

# MUNICIPAL DEVELOPMENT PLAN

Monitoring Report 2021 & 2022



### The Annual Review

In addition to quarterly reporting, an MDP Monitoring Report that includes mapping and tables, highlights specific information of the years planning and development decisions as directed by Council. Over time, these reviews have shown trends related to Policy decisions and have informed and resulted in amendments to County Planning documents.

The County adopted its current Municipal Development Plan (MDP) on December 9, 2020. Policy 13.3.4 and 13.3.5 of the MDP requires Administration to prepare an Annual Council Report to ensure the effectiveness of key Plan Policies and ensure that developments meet the objectives of the MDP. This Monitoring Report covers reporting periods from January 1st 2021 to December 31st 2021 and January 1st 2022 to December 31st 2022.

Please visit our website for past Monitoring Reports.

Under each specific topic of the report, a summary will highlight the MDP Policy changes made in 2020 that are relevant for the specific topics.

An interactive web map supports the report with all of the map information contained in the Figures. Please visit our website for the web map.

Mountain View County - Planning Documents

### Minimizing the Loss of Agricultural Land

#### **Agricultural Preservation**

MDP Policy changes made in 2020 and thereafter:

- Enlarge the Agricultural Preservation Area by adding the Agricultural Regions of Alberta Soils Inventory Database (AGRASID) Land Suitability Rating System (LSRS) Class 2 and 3 soils as the 1<sup>st</sup> Dominant, or Co-Dominant.
- More flexibility to consider parcels smaller than 40 acres when supported by land use considerations.
- More restrictive by changing the fragmented parcel policies to be inclusive of subdivision potential from a quarter section (and not in addition to) and amend the definition of a fragmented parcel.
- Reduce the total number of acres subdivided from a quarter section from ten to nine acres that includes residential subdivisions and agricultural subdivisions smaller than nine acres.
- Add a policy that commercial alternative/renewable energy development shall not be supported in the Agricultural Preservation Area.

The total number of acres redesignated for all land uses in 2021 was 1,227.69 acres compared to a total of 696.82 acres in 2022. Although the number of approved applications is equal in 2021 and 2022 at 43, the difference in acres is more than double (56.8 % more) in 2021 compared to 2022. Not all redesignation approvals resulted in additional parcels through the subdivision process. Some applications are for boundary adjustments; some applications propose no subdivision; and some applications require the remainder to be redesignated at the same time.

Figure 1 and Figure 2 display the distribution of redesignation approvals in 2021 and 2022. In 2021, 29 applications were approved in the Agricultural Preservation Area compared to 33 applications in 2022.

In 2021, 26 applications received approval as first parcel out of an unsubdivided quarter section while 10 applications received approval for the third parcel out of the quarter section.

In 2022, 30 applications received approval as first parcel out of an unsubdivided quarter section while six applications received approval for the third parcel out of the quarter section.

In 2021 a single application (for an agricultural parcel) received redesignation approval for a third title in the Agricultural Preservation Area compared to none in 2022.

A total of 982.35 acres were redesignated to Agricultural (2) zoning as a result of 18 applications in 2021 compared to 15 applications in 2022 representing 497.95 total acres. Agricultural zoning was approved for 0.76 acres in 2021 compared to 23.03 in 2022 and both applications were for boundary adjustments that resulted in no new parcels. Some applications require the remainder to be redesignated to comply with the Land Use Bylaw and included 167.46 acres in 2021 compared to zero in 2022. Four boundary adjustment applications (where no additional lots were created) were approved in 2021 compared to three in 2022.

Two applications were approved in 2021 for new agricultural parcels smaller than 40 acres compared to five in 2022.

A total of 129.58 acres was redesignated to residential districts in 2021 (from 23 applications) compared to 2022, when 104.77 acres was redesignated (from 24 applications).

Other land uses approved in 2021 included 115 acres redesignated to Aggregate Extraction/Processing for gravel extraction and in 2022 a total of 71.07 acres to other uses: Business Industrial (for 11 proposed lots), Institutional (for a cemetery) and Parks and Conservation (for a County day use park expansion).

#### Low Density Residential Subdivisions

MDP Policy changes made in 2020:

 Add criteria to the policy that single lot residential applications beyond the first parcel out should comply with Section 4 policies in the Potential Multi-Lot Residential Development Area.

Two applications, each proposing two new residential parcels, were redesignated within the Potential Multi Residential Development Area in 2021, representing four additional parcels and a total of 12 acres. Council did not consider any applications for two or more residential parcels in 2022.

#### 2021 Agricultural vs. Residential applications - Table 1

	Agricultural District			Residential District		
Application Status	>= 40 ac	< 40 ac	Total	Farmstead Separation	Country Residential	Total
Total number of applications approved for new parcels	12	2	14	11	11*(13 parcels)	22
Total acres of land approved for redesignation to create new parcels	790.51	55.29	845.8	83.58	40.35	123.93
Average size of approved lots (acres)	65.88	27.65		7.60	3.10	

Note that boundary adjustments are excluded when no new parcels are created

#### 2022 Agricultural vs. Residential applications - Table 2

	Agricultural District			Residential District		
Application Status	>= 40 ac	< 40 ac	Total	Farmstead Separation	Country Residential	Total
Total number of applications approved for new parcels	8	5	13	7	16	23
Total acres of land approved for redesignation to create new parcels	381.69	104.07	486.46	49.12	55.65	104.77
Average size of approved lots (acres)	47.71	20.81		7.02	3.41	

Note that boundary adjustments are excluded when no new parcels are created

2022 included three more agricultural applications approved for parcels smaller than 40 acres. The average size of agricultural parcels larger than 40 acres in 2022 was smaller compared to the average size in 2021.

Policies do not restrict the consideration of bare agricultural or residential parcels. Nine bare agricultural parcels (with no dwellings) were approved in 2021 and seven in 2022 for a total of 16 parcels.

Eight bare country residential parcels (with no dwellings) were approved in 2021 as a result of six applications compared to eight bare parcels and in 2022 as the result of eight applications for a total of 16 parcels.

No fragmentation applications under the fragmented policies were considered for redesignation in 2021 or 2022.

Ten approvals for farmsteads in 2021 represented 83.58 acres compared to seven farmstead applications in 2022 that represented less land at 49.12 acres.

For the smallest country residential district, a total of 7.54 acres was redesignated to create three new parcels in 2021 compared to 2022's approval of 12.78 acres representing five new parcels. In 2021, 36.06 acres received approval for 11 new parcels with the larger country residential district zoning compared to 41.84 acres approved for 11 new lots in 2022.

#### Confined Feeding Operations (CFOs)

MDP Policy changes made in 2020:

 Remove the Concentrated Confined Feeding Operation (CCFO) Area layer from mapping and rely on NRCB for accurate mapping of approved CFOs. Restrictions on subdivision apply to the 800m radius of the subject quarter section where an approved CFO is located. Add a policy that a Road Use Agreement shall be required during construction of new or expanding CFOs.

The Natural Resources Conservation Board (NRCB) regulates CFO under the Agricultural Operation Practices Act (AOPA). Figure 3 displays the 2021 and 2022 NRCB approvals of three CFOs within the County. In 2021 a new dairy operation and an expansion of a chicken operation received approval, and in 2022 a conversion of a beef operation to a chicken operation received approval. It is noted that the NRCB approvals are not time limited in the same way development permits will expire if not completed after two years. Construction activity can occur long after approval has been obtained.

### Subdivision Refusal Appeals Land and Property Rights Tribunal

MDP Policy changes made in 2020 and thereafter:

 Add a policy that clarifies the process when subdivision files shall be circulated to Alberta Environment and appeals to the provincial appeal board as a result of Rivers, Streams, Watercourses and Lakes or permanent wetlands.

In 2021 the provincial subdivision and development appeal board, the Lands and Property Rights Tribunal (LPRT) heard five appeals against subdivision refusals as Council refused the redesignations for two bare country residential parcels; one farmstead and two agricultural fragmentation parcels.

Note that three of these appeals were redesignation refusals made in 2020 but the LPRT decisions were made in 2021.

As the appeal must only have regard for statutory plans, the requirement for a subdivision to have the appropriate land use is not mandatory for the Board to approve a subdivision. Of the five appeals, three were refused (two bare country residential parcels and a fragmented agricultural parcel) and two were approved, one for a farmstead, and one fragmented agricultural parcel.

In 2022 the LPRT refused a subdivision appeal for a new agricultural parcel. The LPRT also made a decision on the same agricultural subdivision appeal that was heard by the local appeal board and concluded that it had no jurisdiction to overturn the local appeal board decision., However, they provided comment and observation on jurisdiction as it relates to the MDP policy for the process when subdivision files shall be circulated to Alberta Environment and when appeals should be circulated to the provincial appeal board as a result of Rivers, Streams, Watercourses and Lakes or permanent wetlands.

#### Subdivision and Development Appeal Board

In 2021 the appeal board heard two subdivision appeals, one for a bare country residential parcel and one for an agricultural parcel. Both appeals were refused. At the time of writing the report, the subdivision appeal regarding jurisdiction for the new agricultural parcel was still under consideration as a result of an Ombudsman recommendation.

#### A Snapshot of the County

While the reports focus is on the two reporting years, Figure 4 is a snapshot of all subdivisions within the County, and Figure 5 displays the future subdivision potential based on the MPD's policies for the Agricultural Preservation Area and the Potential Multi-Lot Development Area. The maximum number of potential subdivisions were applied, and in instances where a quarter section contained both areas, the potential of the Potential Multi-lot The 3 Growth Centres with Area Structure Plans were excluded as subdivision potential is different.

### **Economic Development**

#### Highway 2/27 Special Policy Area

Rescind the 2/27 ASP and not develop a new ASP; rely on the amended Special Policy Area: Highway 2/27 policies that applies to a smaller area to guide new redesignation and development in the area; residential densities reduced from a maximum of 80 lots per quarter section to 48 lots per quarter section.

Council approved the zoning for the first phase of a new business and industrial subdivision in 2022 that are subject to subdivision approval for 10 new business and industrial lots and one Public Utility Lot.

#### **Businesses Diversification and Retention**

The County's Land Use Bylaw implements the statutory plan policies and the Economic Development Strategy (2022-2027) to accommodate businesses not only in the County's Economic Nodes and Growth Centres but on a variety of zoned lands throughout the County, for example, agricultural, country residential and direct control districts.

Figure 6 and Figure 7 includes the locations of new and expanded businesses that received development permit approvals.

In 2021, 15 new businesses received developments of which seven are located on agricultural zoned lands and three on country residential zoned lands. Three new businesses were approved on business and industrial zoned lands, one on Airport zoned land and one within a Direct Control District.

In 2022, 20 new businesses received development permits of which four are located on agricultural zoned lands and eight on country residential zoned lands. Seven new businesses were approved on business and industrial zoned lands and one on local commercial district zoned land.

A total of seven businesses expanded in 2021 and none were located on a combination of agricultural, parks and recreation, and direct control zoned lands. In 2022, a total of 11 business expanded that were located on direct control zoned lands, a few on agricultural or business industrial zoned lands.

#### Land Use Bylaw

Highlights of the Land Use changes made in 2021:

Dwelling Prefabricated replaced Dwelling Manufactured/modular to ensure alignment with the Alberta Building Code. Added that a second secondary suites can be considered on parcels greater than 28.33 ha (70.0 ac) when two (2) detached dwelling units exist. Dugouts and Landscape Ponds provisions added to allow Residential zoned parcels to apply for water features for landscape purposes. Add clarity to the definitions of Selective Logging and Tree Clearing/Clear cutting to exempt Fire Smart or minor maintenance.

Shipping Containers (sea cans) added as exempt within the Agricultural Districts up to 4 and one (1) sea can added as exempt within Residential Farmstead (R-F) District. Allow for a maximum of one (1) sea can as permitted use in R-CR and R-F districts. Add a process for development when development is proposed not in compliance with registered Caveats for Restrictive Covenants and Restrictive Covenants on title. Increased the time for re-application and resubmission for refused land use redesignation applications -first from 6 months to one (1) year and second refusals from one (1) year to 18 months. Alignment with Municipal Government Act changes for appeals, alignment with AER definitions of AER Directive 056 as well as some other minor edits.

### **Protection of Environmental Assets**

#### **Environmentally Significant Areas**

Portions of the County are identified as Environmentally Significant Areas (ESA) based on information from the 2008 Environmentally Significant Areas: Mountain View County by Summit Environmental Consultants and the 2014 Provincial Environmentally Significant Areas Report completed by Fiera Biological Consultants. The majority of these ESAs are located along waterways such as the Red Deer River Little Red Deer River, Dogpound Creek and Eagle Creek.

#### Riparian Enhancement and Monitoring

When applicable, Policy #6004, Subdivision Standard Conditions requires an applicant to either:

- 1) Apply for funding to install a Riparian Enhancement Project when livestock is present; or,
- 2) Enter into a Riparian Health Monitoring Agreement when livestock is not present on the parcel.

Five Riparian Health Assessment and Monitoring Agreements were approved as part of the subdivision process on affected parcels in 2021 and seven in 2022. In 2021, three of the features were located on the proposed agricultural parcels while two were located on the remainders; compared to two of the features on the proposed agricultural parcels and five were located on the remainders.

During the same time frame, agricultural services worked with landowners and approved two Riparian and Ecological Enhancement Projects in 2021 and three in 2022.

Figure 8 and Figure 9 identifies the locations of these Agreements and Projects.

In addition to the Planning and Development process since 2002, 261 Riparian Enhancement Projects have been completed. Since 2010, approximately 1,498 acres have been protected with riparian fencing projects representing 78 fencing projects. 14 additional acres have been protected in 2022.

Additionally, since 2015, fifty-three landowners have been approved for 373 ALUS projects impacting over 2,150 acres of wetland, riparian and upland areas.

#### **Conservation Easements**

Figure 10 identifies the 13 Conservation Easements (CE) registered with Legacy Land Trust on lands within the County. Two CEs are registered on county lands and 11 are registered on private lands. At the time of preparing the report, the Nature Conservancy of Canada (NCC) did not share information on CEs registered on parcels within the County.

The consideration and registration of CE falls outside of the planning and development process and is a voluntary process initiated by the landowners.

### **Approving Authorities**

#### Redesignation, Subdivision and Development Permits

The Approving Authorities Bylaw sets out the approving authorities for planning and development applications. Council makes decisions on redesignation as well as development permit in Direct Control Districts. The decision-making authority for subdivisions and development permits are assigned to: 1) the Development Officer (permitted uses and setback relaxations up to 20%); 2) the Administrative Subdivision and Development Approving Authority (ASDAA) (discretionary uses with larger setback relaxations; and discretionary uses deemed not to have a negative impact on adjacent lands and uses as well as subdivisions that are the first parcel out; received zoning approval or meet the requirements of ASPs and 3) Municipal Planning Commission (MPC) that deals with discretionary uses and subdivision.

Table 3 & Table 4 include the number of decisions made by the Approving Authorities as a result of applications. A deferral is listed as a decision. Since November 2021, all subdivision applications that cannot be approved after Council refused the redesignation and do not conform to statutory plan policies, are all considered by ASDAA. Note that some redesignation and subdivision decisions were not all made in the same year.

### 2021 Decisions made by Approving Authorities - Table 3

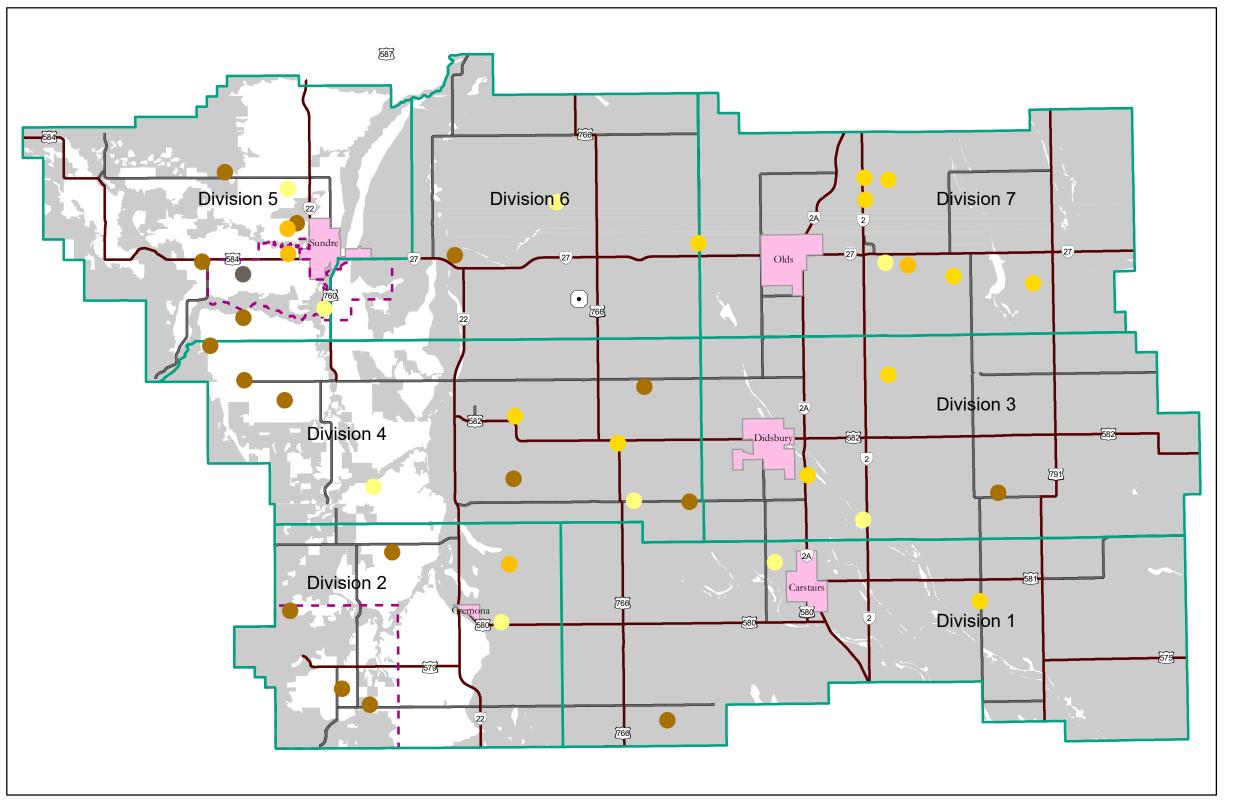
Approving Authority	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision	Subdivision only	Total
ASDAA	116			54 (subdivision)	3	173
Council - Public Hearing			6	52 (redesignation)		58
Council - Direct Control	3	1				4
Development Officer	108					108
MPC	27	1		7 (subdivision)		35
Total	OE4	2	•	440	0	070
Total	254	2	6	113	3	378
Decision outcome	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision	Subdivision only	Total
Decision	Development	Development Permit	Redesignation	Redesignation and	Subdivision	
Decision outcome	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision	Subdivision only	Total
Decision outcome  Approved	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision 81	Subdivision only	Total 337
Decision outcome  Approved  Deferred	Development Permit 250 3	Development Permit Amendment	Redesignation only  2 2	Redesignation and Subdivision 81	Subdivision only	Total 337 6

### 2022 Decisions made by Approving Authorities - Table 4

Approving Authority	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision	Subdivision only	Total
ASDAA	121	4		48 (subdivision)	2	175
Council - Public Hearing			1	48 (redesignation)		49
Council - Direct Control	5					5
Development Officer	111					111
MPC	20			2 (subdivision)	2	24
Total	257	4	1	98	4	364
Decision outcome	Development Permit	Development Permit Amendment	Redesignation only	Redesignation and Subdivision	Subdivision only	Total
Approved	252	4	1	84	2	343
Deferred	1					1
Denied	4			6		10
Setback Relaxation Granted					10	10
Total	257	4	1	90	12	364

### **Figures**

Figure 1	Approved Redesignations 2021
Figure 2	Approved Redesignations 2022
Figure 3	NRCB Approved CFOs 2021 & 2022
Figure 4	Parcel Density on December 31, 2022
Figure 5	MDP Subdivision Potential on December 31, 2022
Figure 6	<b>Development Permits approved for Businesses 2021</b>
Figure 7	<b>Development Permits approved for Businesses 2022</b>
Figure 8	Riparian and Ecological Enhancements 2021
Figure 9	Riparian and Ecological Enhancements 2022
Figure 10	Conservation Easements Legacy Land Trust



Land Use	Agricultural Preservation	Multi Lot	Agricultural Preservation (ac)	Multi Lot (ac)	<b>Total Applications</b>	Total (ac)
Agricultural District (A)	1		0.76	0	1	0.76
Agricultural (2) District (A(2))	9	9	554	428.35	18	982.35
Residential Farmstead District (R-F)	10		83.58	0	10	83.58
Country Residential District (R-CR)	7	2	27.04	9.02	9	36.06
Country Residential (1) District (R-CR1)	2	2	4.95	4.99	4	9.94
Aggregate Extraction/Processing District (AEP)	0	1	0	115	1	115
Grand Total	29	12	670.33	557.36	43	1227.69



**Approved Redesignations** 

**YEAR 2021** 

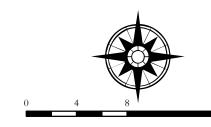
(Jan 1st, 2021 - Dec 31, 2021)

Figure 1

#### Legend

#### RD Approved 2021

- Agricultural District (A)
- Agricultural (2) District (A(2))
- Residential Farmstead District (R-F)
- Country Residential District (R-CR)
- Country Residential (1) District (R-CR1)
- Aggregate Extraction/Processing District (AEP)
- Agricultural Preservation Area
- Potential Multi-Lot Residential
- Development Area
- Town/Village
- Growth Centers
- Highway
- County Collector Network

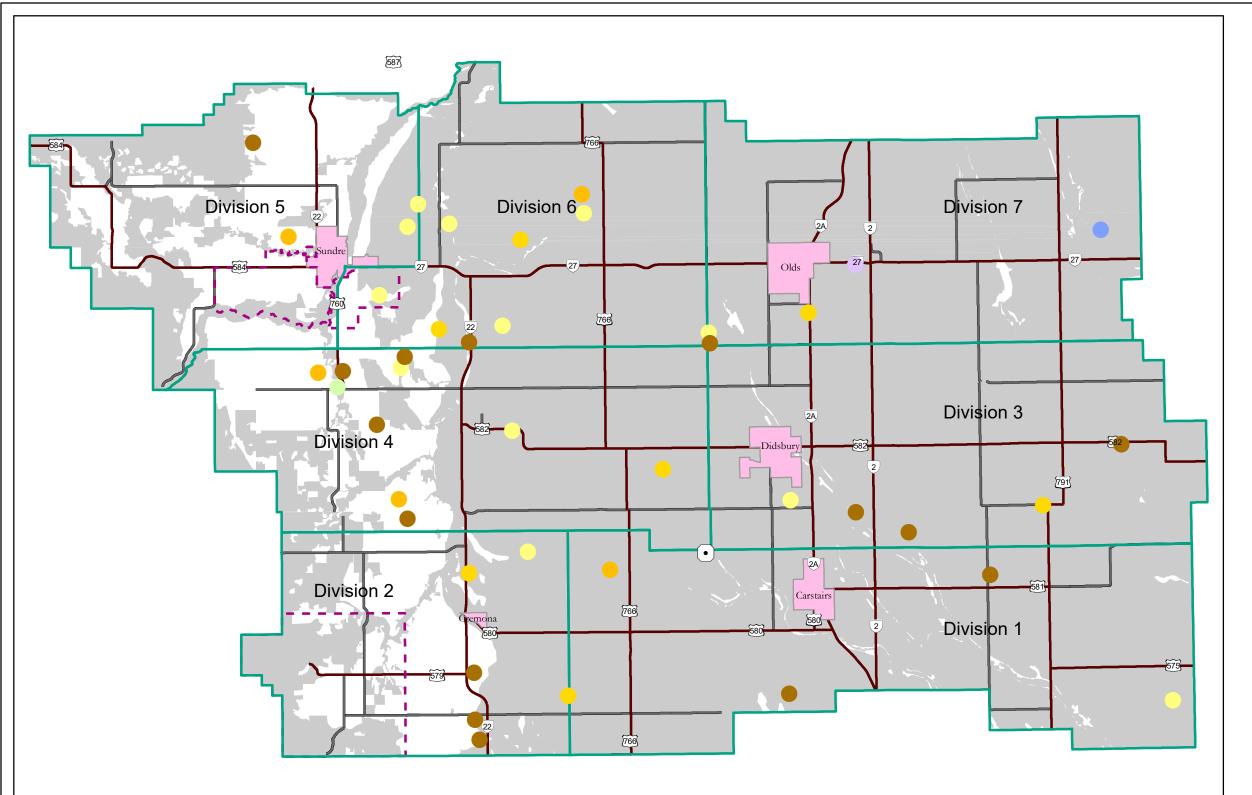


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Mountain View County

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Land Use	Agricultural Preservation	Multi Lot	Agricultural Preservation (ac)	Multi Lot (ac)	<b>Total Applications</b>	Total (ac)
Agricultural District (A)	1	0	23.03	0	1	23.03
Agricultural (2) District (A(2))	9	6	293.32	204.63	15	497.95
Residential Farmstead District (R-F)	7	0	49.12	0	7	49.12
Country Residential District (R-CR)	11	1	37.87	5	12	42.87
Country Residential (1) District (R-CR1)	2	3	5.93	6.85	5	12.78
Business Park District (I-BP)	1	0	66.92	0	1	66.92
Institutional, Educational & Cultural District (S-IEC)	1	0	2	0	1	2
Parks & Conservation District (P-PC)	1	0	2.15	0	1	2.15
Total	33	10	480.34	216.48	43	696.82



**Approved Redesignations** 

**YEAR 2022** 

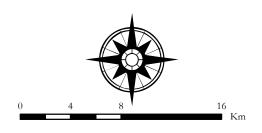
(Jan 1st, 2022 - Dec 31, 2022)

