

**BYLAW 16-022  
OF  
LAC LA BICHE COUNTY**

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A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 13-020, BEING THE MUNICIPAL DEVELOPMENT PLAN BYLAW OF LAC LA BICHE COUNTY.

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**WHEREAS** Council has adopted Bylaw 13-020 to be used as the Lac La Biche County Municipal Development Plan Bylaw; and

**WHEREAS** it is deemed expedient to amend Bylaw 13-020 as set out in Section 692 of the Municipal Government Act, R.S.A. 2000, Chapter M 26, as amended;

**NOW THEREFORE** under the authority and subject to the provisions of the Municipal Government Act, and by virtue of all other powers enabling it, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. That the Municipal Development Plan Bylaw 13-020 Policies 3.1.2 to 3.1.4 be amended and expanded from the attached Schedule 'A' to the attached Schedule 'B', and any following policies be renumbered as required.
2. That the Municipal Development Plan Bylaw 13-020 be amended to add one (1) acronym to the Plan, as follows:
  - a. **"OP"** means Outline Plan
3. That the Municipal Development Plan Bylaw 13-020 be amended by deleting two (2) definitions from Appendix 1: Definitions as follows:
  - a. **"Area Structure Plan (ASP) (Major)"** means a long-range land use and servicing plan adopted by bylaw and prepared in accordance with the Act for a large land base, typically with a longer than five-year anticipated build out and covering more than two quarter sections of land. It provides a high-level framework for future land use patterns and infrastructure provision.
  - b. **"Area Structure Plan (ASP) (Minor)"** means a land use and servicing plan adopted by bylaw and prepared in accordance with the Act for a small land base, typically covering two quarter sections of land or less. It provides a site-specific, detailed framework for rezoning, subdivision and development, and addresses the staging of development, land use, density and infrastructure matters. A Local ASP shall be prepared at the expense of the owner/developer, and may be located within the boundaries of a Major ASP.

4. That the Municipal Development Plan Bylaw 13-020 be amended by adding nine (9) definitions to the Plan, as follows:
- a. **“Affected”** means the extent to which an object or portion of land is influenced by an external factor.
  - b. **“Approving Authority”** means a governing body (federal, provincial or municipal level) that is authorized through legislation to make decisions concerning land use.
  - c. **“Area Structure Plan (ASP)”** means a statutory plan, passed by Bylaw, which specifies the pattern of land use and servicing requirements for an area.
  - d. **“Fragmented Parcel”** means a parcel that is separated from the balance of a quarter section by a natural barrier such as a permanent watercourse or water body, or by a physical barrier such as a roadway, highway, or railway.
  - e. **“Hamlet Boundaries”** means the geographic area that contains a hamlet, as maintained by Lac La Biche County.
  - f. **“Intensity of Use”** measures the extent to which a portion of land is being developed, and reflects the effects (for example: increase in traffic or more potable water required) generated by that development.
  - g. **“Outline Plan (OP)”** means a non-statutory plan, passed by Resolution of Council, which specifies the pattern of land use and servicing requirements for an area.
  - h. **“Plan Need Evaluation Matrix”** means the set of criteria used to evaluate subdivision and development applications outlined in Policy 3.1.6 of the Municipal Development Plan.
  - i. **“Site Plan”** means a plan that specifies the accesses, principal and accessory structures, water sources, sewage disposal systems, existing vegetation and topography for an area.
5. That the Municipal Development Plan Bylaw 13-020 Policy 7.4.2 (e) be amended from:

“Require that ASPs be prepared for future industrial areas in accordance with Policy 3.1.3 (“Area Structure Plan Content”). These plans should incorporate sustainable development strategies relating to efficient utility servicing, measures for the preservation and integration of environmental features, and innovative land use patterns/concepts such as eco-industrial parks.”

to:

“Require that an ASP **or OP** be prepared for future industrial areas in accordance with Policy 3.1.9 (“Area Structure Plan Content”) **or Policy 3.1.10 (“Outline Plan Content”).** These plans should incorporate sustainable development strategies relating to efficient utility servicing, measures for the preservation and integration of environmental features, and innovative land use patterns/concepts such as eco-industrial parks.”

