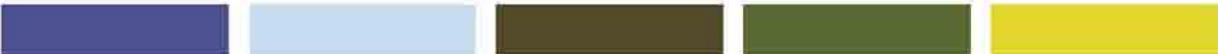


plan WESTLOCK COUNTY



WESTLOCK COUNTY
MUNICIPAL DEVELOPMENT PLAN

BYLAW NO. _____

Version 4 – January 27, 2016

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3.3 Reserves and Conservation Easements

In certain instances – as outlined in the Municipal Government Act – the subdivision process can involve the dedication of Reserve lands to the County. Currently the Municipal Government Act identifies three (3) types of reserves which may be taken during subdivision by a municipality. They are: Municipal Reserves, Environmental Reserves and Environmental Reserve Easements. Conservation Easements cannot be taken by a municipality at time of subdivision but can be utilized by a private land owner or a Municipality to protect significant environmental areas.

Municipal Reserves can be used by a municipality as public parks, public recreation areas, for school authority purposes or as buffers between parcels of land which are used for different purposes. Depending on the circumstances, money may be taken by the County in lieu of Municipal Reserve dedication.

Environmental reserves, environmental reserve easements and conservation easements are three tools municipalities can use to ensure that:

- a) development does not occur on hazard lands;
- b) significant environmental areas are protected; and
- c) the public can access Significant Cultural Landscapes.

Environmentally sensitive ecological features require special attention when being considered for development. Such areas include lands subject to a flooding hazard, ravines, steep slopes, and areas subject to erosion. Council intends to have regard for these sensitive areas when making development decisions.

Objective 3.3.1	To conserve and protect significant cultural landscapes and environmentally sensitive ecological features for future generations
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Policy 3.3.1.1	The County shall take the full amount (10%) of Municipal Reserves owing as a result of subdivision, in accordance with Provincial legislation.
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Policy 3.3.1.2	Where it is deemed that Municipal Reserve land is not required within a proposed subdivision for the residents of the area, the County will accept money-in-lieu.
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Policy 3.3.1.3	Municipal Reserve parcels in the County shall be: <ul style="list-style-type: none">(a) concentrated in a few large parcels on suitable sites rather than scattered through subdivisions; and(b) evaluated and inventoried with the aim of making more efficient use of the Reserves through consolidation and/or sales.
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Policy 3.3.1.4	Prior to disposing of any Municipal Reserve, Council shall review the
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applicability and effect of such disposition on surrounding land uses and the area's recreational potential.

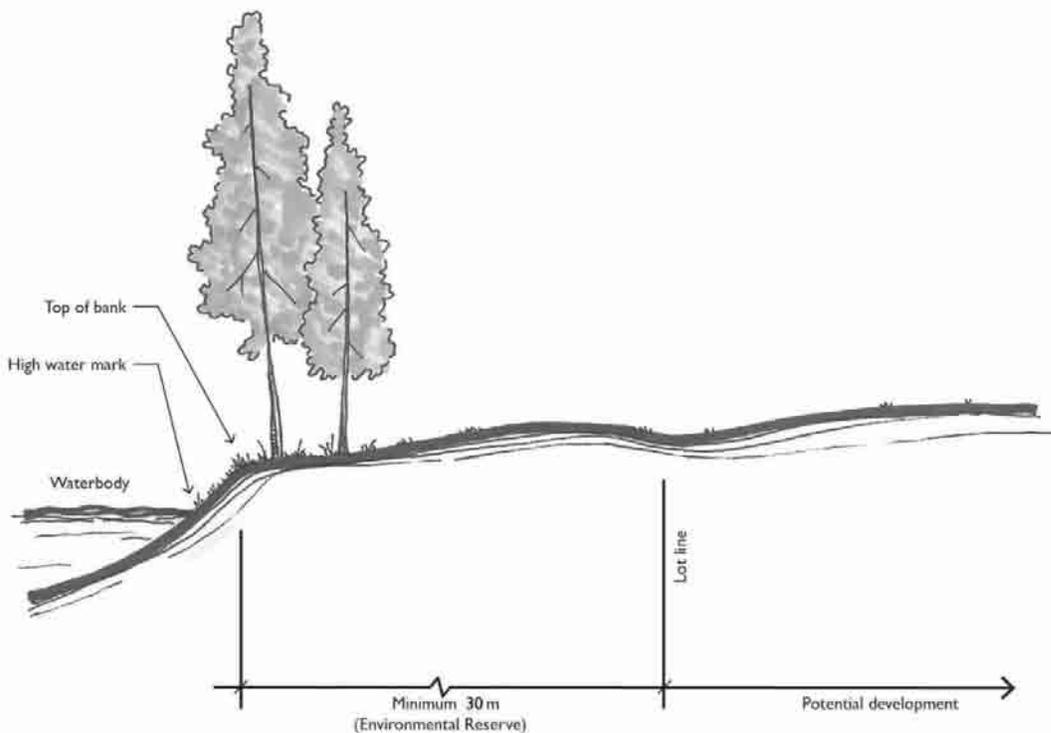
Policy 3.3.1.5

The County may require subdivision and development applications adjacent to water bodies and watercourses to prepare an engineering and/or geotechnical study to determine an adequate setback based on soil conditions and slope stability.

Policy 3.3.1.7

An environmental reserve of not less than 30 m (98 ft.) in width from the high water mark of a river and/or the top of bank of a lake shall be required as a condition of subdivision approval. As a condition of development approval where there is no subdivision, a comparable setback of 30 m (98 ft.) shall be required from the high water mark of river and/or the top of bank of a to the wall of the nearest building. **Figure 10** illustrates the recommended water buffer adjacent to a river.

Figure 11: Recommended Environmental Reserve Setback



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- Policy 3.3.1.8** Additional Reserve and/or setback may be required by the County if there are concerns with flood susceptibility or bank stability on the site.
- Policy 3.3.1.9** The amount of environmental reserve required adjacent to other bodies of water and water courses will be based on the recommendations of any engineering and/or geotechnical study requested by the County or using the guidelines for ER width developed by Alberta Environment and Sustainable Resource Development located in **APPENDIX B**.
- Policy 3.3.1.10** Where Environmental Reserve Lands are not necessary to provide public access to the feature, the County shall, at the time of subdivision, consider the option of an Environmental Reserve Easement as provided for in the Municipal Government Act.
- Policy 3.3.1.11** Municipal Reserves may be required as an open space buffer of sufficient size and composition to act as a noise and visual barrier where required between disparate land uses. No more than 10% of the land may be taken as a Municipal Reserve.
- Policy 3.3.1.12** The County may consider proposals to designate future Conservation Areas.
- Policy 3.3.1.13** At the discretion of the subdivision approving authority, the use of Conservation Easements may be considered as an alternative to traditional environmental reserve during the subdivision process. The use and control of these features and areas shall be clearly stated in the easement agreement. Conservation easements are provided for under the Alberta Land Stewardship Act and the Land Stewardship Act.
- Policy 3.3.1.14** A Conservation Easement may be considered to preserve significant natural features and areas that do not qualify as Environmental Reserve under the Municipal Government Act. The use and control of these features and areas shall be clearly stated in the easement agreement.

3.4 Emergency Preparedness

The County requires that emergency preparedness be a consideration in the approval of new developments throughout the County. Requiring emergency preparedness measures to be a consideration in the design and approval of new developments will best ensure the safety of all County residents.

The following objective and policies have been adopted by the County relating to emergency preparedness: