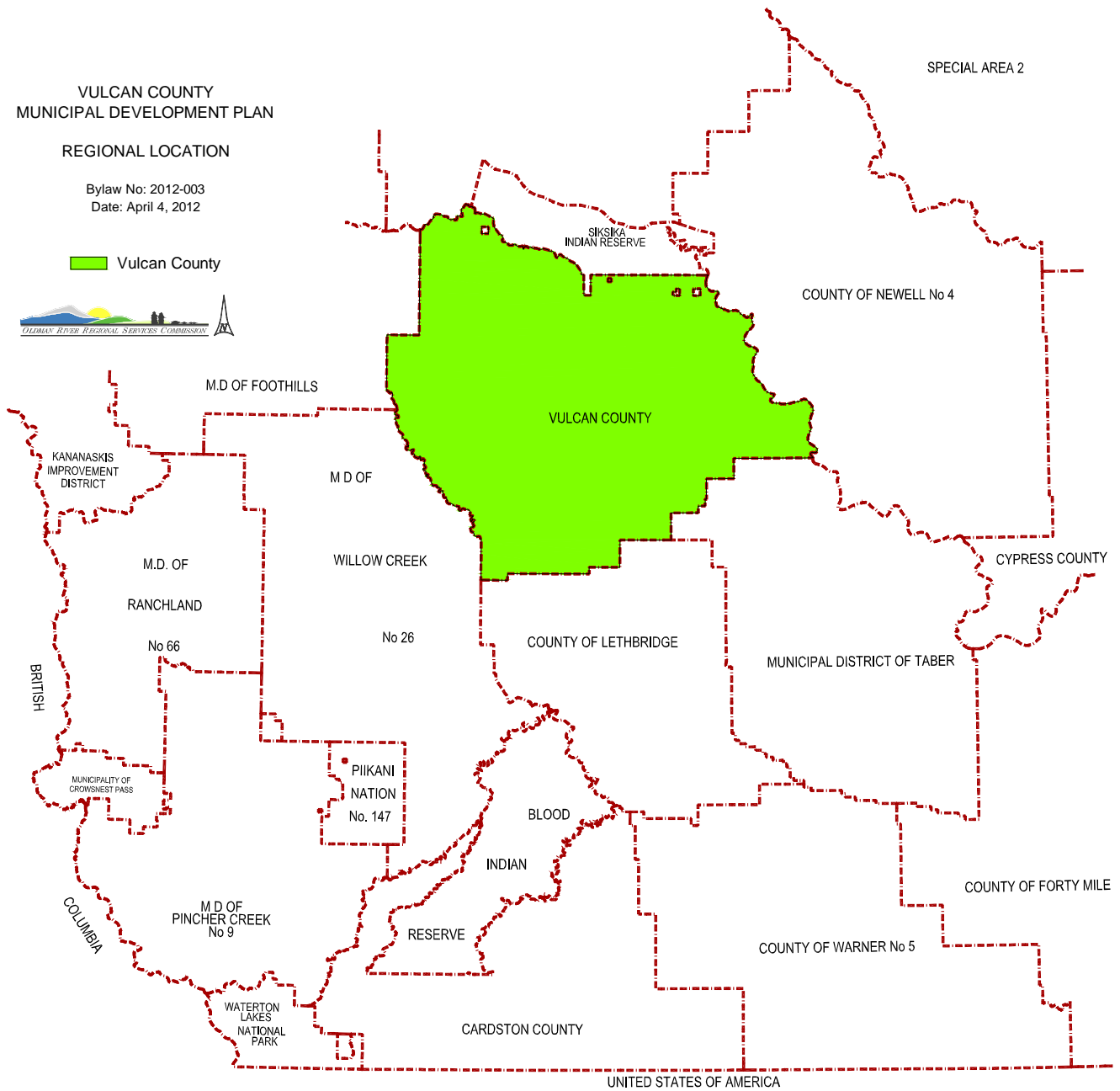
The County is characterized by a mix of soil types, generally flat topography suited to grain production with isolated, hilly areas. Grassland in the eastern portion of the County is used for grazing, a significant portion of which is under Crown ownership. Some areas of the County benefit from the availability of irrigation as well due to the presence of the Little Bow River in the west, the Bow River on the north and east, and the McGregor Lake, Travers and Little Bow Reservoirs, which are a series of three connecting man-made reservoirs in the centre of the County mainly used as a source of water for irrigators, as well as a water supply for urban and rural residents and for recreation.

VULCAN COUNTY
MUNICIPAL DEVELOPMENT PLAN

REGIONAL LOCATION

Bylaw No: 2012-003
Date: April 4, 2012

 Vulcan County



History

Homesteaders began to settle the area of what is now Vulcan County starting in the early part of the twentieth century. Large numbers of settlers from Eastern Canada, immigrants from Britain and Western Europe, and many from the Central United States came to seek land and set up homesteads in the area. The development of the railway throughout the area had a significant impact on the settlement patterns of the County as virtually all of the towns, villages, and hamlets within the County are located on a rail line.