6. That the Municipal Development Plan Bylaw 13-020 be amended so that any reference to the former Policies 3.1.2 to 3.1.4 be updated and renumbered as required.
7. This bylaw shall come into effect upon passing of the third reading.

**MOTION BY COUNCILLOR RICHARD THAT BYLAW 16-022 BE GIVEN FIRST READING THIS 24TH DAY OF JANUARY, 2017.**

“Original Signed”  
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Mayor

“Original Signed”  
\_\_\_\_\_  
Chief Administrative Officer

**MOTION BY COUNCILLOR PHILLIPS THAT BYLAW 16-022 BE GIVEN SECOND READING THIS 14TH DAY OF FEBRUARY, 2017.**

**MOTION BY COUNCILLOR AUSTIN THAT BYLAW 16-022 BE GIVEN THIRD AND FINAL READING THIS 14TH DAY OF FEBRUARY, 2017.**

“Original Signed”  
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Mayor

“Original Signed”  
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Chief Administrative Officer

## **SCHEDULE 'A'**

### **EXISTING MDP POLICIES 3.1.2 TO 3.1.4**

- 3.1.2 area structure plans required Developers are required to prepare an Area Structure Plan (ASP), prepared in accordance with the Act, prior to the approval of:
- a) A major development;
  - b) An industrial or commercial subdivision exceeding 3 lots;
  - c) A country residential subdivision exceeding 6 lots;
  - d) Any subdivision located in proximity to a highway when required by Alberta Transportation.

A plan prepared under this policy may be referred to as a "Minor" ASP.

- 3.1.3 area structure plan content A Minor ASP prepared under Policy 3.1.2 ("Area Structure Plans Required") shall address:
- a) Conformity with this MDP, other statutory plans, any applicable non-statutory documents, and the LUB;
  - b) The sequence of development proposed for the area;
  - c) The land uses and densities proposed for the area;
  - d) The impact of the proposed development on adjacent land uses and the environment;
  - e) A description of how the development will connect with the County's transportation network – this shall include analysis of on-site and off-site traffic impacts and an estimate of roadway upgrading that may be required as a result of the development;
  - f) How the proposed development will retain trees, environmental features such as watercourses, wetlands, wildlife corridors, and historical resources;
  - g) Integration of natural areas into the design of developments to form part of a future linked and integrated parks and open space system, including the retention of forests, wildlife corridors, wetland areas, and the provision of stormwater ponds and parks to form continuous open spaces; and
  - h) Measures that will be taken to address natural and manmade hazards that may impact the development. Any detailed scientific or engineering analysis that may be required by the County shall be undertaken by qualified technical Professionals with all costs borne by the developer;
  - i) Proposed methods of water supply, stormwater management and sewage disposal, supported by report requirements contained in Policy 3.1.10 ("Supporting Reports");
  - j) Identifying what will be required to extend franchise utilities service

to the site;

- k) Provisions for municipal reserve and/or environmental reserve;
- l) Provisions for buffering from agricultural land uses, railways, major roadways, industrial and commercial development and any other incompatible land uses;
- m) Identify pipeline corridors, if applicable; and
- n) Any other matters identified as being necessary by the County.

3.1.4 county initiated area structure plans

- a) The County may undertake the preparation of ASPs for its hamlets and other areas within the County that are determined to be of strategic development interest, including but not limited to
  - i. the Lac La Biche airport,
  - ii. the hamlets of Hylö and Venice,
  - iii. Elinor Lake, Fork Lake, and Missawawi Lake, and
  - iv. the Highway 881 and Highway 63 corridors.

A plan prepared under this policy may be referred to as a "Major" ASP.

- b) Major ASPs shall address the criteria identified in Policy 3.1.3 ("Area Structure Plan Content"), and will generally exceed one quarter section in size. Such plans may be undertaken in partnership with neighbouring municipalities, developers or industry partners.
- c) The County shall commit to the review and update of existing ASPs for Lac La Biche West, Lac La Biche East, Lac La Biche Lake, and Beaver Lake.

