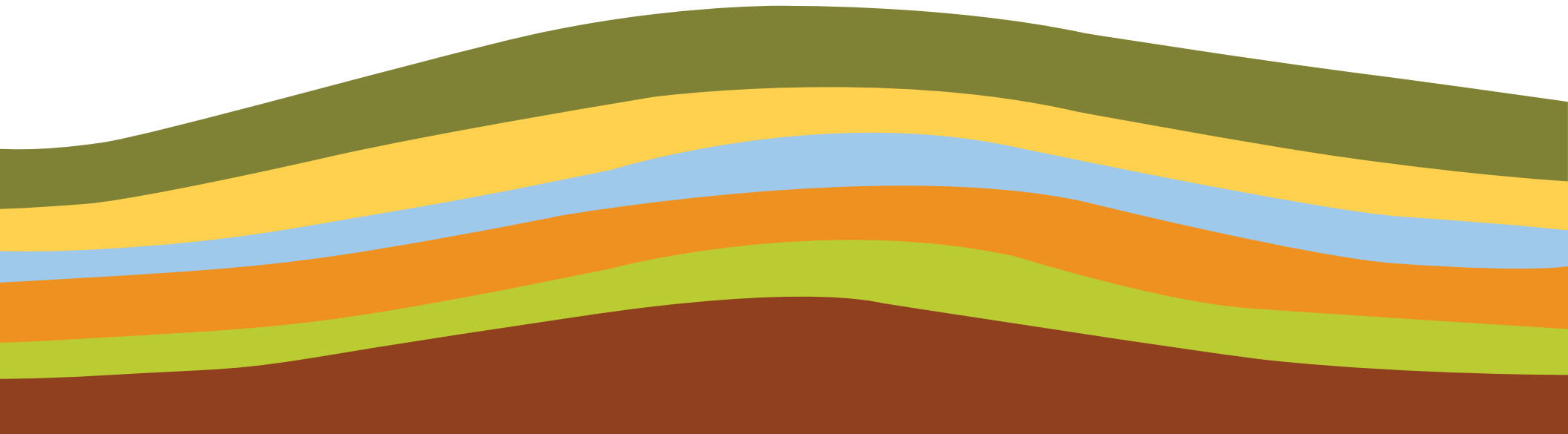


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# Part III

General Development Policies

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through infiltration shall not be permitted.

**Flood Prone Areas**

- 9.10.17 Any development of permanent enclosed structures shall be prohibited within provincially - defined floodways and flood fringes.
- 9.10.18 Lac Ste. Anne County has identified locally relevant flood hazard zones that may have higher flood risk, (Map 12). Any development of permanent enclosed structures within potential flood prone areas identified in Map 12 shall generally be prohibited. Map 12 shall be referred to the land owners and the Development Authority for information purposes only.
- 9.10.19 Lac Ste. Anne County may require a site-specific study to identify 1:100 years flood plain level for new developments within or adjacent to the potential flood prone areas identified in Potential Flood Hazard Areas (Map

12).

- 9.10.20 For areas outside mapped flood hazard zones, a site-specific assessment shall be conducted by the developer to determine areas of flood risk using a 1:100 design flood level. Development within these areas shall only be permitted if sufficient flood mitigation measures are demonstrated.

**Wildlife Corridors**

- 9.10.21 Approval of developments within the River Corridors and Tributary Overlay shall be contingent upon maintaining connectivity to other natural areas, without significant human developments to act as barriers to wildlife movement.
- 9.10.22 New development shall be encouraged to protect existing wildlife corridors within the County by:



- a. Dedicating such corridors as conservation easements in accordance with the recommendations established in the site specific biophysical studies undertaken at the Area Structure Plan stage; and
- b. Where possible existing vegetation shall be preserved in its natural state as much as possible in accordance with the approved Area Structure Plan.

9.10.23 Where connectivity may be lost due to development, efforts should be made when planning parks and natural areas to maintain or improve connectivity of natural or naturalized vegetation and other wildlife habitat on the landscape.

9.10.24 Any development application involving large-scale surface and or sub-surface disturbances that may affect the quality and quantity of groundwater or overall health of the aquatic ecosystems (upstream or downstream) may be required to undertake an Environmental Impact Assessment at the discretion of the Development Authority to address water related environmental impacts and potential measures to address them. In addition, the applicants should be encouraged to participate in potential County initiated programs to monitor quality of water resources in the County.

### **Priority Conservation Wetlands**

9.10.25 The County should encourage land owners located adjacent to the wetlands identified in Map 13 to engage in an environmentally sound land use and development practices in order to minimize any loss of these environmentally critical wetland ecosystems.

9.10.26 Wetlands identified in the Map 13, Priority Conservation Wetlands, shall be preserved in their natural state.

- a. All bogs in the County;
- b. All fens greater than 20.0 hectares (49.42 acres);
- c. All wetlands identified as the Very High Groundwater Risk areas in accordance with the Hydrogeological Study prepared by the County; and

- d. All wetlands identified within the inventories of ESAs and Aquatic ESAs identified by the Province with Lac Ste. Anne County shall be preserved in their natural state

### **Priority Vegetation Conservation Areas**

9.10.27 The large intact blocks of natural vegetation identified in Priority Vegetation Conservation Areas (Map 14) should be preserved to the greatest extent possible through conservation easements or other mechanisms to the satisfaction of the Development Authority.

9.10.28 The County shall encourage developers and land owners to preserve and enhance the connectivity between Priority Vegetation Conservation Areas (Map 14) by minimizing disturbances to the riparian habitats along and around major lakes, rivers, and streams.



## 9.11 Reserves

### Environmental Reserve

- 9.11.1 Subject to Section 663 of the MGA, the Subdivision Authority of Lac Ste. Anne County may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as ER if it consists of:
- A swamp, gully, ravine, coulee, or natural drainage course;
  - Land that is subject to flooding or is, in the opinion of the subdivision authority, unstable;
  - A strip of land abutting the bed and shore of any lake, river, stream or other body of water for the purpose of preventing pollution to be determined on a site-specific basis according to the procedures outlined in the Lac Ste. Anne County's RSMM (Map 15);
  - Providing public access to and beside the bed and shore; or
  - Any wetlands to which the Provincial Wetland Policy applies.
- 9.11.2 ER shall be allocated prior to the determination of other forms of reserve. Land identified for ER is to be left in its natural state or used as Public Park.

### Environmental Reserve Easement

- 9.11.3 The County may consider an ERE as an alternative to the creation of an ER lot.
- 9.11.4 The ERE:
- Must identify which part of the parcel of land the easement applies to;
  - Must require that land that is subject to the easement remain in a natural state as if it were owned by the municipality, whether or not the municipality has an interest in land that would be benefitted by the easement;
  - Runs with the land on any disposition of the land;
  - Constitutes an interest in land in the municipality; and

- May be enforced by the municipality.