The earliest record of local government in the Vulcan area is that of July 7, 1906. Shortly after the province of Alberta was formed in 1905, legislation was enacted that set up organized areas averaging nine townships in size that were called Local Improvement Districts (LID). These LIDs were the predecessor of modern-day Counties and Municipal Districts. Between 1906 and 1950, the land was governed through a series of Municipal Districts.



Most of the area presently known as Vulcan County was officially formed in 1951 when the Alberta Legislature passed an “Act to provide for the establishment of local Government Units to be known as Counties.” Additional lands have been added since including the area near Lomond and certain lands in the northeast corner of the County. This new County included all of the Municipal District of Vulcan No. 29, part of the Municipal District of Blackie No. 30, part of the Municipal District of Argyle No. 26, part of the Municipal District of Barons No. 25, and part of Special Area No. 4. The County was divided into nine electoral divisions and nine councillors were sworn into office. Although Vulcan was the first County to be created in Alberta, it did not receive the ‘No. 1’ designation, owing to the fact that the original idea in respect to Counties came from the Grand Prairie School Division, which was promised the first number and was formed a day or two later.

The larger District government was responsible for many improvements. One of the first objectives was to provide every resident in the County with a good gravel road to town, which was accomplished in three years. As well, the County undertook to upgrade the schools in all centres. New schools were built at Carmangay, Champion and Milo, as well as a new High

School in Vulcan. The County built a new repair shop and hired a staff of mechanics to maintain road machinery and school buses. The new Vulcan administration building opened in 1950 with an addition completed in 1967.

The most recent improvements to the County include the completion of Twin Valley Reservoir in 2004, the renovation and expansion of the County administration building, and the construction of a cooperative Emergency Services building which houses emergency services and the local RCMP detachment. The most recent development of a phased regional water system through Vulcan County and its urban neighbours may have the greatest impact on the area in the years to come.



Agriculture

Vulcan County is an agricultural-based municipality. Traditionally, grain crops have accounted for the bulk of production due to a lack of irrigation throughout much of the municipality. Grain production requires large tracts of land which is illustrated in Vulcan County where the quarter section has been the predominant parcel size. The agriculture industry is more globally connected today and will be even more so in the future. Diversification within the family farm and investigating new methods of production may become increasingly necessary to remain viable.

OBJECTIVES:

- The County recognizes agriculture as the priority land use in rural areas.
- Agricultural diversification shall be supported and promoted.
- Agricultural industries and related services shall be located to best serve the agricultural community.
- Whenever possible, non-agricultural uses shall not be located in areas of agricultural activity.
- Wherever appropriate, non-agricultural land uses in rural areas should be clustered or grouped to minimize conflicts with agricultural operations.





POLICIES:

- 1.1 The County shall support the preservation of agricultural land and shall promote diversification of the agricultural sector by supporting many types of agricultural operations.
- 1.2 The County shall ensure that policies in the Land Use Bylaw protect agricultural land from non-agricultural development.
- 1.3 Better utilizing land and promoting more compact development are two methods that can limit land conversion. The County shall ensure that the application of these methods are utilized in the decision making process.
- 1.4 The County is crossed by large networks of irrigation canals, pipelines, railways, electrical transmission lines and provincial highways, all of which add to fragmentation of agricultural lands. The County shall encourage location of new roads, canals and transmission lines in a manner that does not unnecessarily fragment or restrict the use of agricultural land.
- 1.5 The County considers “first parcel out” subdivision, which separates the farmstead from the quarter-section, vital to the long-term viability of agricultural operations and the rural population base.
- 1.6 The ability to subdivide cut-off parcels due to physical barriers that make a parcel illogical or impractical to farm will continue to merit consideration by Council.

Hamlets

There are eight hamlets within Vulcan County: Mossleigh, Shouldice, Herronton, Queenstown, Brant, Ensign, Kirkcaldy and Travers. Brant, Ensign and Kirkcaldy are located next to the CPR mainline and three hamlets are adjacent to provincial highways with Kirkcaldy, located next to Highway 23; Brant, located adjacent to Highway 804; and Mossleigh, adjacent to Highway 24.

The hamlets within the County represent a viable development option for the future. The redevelopment and investment in these smaller urban settlements could meet the needs of non-agricultural residents that wish to experience a more rural lifestyle.



OBJECTIVES:

- To maximize the use of existing undeveloped residential land within and adjacent to hamlets.
- To protect and maintain the quality of existing residential development.
- To minimize the negative impact of residential development in inter-municipal referral areas.

POLICIES:

- 2.1 All hamlets within Vulcan County should have growth strategy plans prepared. These plans would amount to the equivalent of municipal development plans for each hamlet and review growth and development, future land areas and other issues.
- 2.2 In order to enhance hamlet development, residential subdivisions should be encouraged to locate in or near existing hamlets.
- 2.3 Residential development in hamlets should be planned to allow for their orderly growth. The County may adopt area structure plans for the effective planning of hamlet residential development.
- 2.4 Residential development in hamlets should allow for a broad range of housing options, including modular and manufactured homes and also institutional and seniors housing.
- 2.5 The location of a proposed residential subdivision shall be examined in terms of anticipated municipal cost, including road construction and maintenance and connection with hamlet infrastructure.



Reservoir Development

The majority of grouped country residential/recreational development is concentrated around McGregor Lake Reservoir and Travers Reservoir. There are currently eight developments varying in size from three to five acre parcels to smaller cottage lots with private water and sewer systems. Due to the proximity of the reservoirs, several developments offer recreational facilities and amenities such as beach areas and boat launches.

It is important to note that McGregor Lake Reservoir, Travers Reservoir, Little Bow River Reservoir and Badger Lake Reservoir were developed as key components of the Bow River Irrigation District's delivery system and the primary purpose of the reservoirs is for irrigation rather than recreation. In order to protect the water quality of these reservoirs and any future reservoirs, the County will only accept proposals on the lakeshore with condominium-style ownership with water treatment and sanitary sewage treatment plants.



OBJECTIVES:

- To accommodate future demand for residential and recreational development where practical to do so, and on suitable sites.
- To ensure the negative impacts of residential and recreational development on the irrigation and water supply function of the reservoirs are minimized.
- To adopt criteria which will guide planning decisions on future development and subdivision applications.
- To ensure a mixture of means for access to the reservoirs is provided.
- To minimize the impact of development on the natural environment, in particular, any identified environ-mentally significant areas.



POLICIES:

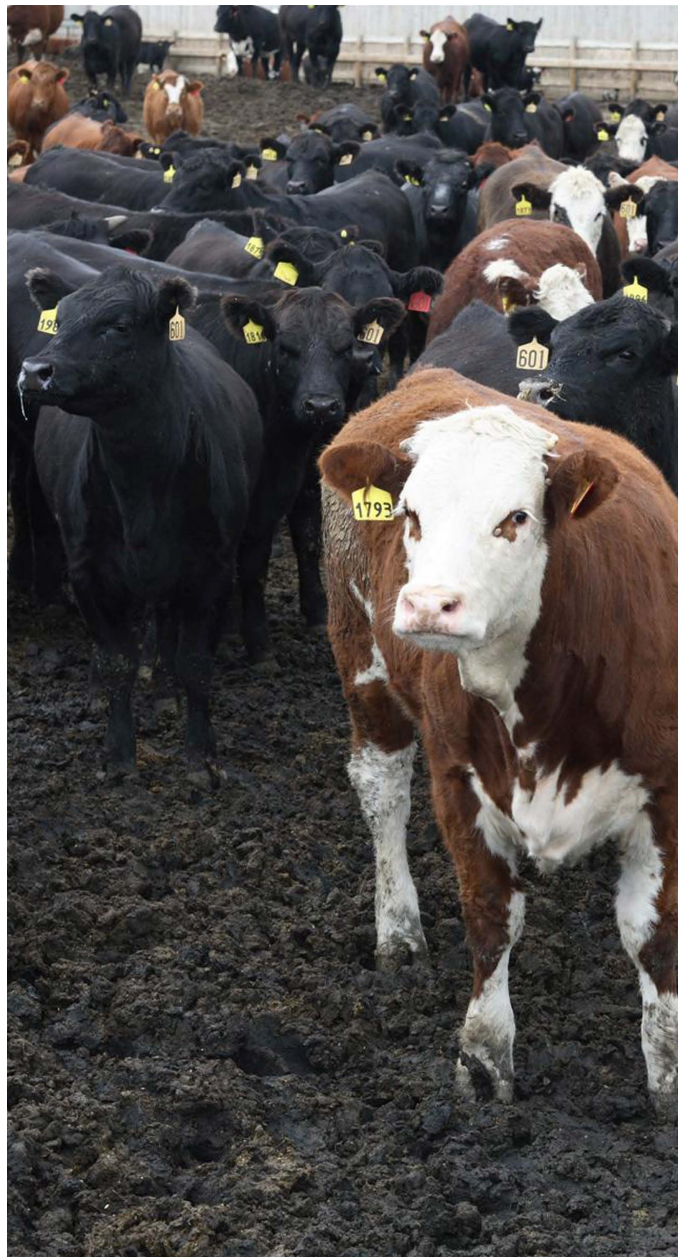
- 3.1 The Council should commence a review of all planning documents pertaining to areas adjacent to reservoirs and water bodies and should prepare and adopt updated area structure plan(s) to implement lakeshore management policies and regulate development.
- 3.2 In evaluating proposals for new reservoir development, the physical characteristics of the site shall be carefully assessed.
- 3.3 All applications for resort residential development shall be required to provide for communal water and sewer servicing for the development. Other uses within this district may be required to provide communal servicing on request.
- 3.4 All applications for resort residential uses shall be accompanied by a duly prepared area structure plan.

Confined Feeding Operations

The development of Confined Feeding Operations (CFOs) within Vulcan County continues to influence the local economy and landscape. The preservation of the agricultural lifestyle is promoted and maintained through these operations. The potential issues caused by CFOs may be mitigated through long-range planning so those nearby settlements can still enjoy the rural lifestyle of the County.

OBJECTIVES:

- To provide the Natural Resources Conservation Board (NRCB) with requirements that the Council of Vulcan County wish to have considered when applications for confined feeding operations are evaluated for approval and when dealing with existing confined feeding operations.
- To provide guidelines for the municipality when providing comments to the NRCB regarding applications for confined feeding operations.



POLICIES:

- 4.1 New confined feeding operations (CFOs) are not permitted to be established and existing confined feeding operations are not permitted to expand within the exclusion areas as shown on the map in Appendix B (re: Confined Feeding Operation Exclusion Area). However, although new CFOs and expansions to existing CFOs are prohibited in the exclusion areas (as per the map in Appendix B), improvements with respect to the maintenance and/or environmental protection of an existing CFO are permitted.
- 4.2 The following development setbacks are to be applied:
- (a) no part of a building or structure or trees shall be located within 38.1 m (125 ft.) of the centre line of any public roadway which is not designated as a provincial highway under the Highway Development and Protection Regulation;
 - (b) any road designated as a provincial highway under the Highway Development and Protection Regulation is subject to setbacks as required by Alberta Transportation and any applications for development adjacent to a highway should be referred to Alberta Transportation for a roadside development permit;
 - (c) no part of any dugout, regardless of size, shall be located within 76.2 m (250 ft.) of the centre line of a highway or public road;
 - (d) all structures and buildings shall be setback 7.6 m (25 ft.) from all property lines not fronting on or adjacent to a municipal roadway.
- 4.3 The Natural Resources Conservation Board (NRCB) in its approval review should also consider:
- (a) the cumulative effects of a new approval on any area near other existing confined feeding operations;
 - (b) impacts on environmentally sensitive areas shown in the report, "Vulcan County: Environmentally Sensitive Areas in the Oldman River Region";
 - (c) giving notice to adjacent landowners, even in the case of applications for registration or authorization;
 - (d) proof of the availability of water, specifically, confirmation of access and appropriate provision of the sufficient quantity and suitable quality of the required water supply.
- 4.4 Existing confined feeding operations as defined in the Agricultural Operations and Practices Act and Regulations, with or without a development permit from Vulcan County, and existing agricultural operations that raise livestock for all or part of the calendar year but are not considered as confined feeding operations as defined in the above mentioned Act and Regulations, should be allowed to operate and function within commonly accepted agricultural practices where they are currently physically located regardless of change of ownership until such operations wish to expand and come under the jurisdiction of the NRCB.

Economy

It is important that the types of industry and commercial development that locate in the County are appropriate for rural areas. Industrial development in the County must 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 County are fundamental to the regional economy, it is important that the long-term viability of these activities is protected from incompatible land uses. The majority of commercial/industrial uses are located within the County's hamlets and consist mainly of service-oriented businesses.

OBJECTIVES:

- To expand and diversify the local economy.
- To create a positive municipal environment that encourages and supports business.





POLICIES:

- 5.1 Land use decisions shall reduce the negative impact of commercial and industrial development on existing land uses.
- 5.2 The municipality should support positive opportunities to diversify the local economy.
- 5.3 The approval of any industrial or commercial development may require that the developer enter into an agreement with the County regarding the construction of roads, servicing, and any other matter which Council may require to be addressed.
- 5.4 The municipality's economic development strategies shall focus on:
 - (a) enhancing and developing the strengths of the community; and
 - (b) maintaining, enhancing and marketing local amenities to diversify economic opportunities.
- 5.5 The storage and handling of hazardous goods or wastes associated with industrial activities in the County shall comply with established Provincial regulations and standards.
- 5.6 The following factors shall be considered when locating industrial and commercial development in the County:
 - (a) the compatibility of the proposed development with existing uses in the surrounding area;
 - (b) the presence of natural landscape features that may impact or be affected by the proposed development;
 - (c) the impact on agricultural operations in the area; and
 - (d) the impact on local roads and the provincial highway network.