**SCHEDULE 'B'**  
**AMENDMENTS TO MDP POLICIES 3.1.2 TO 3.1.4 AND ADDITIONAL POLICIES 3.1.5 TO 3.1.11**

- 3.1.2 area structure plans Developers are required to prepare an Area Structure Plan, prepared in accordance with the Act, if a score of fifteen (15) or more points is calculated on the Plan Need Evaluation Matrix, and the site is located outside any Hamlet Boundaries. Under certain circumstance an ASP may not be required.
- 3.1.3 area structure plan amendments Developers are required to prepare a new ASP if the proposed site does not have an approved ASP in place and the Plan Need Evaluation Matrix requires one. If an ASP is already passed by Bylaw and the applicant proposes different land uses or densities than what was approved in the Plan, an amendment to the current ASP must be made prior to subdivision or development.
- 3.1.4 outline plans Developers are required to prepare an Outline Plan (OP) if a score between five (5) to fourteen (14) points is calculated on the Plan Need Evaluation Matrix.
- 3.1.5 site plans Developers are required to prepare a Site Plan if a score between zero (0) to four (4) points is calculated on the Plan Need Evaluation Matrix. Site plans are required to be submitted with all development applications.
- 3.1.6 plan need evaluation matrix<sup>1</sup> Calculate the score by adding the points of any of the following criteria that apply to the proposed subdivision or development:

Criteria	Points	
Any subdivision or development located in proximity to a highway when required by Alberta Transportation.	15	points total
Two (2) lots or more per quarter section (not including remnant parcel) for Commercial or Industrial land uses.	15	points total
Fewer than two (2) lots per quarter section (not including the remnant parcel) for Commercial or Industrial land uses may require an Area Structure Plan or Outline Plan depending on the discretion of	15	points total

<sup>1</sup> The Approving Authority retains the right to upgrade or downgrade the plan needed.  
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Six (6) lots or more per quarter section (not including remnant parcel) for all other land uses.	15	points total
Development proposes a direct control land use district.	5	points total
Development proposes two (2) or more land uses on subdivided lots on a quarter section (not including remnant parcel).	2	points per land use
Development proposes a campground with any number of units.	2	points total
Development proposes a mobile home park with any number of units.	2	points total
Development will increase intensity of use. <sup>2</sup>	2	points total
Development will occur in more than one (1) phase.	2	points per phase
Development will require a traffic impact assessment.	2	points total
Site contains or borders a provincially recognized water body.	2	points total
Site contains or borders a railway.	2	points total
Site contains or borders an airport.	2	points total
Site contains or borders Environmentally Sensitive Area / Lands	2	points total
Site contains or borders hazard lands (Ex: swamp, gully, ravine, coulee, natural drainage course, is unstable or subject to subsidence or landslides, landfill).	2	points total
Site contains or borders potentially contaminated land.	2	points total
Site contains a potential historic resource.	2	points total
Where there will be re-subdivision or infill in existing multi-parcel subdivisions.	2	points total
Where development will occur within one (1) kilometer of a hamlet boundary.	1	points total

3.1.7 multiple or overlapping plans

In some circumstances an applicant may be required to prepare an OP for a site, even though an ASP is already in

<sup>2</sup> Increase in intensity of use can be measured using the predicted number of vehicle trips to the site, or a change in land use, for example, from residential to commercial or industrial.

place. The OP shall provide a higher level of detail in a specific area.

- 3.1.8 County-initiated area structure plans
- a) The County may undertake the preparation of ASPs for its hamlets and other areas within the County that are determined to be of strategic development interest.
  - b) ASPs shall address the criteria identified in Policy 3.1.3 (“Area Structure Plan Content”).
  - c) Such plans may be undertaken in partnership with neighbouring municipalities, developers or industry partners.
- 3.1.9 area structure plan content
- An ASP prepared under Policy 3.1.2 (“Area Structure Plans”) shall address all of the items laid out in the Guide to Area Structure Plan Requirements, and any other matters identified as being necessary by the County.
- 3.1.10 outline plan content
- An OP prepared under Policy 3.1.4 (“Outline Plans”) shall address all of the items laid out in the Guide to Outline Plan Requirements, and any other matters identified as being necessary by the County.
- 3.1.11 site plan content
- A Site Plan prepared under Policy 3.1.5 (“Site Plans”) shall include the location of all accesses, principal and accessory structures, potable water sources, sewage disposal systems, existing vegetation and topography in accordance with the requirements of the LUB.