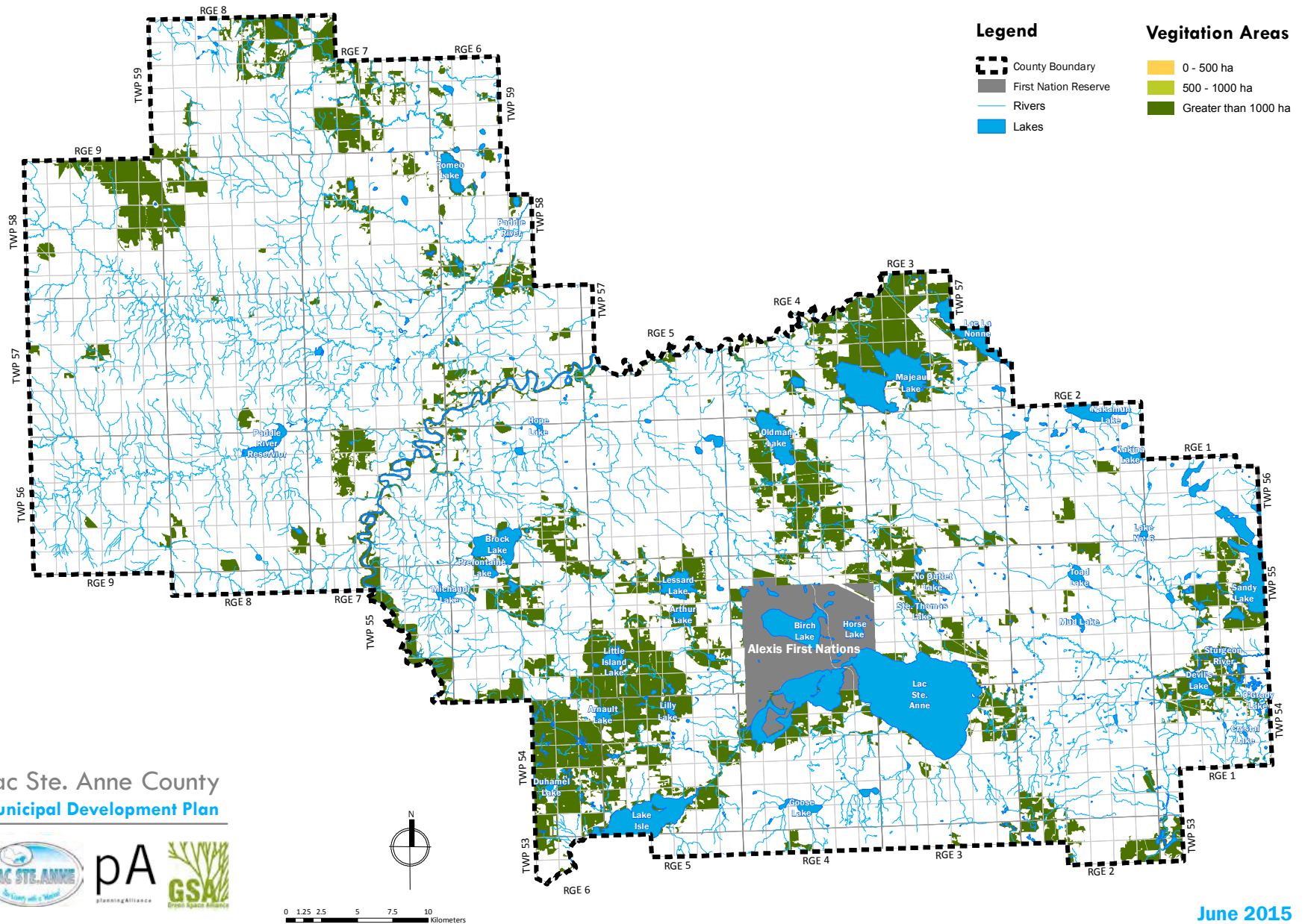
9.11.5 An ERE shall not lapse by reason only of:

- Non enforcement of it;
- The use of the land that is the subject of the easement for a purpose that is inconsistent with the purposes of the easement; or
- A change in the use of the land that surrounds or is adjacent to the land that is the subject of the easement.

### Conservation Easement

- 9.11.6 At the discretion of County's Subdivision Authority, the use of a conservation easement may be considered as an alternative to traditional ER during the subdivision process. Conservation easements are provided for under the *Alberta Land Stewardship Act, 2009*.
- 9.11.7 A conservation easement is a voluntary agreement that landowners may enter into to protect the natural values of all or a part of their land. Conservation easements may be granted for the following purposes:
- the protection, conservation, and enhancement of the environment including without limitation, the protection, conservation, and enhancement of biological diversity;
  - the protection, conservation, and enhancement of natural scenic or aesthetic values; and
  - providing for any or all of the following uses of the land that are consistent with purposes set out in clause (a) or (b);
    - Recreational use;
    - Open space use;
    - Environmental education use; or
    - Use for research and scientific studies of natural ecosystems.
- 9.11.8 A conservation easement may be required by the Subdivision Approving Authority where the said easement will address an issue of concern that

# Priority Vegetation Conservation Areas



Lac Ste. Anne County  
Municipal Development Plan



0 1.25 2.5 5 7.5 10 kilometers

June 2015

otherwise would be regarded as sufficient grounds to refuse a discretionary subdivision application.

- 9.11.9 Lac Ste. Anne County's Subdivision Approving Authority may require a conservation easement as a means of protecting sensitive ecosystems where it determines necessary, including but not limited to agricultural subdivisions and first parcel subdivisions.

### **Municipal and School Reserves**

- 9.11.10 The owner of a parcel of land that is subject of the proposed subdivision shall be required to provide Lac Ste. Anne County and one or more school boards, land for MR, SR, MSR, money in place of any or all of those reserves or a combination of reserves and money, as required by the Subdivision Authority.
- 9.11.11 Where reserve land allocations are identified in a statutory plan, sufficient reserves in the form of land on the subject property shall be taken prior to any reserves in the form of money-in-lieu.
- 9.11.12 School Reserves (SR) may only be taken either pursuant to a formal agreement between the County and a school authority, or in the absence of such an agreement, upon written request of a school authority after consideration of the need for land for schools by the Subdivision Approving Authority.
- 9.11.13 The aggregate amount of land that may be required for MR, SR or MSR must not exceed 10% of the area, value, or a combination of the area and value of the land remaining in the proposed subdivision after deducting the land, if any, provided for ER.
- 9.11.14 Pursuant to Section 663 of the MGA, the Subdivision Authority of Lac Ste. Anne County may not require the owner of a parcel of land that is the subject of a proposed subdivision to provide reserve land or money in place of reserve land if:
- a. One lot is to be created from a quarter-section of land;
  - b. Land is to be subdivided into lots of 16.0 hectares (39.54 acres) or more and is to be used only for agricultural purposes;

- c. The land to be subdivided is 0.8 hectares (1.98 acres) or less; or
- d. Reserve land, ERE or money in place of it was provided in respect of the land that is the subject of the proposed subdivision under this Part or the former Act.

- 9.11.15 MR, SR, or MSR may be used by a municipality or school board or by them jointly only for any or all of the following purposes:

- a. A public park;
- b. A public recreation area;
- c. School board purposes; or
- d. To separate areas of land used for different purposes.

- 9.11.16 The Subdivision Authority of Lac Ste. Anne County may direct that the requirement to provide all or part of MR, SR, or MSR be deferred against:

- a. The remainder of the parcel that is the subject of the proposed subdivision approval;
- b. Other land of the person applying for subdivision approval that is within the same municipality as that parcel of land; or
- c. Both of the above.

- 9.11.17 If a deferment is directed, the Subdivision Authority of Lac Ste. Anne County must file a caveat in a land titles office against the title of the land to which the direction relates.

### **Land for Roads and Utilities**

- 9.11.18 Subject to Section 662 of the MGA, the Subdivision Authority of Lac Ste. Anne County may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land for the purpose of roads, public utilities or both.
- 9.11.19 The land to be provided for roads, public utilities or both may not exceed 30% of the area of the parcel of land less the land taken as ER or as an ERE.
- 9.11.20 In a Public Utility Land (PUL) intended for telecommunication



infrastructure, the County will aim to ensure parcels are no greater than 2.02 hectares (5.0 acres).

- 9.11.21 If the owner has provided sufficient land for the purposes of roads, public utilities or both, but the land is less than 30%, the Subdivision Authority of Lac Ste. Anne County may not require the owner to provide any more land for those purposes.
- 9.11.22 Any lands required for public utilities shall be dedicated as PUL.

### **Development Setbacks around Water Bodies**

- 9.11.23 Development setbacks from water bodies (including rivers, lakes, streams, and permanent wetlands) shall be required for any structure on properties containing or adjacent to a water body in general accordance with the RSMM (Map 15).
- 9.11.24 Map 15 should be used for information purposes only by developers, land owners and the Development Authority. The setback distance shall be determined on a site-specific basis according to the procedures outlined by the RSMM (Map 15). Areas identified and delineated through the application of the RSMM (Map 15) are established to protect aquatic environments from nutrient and sediment pollution or are otherwise determined to be undevelopable, so no development will be permitted in these areas.
  - a. For new subdivisions adjacent to permanent water bodies, the RSMM (Map 15) shall be used to define the property line of the new subdivision. The area between the newly established property line and the high water mark of the permanent water body shall be preserved in its natural state and dedicated as ER, ERE or conservation easement; and
  - b. For new buildings in existing subdivisions, the setback distance established through the RSMM (Map 15) shall be used to establish the setback distance of the new building from the high water mark of the permanent water body.

- 9.11.25 The RSMM development setbacks shall not apply to agricultural uses, excluding CFOs.
- 9.11.26 At the discretion of the Development Authority, the RSMM development setbacks may be reduced if sufficient technical information is provided, to the satisfaction of the Development Authority, to show that no building pocket exists for a property.

### **Land Use Designations for Reserves and Easements**

- 9.11.27 The land to be dedicated as ER or MR shall be redistricted as a Public Recreation (PR) district as defined in the LUB.
- 9.11.28 The land to be designated as ERE or conservation easement shall retain its original zoning and shall not require redistricting.