Transportation

Most traffic flowing through Vulcan County travels either by railway or roadway. The Canadian Pacific Railway's main north-south rail line runs through the County and will experience increased traffic with the closing of branch rail lines to the west and east. Several new grain elevators have located in the County as a result and the possibility exists for the establishment of other developments in the future.

The remaining traffic travels on provincial highways which combine to form a paved transportation network that connects Vulcan County with its neighbouring municipal districts and counties, larger urban centres such as Calgary and Lethbridge, and the entire province.

Vulcan County is served by 12 provincial highways. The development of a transportation master plan that focuses on setting policies and strategies for the transportation network can aid in the orderly growth in the County.

OBJECTIVES:

- To maintain a transportation network that meets the needs of County users and provides efficient and effective connections and routes through the County.
- To liaise with Alberta Transportation regarding any transportation routes of mutual interest or jurisdiction.
- To coordinate local, provincial and national transportation objectives.
- To prepare and adopt transportation master plans as prescribed by good planning practice.





POLICIES:

- 6.1 The County shall maintain a road network that provides for the safe and efficient movement of 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 these routes.
- 6.3 Identified transportation corridors should be protected from premature subdivision and development.
- 6.4 The County recognizes the need to coordinate provincial transportation plans and municipal land use plans to ensure proper planning of developments adjacent to highways.
- 6.5 The County shall ensure that service roads and limited access points are provided as the need arises.
- 6.6 The County recognizes the importance of the railway system to the economy of the region and shall regulate land uses adjacent to rail lines.
- 6.7 The County shall provide regulations in the Land Use Bylaw to control development in areas adjacent to recognized airports.

The Environment & Natural Resources

Vulcan County boasts a variety of diverse landscapes that include distinct river valleys, which contrast dramatically with the virtually flat and treeless plains area through which they traverse. While the diverse landscapes provide many recreational opportunities for residents, it is not uncommon for nearby lands to contain oil and gas operations, sand and gravel pits, and other renewable and non-renewable resources.

OBJECTIVES:

- To protect natural and unique features, river valleys and floodplains from inappropriate development.
- To provide for the appropriate development of recreational, historical and cultural resources.
- To provide policies to protect the use and development of non-renewable resource deposits and to encourage and support the proper reclamation of extraction sites.
- 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 County shall endeavour to protect environmentally significant areas (as per the report, “Environmentally Significant Areas in the Oldman River Region” completed for Vulcan County in 1988) and other significant natural areas and resources from inappropriate development.
- 7.2 The County may consult with other agencies to develop management plans which integrate land use, development, and recreational planning activities, as required.
- 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. Within floodplains, developments shall be regulated to protect the natural area and to minimize potential flood damage to the environment.
- 7.4 The County should prepare and adopt updated area structure plan(s) to implement lakeshore management policies and regulate development adjacent to reservoirs and water bodies.
- 7.5 The County recognizes the importance of maintaining the existing reservoirs as a source of high-quality water. The County shall control development adjacent to the reservoir to protect the supply and quality of water. In particular, all applications for confined feeding operations, development or subdivision applications and land use amendment applications will be reviewed to ensure the protection of the quality and quantity of water from these reservoirs.
- 7.6 In conjunction with provincial regulations, the County shall make provisions in the Land Use Bylaw to regulate the extraction of sand, gravel and clay and the quarrying of stone.
- 7.7 The County recognizes the importance and significance of groundwater resources to its residents and ratepayers. Therefore, the County shall endeavour to protect groundwater resources from negative impacts in sustaining the existing quality of the groundwater resource for future generations.





Intermunicipal Cooperation

A municipal development plan must address the coordination of land use issues with neighbouring municipalities. Recognizing that it is important for municipalities to work together to promote efficiency and effectiveness in development, dialogue must occur for this process to be successful. Vulcan County shares its boundaries with six rural and six urban municipalities as well as the Siksika Indian Reserve. As each municipality is unique, a variety of intermunicipal issues regarding the subdivision and development of land can arise with many being relatively site specific.

Given the absence of intermunicipal development plans between the County and the Town of Vulcan and the Villages of Arrowwood, Carmangay, Champion, Lomond and Milo, the following policies are presented in this section to address this element.

OBJECTIVES:

- To coordinate and sustain a plan for cooperation between Vulcan County and the municipalities within and adjacent to the County's boundaries. This may be accomplished through direct communication and sharing of information, including the preparation of intermunicipal development plans.
- To engage in joint planning with both neighbouring rural and urban municipalities to establish a planning framework of land use patterns that are mutually beneficial. Joint planning initiatives will make land use decisions, future growth patterns, transportation systems and municipal infrastructures more responsive to the needs of each municipality.

POLICIES:

- 8.1 All proposed statutory plans, land use bylaws and/or amendments that may have an impact on a neighbouring municipality shall be forwarded to them for their input.
- 8.2 The County encourages the preparation of intermunicipal development plans with the Town of Vulcan and the Villages of Arrowwood, Carmangay, Champion, Lomond and Milo and adjacent rural municipalities. In accordance with the Municipal Government Act, these plans will coordinate land uses, future growth patterns, transportation systems and municipal infrastructure.
- 8.3 The County, in consultation with neighbour municipalities, shall establish urban fringe areas. Within these urban fringe areas, all planning and development applications will be referred to the adjacent municipality to ensure that the use proposed is mutually beneficial and agreeable.

Specific MGA Requirements

Sour Gas Facilities

The Municipal Government Act requires that municipal development plans contain policies compatible with the Subdivision and Development Regulations 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 Utilities Commission (AUC) and/or the Energy Resources Conservation Board (ERCB) and is exempted from the provincial legislation pursuant to section 618 of the Act.

OBJECTIVES:

- To meet the legislative requirements of the Municipal Government Act, the Provincial Land Use Policies, Regional Plan and the Subdivision and Development Regulation.
- To identify any sour gas facilities within the boundaries of Vulcan County.
- To minimize adverse land use conflicts for a proposed subdivision or development in close proximity to a sour gas facility.

POLICIES:

- 9.1 The municipality shall ensure that all subdivision and development applications that are located within 1.5 kilometres of a sour gas facility are referred to the Energy Resources Conservation Board (ERCB).
- 9.2 Pursuant to section 619 of the Municipal Government Act, a license, permit, approval, or other authorization granted by the Energy Resources Conservation Board (ERCB) or the former Alberta Energy and Utilities Board (AEUB) shall prevail over any bylaw or land use decision rendered by the municipality.
- 9.3 Residential subdivision and development shall not be approved if it would result in development within 100 metres of a gas or oil well; all development within a lesser distance must be approved in writing by the Energy Resources Conservation Board (ERCB), pursuant to section 10(1) of the Alberta Subdivision and Development Regulation.
- 9.4 Setback guidelines for sour gas facilities shall be in accordance with the standards established in Figure 1 – Minimum Setback Distances (Appendix C) provided by the Energy Resources Conservation Board (ERCB) or any subsequent standards should these guidelines be revised.

Municipal, School, Environmental and Community Reserve

The Municipal Government Act requires that, under certain circumstances, the Subdivision and Development Authority address municipal, environmental and/or school reserves at the time a subdivision decision is rendered. The Act also requires that these reserves be allocated in conjunction with affected school authorities.

OBJECTIVES:

- To establish guidelines for the allocation of municipal, school and environmental reserves.
- To ensure that any applicable municipal and/or school reserves are addressed or acquired at the time of subdivision.

POLICIES:

- 10.1 Municipal reserve will be taken by the municipality at the time of subdivision in accordance with section 663 of the Municipal Government Act.
- 10.2 When the reserve requirement is to be provided as money in place of land, the rate of payment shall be established by Council for the purpose of section 667(1)(b) of the Municipal Government Act.
- 10.3 Vulcan County will receive and hold all municipal reserve funds paid and should Palliser Regional School District or Horizon School District require land for a school site in the future or funding for playground equipment, an agreement for municipal assistance will be discussed at that time.
- 10.4 At the discretion of the Subdivision and Development Authority, environmental reserve may be provided at the time of subdivision, in accordance with section 664(3) of the Municipal Government Act, but environmental easements may also be considered.
- 10.5 Where the municipality is of the opinion that certain lands may be resubdivided in the future, the Subdivision and Development Authority may require that municipal and/or school reserves be deferred by caveat pursuant to section 669 of the Municipal Government Act.

Implementation and Procedural Issues

The Municipal Development Plan is a statutory plan identified in the hierarchy of planning in the Municipal Government Act. It has been prepared for Vulcan County in accordance with the provisions of the Act, the Provincial Land Use Policies and the Subdivision and Development Regulation. The Act requires all local plans and bylaws to be consistent with the provincial legislation and adopted by bylaw.

The Act also establishes a public participation component, as part of the process and opportunities for input from the general public and from neighbour municipalities are intricate to the process. With the final revisions made, the Municipal Development Plan will ultimately become the long-range philosophical document for Vulcan County to which the Land Use Bylaw will provide guidance and implement the day-to-day decisions on subdivision and development matters and land use decisions.

OBJECTIVES:

- To adopt a plan which provides guidance for future land use decisions in Vulcan County.
- To meet the legislative requirements established in the Municipal Government Act.
- To establish a mechanism whereby the Municipal Development Plan may be revisited, refined and amended to accommodate changes in the municipality.
- To ensure that municipal decision makers have sufficient information to make informed decisions about land use and a process in which to obtain and review that information.
- To promote consistency of decision making by ensuring decisions are made within a framework of policies.

