



**Municipal**

**Development Plan**

**2012**

**Red Deer County**



**Bylaw No. 2012/26  
Adopted December 4, 2012**

**Planning and Development Services  
38106 Range Rd 275  
Red Deer County, AB T4S 2L9**



### 3.1.4 Agricultural Soil Conservation

The County shall use the tools available to it to conserve healthy, productive agricultural soils for future generations. These tools shall include:

- a. The **Soil Conservation Act**;
- b. Education and awareness programs that inform landowners of beneficial management practices that protect and enhance soil health and productivity;
- c. Supporting landowners in using Agricultural Conservation Easements to conserve agricultural lands in perpetuity;
- d. Actively supporting sustainable agriculture practices that increase the health of the soil; and
- e. Considering policies to remove and stockpile or transport topsoil for future use from land development preparation.

## 3.2 Rural Subdivision

### 3.2.1 First Parcel Subdivision

The subdivision of one parcel out of a previously *Unsubdivided Quarter Section* may only be allowed if the subdivision is required to accommodate:

- a. An established **Farmstead**; or
- b. An established or approved intensive agricultural use or value-added agricultural industry; or
- c. A **Severance**; or
- d. A bare first parcel out subject to Policy 3.2.2 (Bare First Parcel Subdivision).





## 5.2 Environmental Reserve

### 5.2.1 Dedication of Environmental Reserve

Lands within an **Important Water-Related Feature**, or are subject to potential erosion, high water tables, or other matters consistent with Section 664(1) of the **Act**, shall be dedicated as **Environmental Reserve(ER)** at the time of subdivision. In accordance with the **Act**, ER may be dedicated in parcel form or in the form of an easement.

### 5.2.2 Establishment of Setbacks

A **Environmental Reserve** setback or ER easement shall be provided from the top of the bank of a river or stream and/or the high water mark of a wetland or lake in accordance with the Land Use Bylaw, or the specific setback requirement shall be determined by a qualified professional including geotechnical and hydrogeological studies to establish a site specific setback requirement.

### 5.2.3 Confirmation of Environmental Reserve Requirements

- a. Where the need for **Environmental Reserve** requires confirmation, or situations arise where the amount of **Environmental Reserve** proposed to be dedicated exceeds the allocations identified in the **Act**, the County may require that a geotechnical report, biophysical assessment, and/or hydrogeological study be prepared to support the proposed dedication.
- b. For subdivisions adjacent to a water course, the top of bank shall, at the discretion of the County, be required to be surveyed by a registered Alberta Land Surveyor as part of the application process. This documentation shall serve as the basis for determining **Environmental Reserve** requirements.

### 5.2.4 Environmental Reserve in Proximity to Water Bodies

For subdivisions adjacent to water bodies, **Environmental Reserve** shall include sufficient shore lands so as to provide adequate protection for waterfowl, fish, and wildlife habitat, and public shoreline access. In these areas, the **Environmental Reserve** allocation may be supplemented by **Municipal Reserve** in accordance with Policy 7.2.6 (Municipal Reserve Adjacent to Lakeshores and River or Stream Banks) where the additional lands are required to accommodate parks or playground areas, trail corridors or walkways, or parking areas.

### 5.2.5 Environmental Reserve in ESAs

For all subdivision applications located in ESAs, with the exception of first parcel out of an **Unsubdivided Quarter Section**, the County shall acquire **Environmental Reserve** in accordance with Policy 5.2.1 (Dedication of Environmental Reserve) or encourage the establishment of **Conservation**

**Municipal and/or School Reserve** - Land required in accordance with the **Act** at the time of subdivision for park and/or school purposes. When subdividing an area larger than two acres, a maximum of 10% reserve dedication may be required. The County may accept cash-in-lieu of Municipal Reserve land.

**Conservation Easement** - A voluntary legal agreement defined in the Environmental Protection and Enhancement Act between a landowner and government or conservation agency. The easement agreement is intended to protect the natural values of the land by giving up all or some of the rights to develop the land.

**Easements** pursuant to Policy 5.2.7 (Conservation Easements) as a mitigative and/or conservation tool.

### 5.2.6 Environmental Reserve Easement Criteria

The County shall actively manage its **Environmental Reserve** lands and shall actively monitor the management of **Environmental Reserve** Easements by the landowner in ESAs, so that the ecological values of the ESA are conserved and public safety is maintained.

### 5.2.7 Conservation Easements

- a. The County will actively support the use of voluntary **Conservation Easements** (CEs), to protect ESAs, by actively promoting the use of voluntary CEs in the County subdivision process, and by actively promoting voluntary CEs generally. (*Active support* by the County implies that the County will promote the use of CEs by working with agencies that promote private conservancy to provide education on their advantages during normal County application procedures.)
- b. The County and other CE grantee agencies shall offer, on a case by case basis, the option for a CE for lands that may or may not be eligible for **Environmental Reserve** but that contains high-quality, natural or environmentally significant features.
- c. The County shall encourage **Conservation Easements** but they will not be used as a mandatory condition of subdivision approval.
- d. The County will work jointly with other organizations to determine programs that may provide funds to landowners for the restoration and preservation of ESA lands.
- e. The County shall explore the concept of allowing or accommodating conservation lands in parcel form.

## 5.3 Private Conservancy

### 5.3.1 ESA Conservation Programs as a First Priority

Existing and future voluntary land and water conservation programs delivered under the guidance of the County's Agricultural Services Board shall be focused towards ESAs and ESA landowners as a first priority. Non-ESA lands, and non-ESA landowners will continue to be encouraged to participate in these programs, but participation will have a secondary priority in the event of limited resources.

### 5.3.2 Landowner Recognition in ESAs

ESA landowners shall be publicly recognized by the County (through non-financial means) for their ESA conservation efforts, past and present. The County shall undertake a program to recognize landowner conservation efforts that includes regular features in local media such as

the County News, meetings with conservation-minded individuals/ groups and continued assistance to apply for conservation programs and awards.

### **5.3.3 Educational Awareness of ESAs**

The County shall encourage the local school system to highlight the importance of County ESAs and how these ESAs fit into the bigger picture in Alberta and beyond. This can take the form of site visits and/or guest speakers who are landowners doing best management practices or who are environmental professionals. This outreach may include extra-curricular organizations.

### **5.3.4 Land Trust Potential**

The County shall explore the potential to support the establishment of a local 'Land Trust.' A Land Trust is a private, non-profit organization that, as all or part of its mission, actively works to conserve land by undertaking or assisting in land or **Conservation Easement** acquisition, or by its stewardship of such land or easements.

### **5.3.5 County Operations in ESAs**

Red Deer County will continue using environmental best practices as part of its normal operational activities (including maintenance of municipal lands) in and around ESAs.