POLICIES:

- 11.1 The Municipal Development Plan shall be adopted and subsequently amended, if required, pursuant to sections 230, 606, and 692 of the Municipal Government Act.
- 11.2 Prior to adoption of this document, the plan shall be sent for review and comment to:
 - adjacent rural and urban municipalities,
 - school authorities, and
 - government department and agencies.
- 11.3 In order to achieve consistency, the land use bylaw shall be amended so that its policies comply with this plan.
- 1.4 Before any amendments or changes are made to this plan, it shall be ensured that public opinion is included in the decision-making process through information meetings and public hearings.
- 11.5 This plan shall be reviewed, amended or replaced by a new bylaw on a regular basis in order to achieve consistency and reflect the wishes of the municipality and its ratepayers.

APPENDIX A
EXCERPTS FROM THE MUNICIPAL GOVERNMENT ACT

EXCERPTS FROM THE MUNICIPAL GOVERNMENT ACT

Municipal Development Plans

Municipal development plan

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.
- (f) must contain policies respecting the protection of agricultural operations.

RSA 2000 cM-26 s632; RSA 2000 c21 (supp) s4

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.

(2) Notwithstanding subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.

(3) Notwithstanding subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,

- (a) councils may hold a joint public hearing to which section 184 does not apply, and
- (b) municipalities may act jointly to satisfy the advertising requirements of section 606.

(4) In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

- (a) include in the notice described in section 606(2)
 - (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land,
- (b) give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
- (c) give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.

(5) If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

(6) Notwithstanding subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance.

(7) In this section,

- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream, and
 - (ii) any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;
- (b) “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.

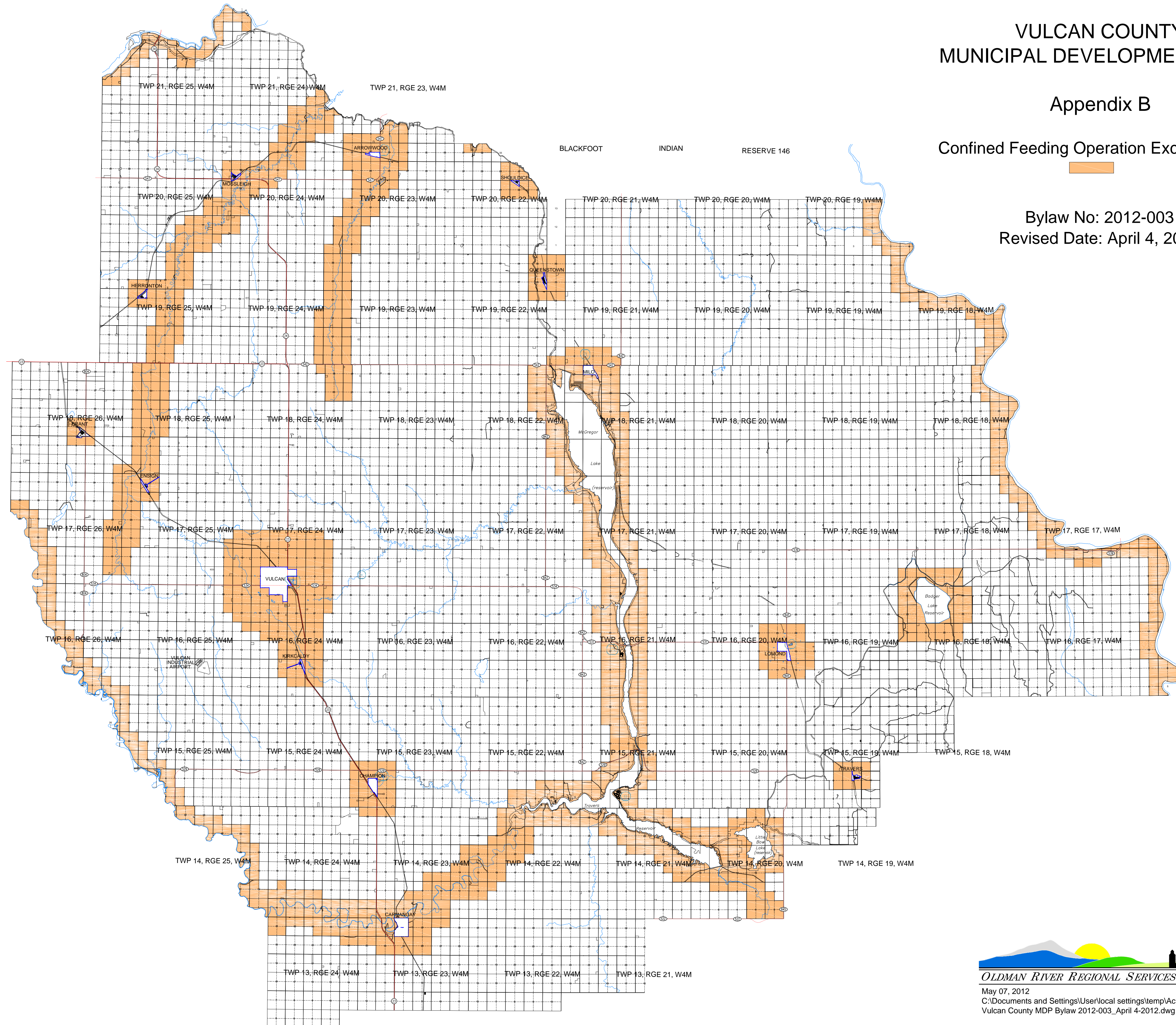
APPENDIX B
CFO Exclusion Area Map

VULCAN COUNTY MUNICIPAL DEVELOPMENT PLAN

Appendix B

Confined Feeding Operation Exclusion Area

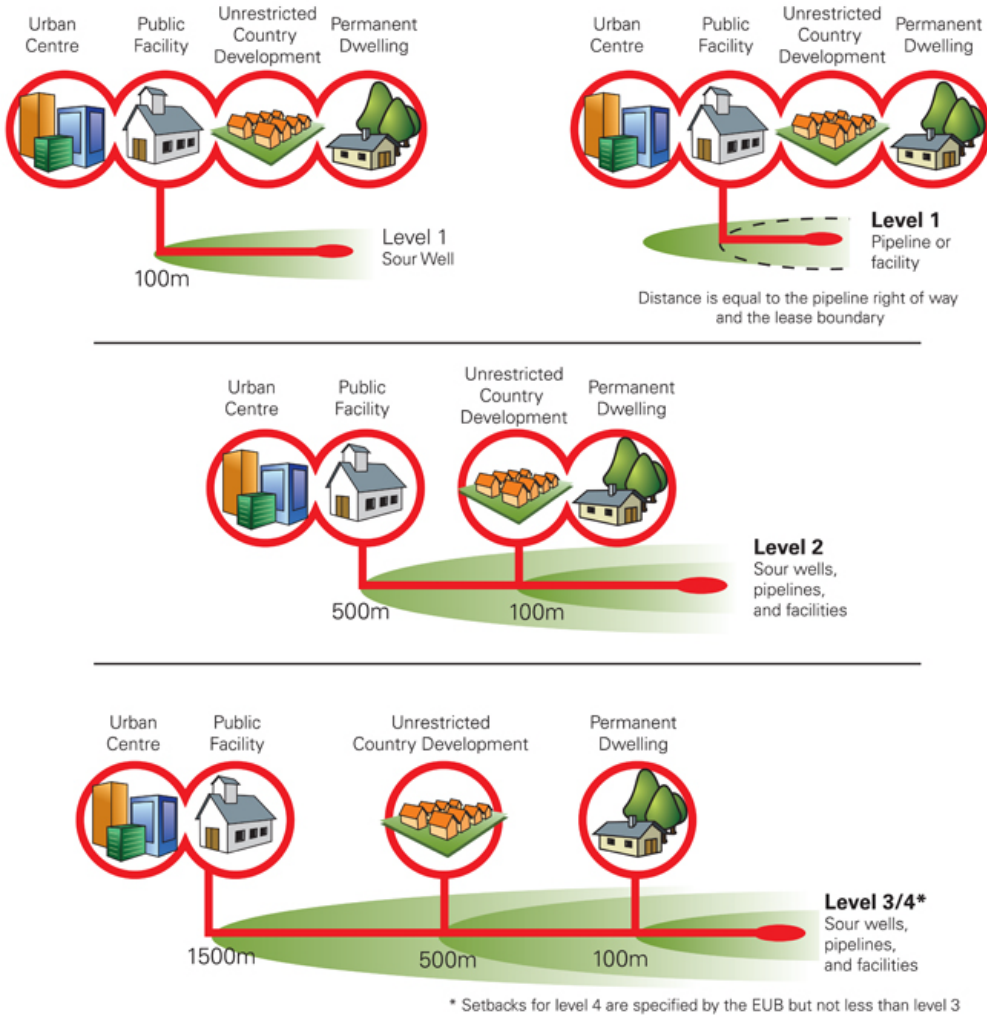
Bylaw No: 2012-003
Revised Date: April 4, 2012



APPENDIX C
MINIMUM SETBACK DISTANCES FOR SOUR GAS FACILITIES

MINIMUM SETBACK DISTANCES FOR SOUR GAS FACILITIES

Figure 1 – Minimum Setback Distances



*Source: ERCB Home: Public Zone: ERCB Process: EnerFAQs 5: Explaining ERCB Setbacks