Figure 2

#### Legend

#### RD Approved 2022

- Agricultural District (A)
- Agricultural (2) District (A(2))
- Residential Farmstead District (R-F)
- Country Residential District (R-CR)
- Country Residential (1) District (R-CR1)
- Business Park District (I-BP)
- Institutional, Educational & Cultural District
- Parks & Conservation District (P-PC)
- Agricultural Preservation Area
- Potential Multi-Lot Residential
- \_\_\_ Development Area
- Town/Village
- Growth Centers
- Highway
- County Collector Network

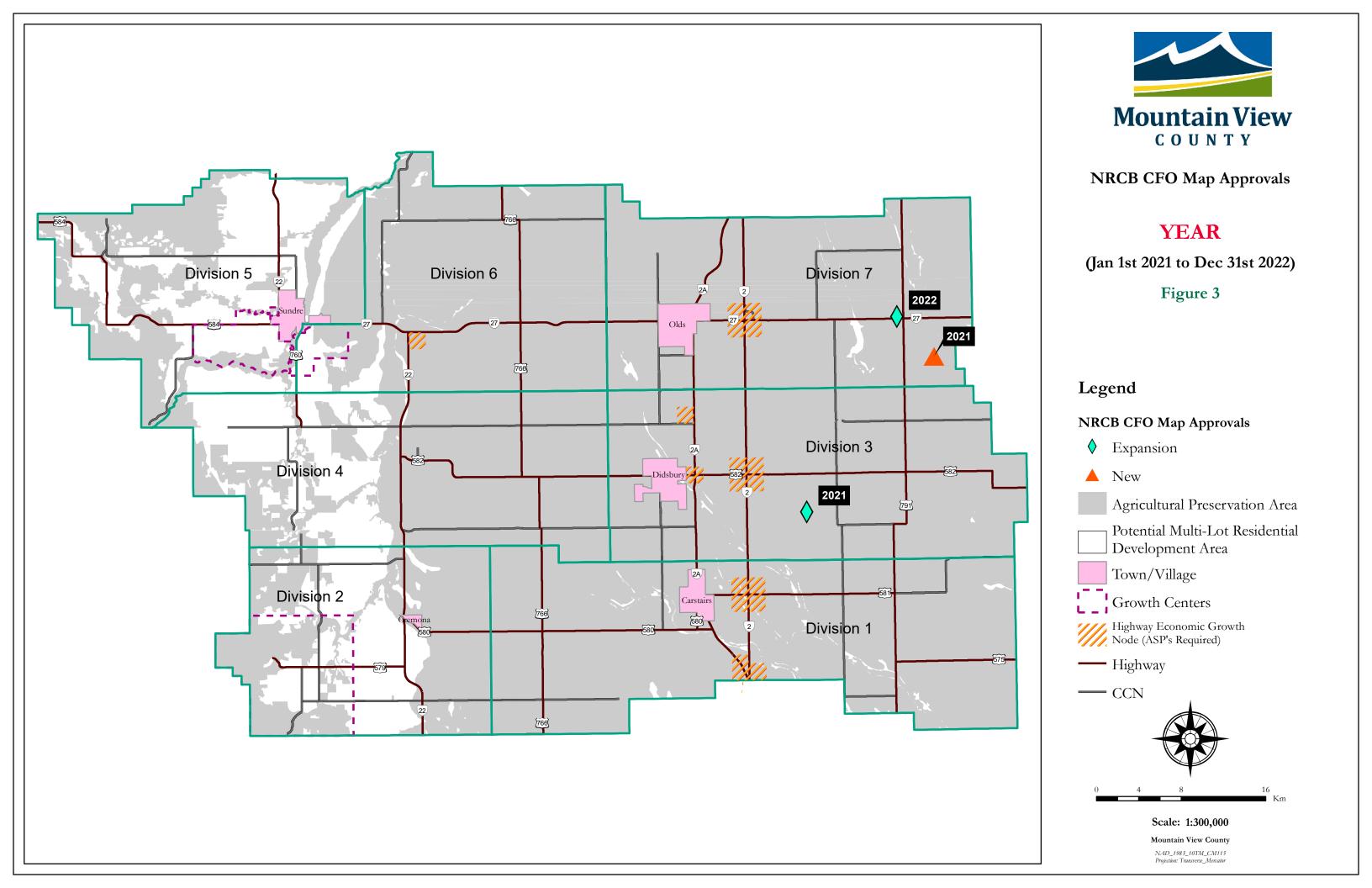


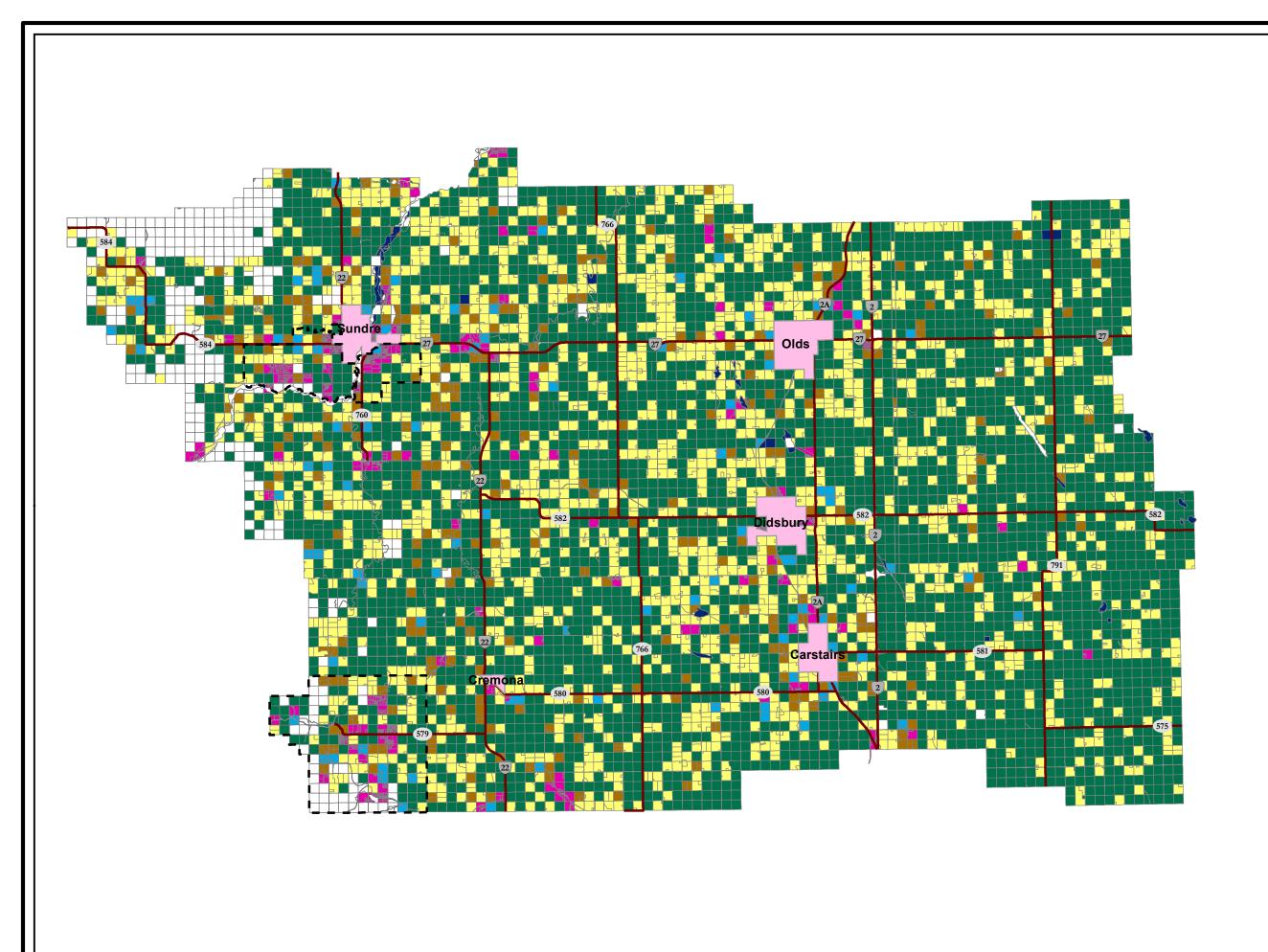
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Mountain View County

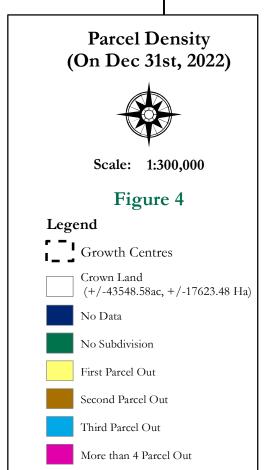
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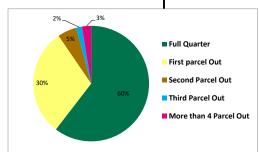
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	Total Number
	of Quarters
Full Quarter	3335
First parcel Out	1659
Second Parcel Out	293
Third Parcel Out	92
More than 4 Parcel Out	140
Total	5519

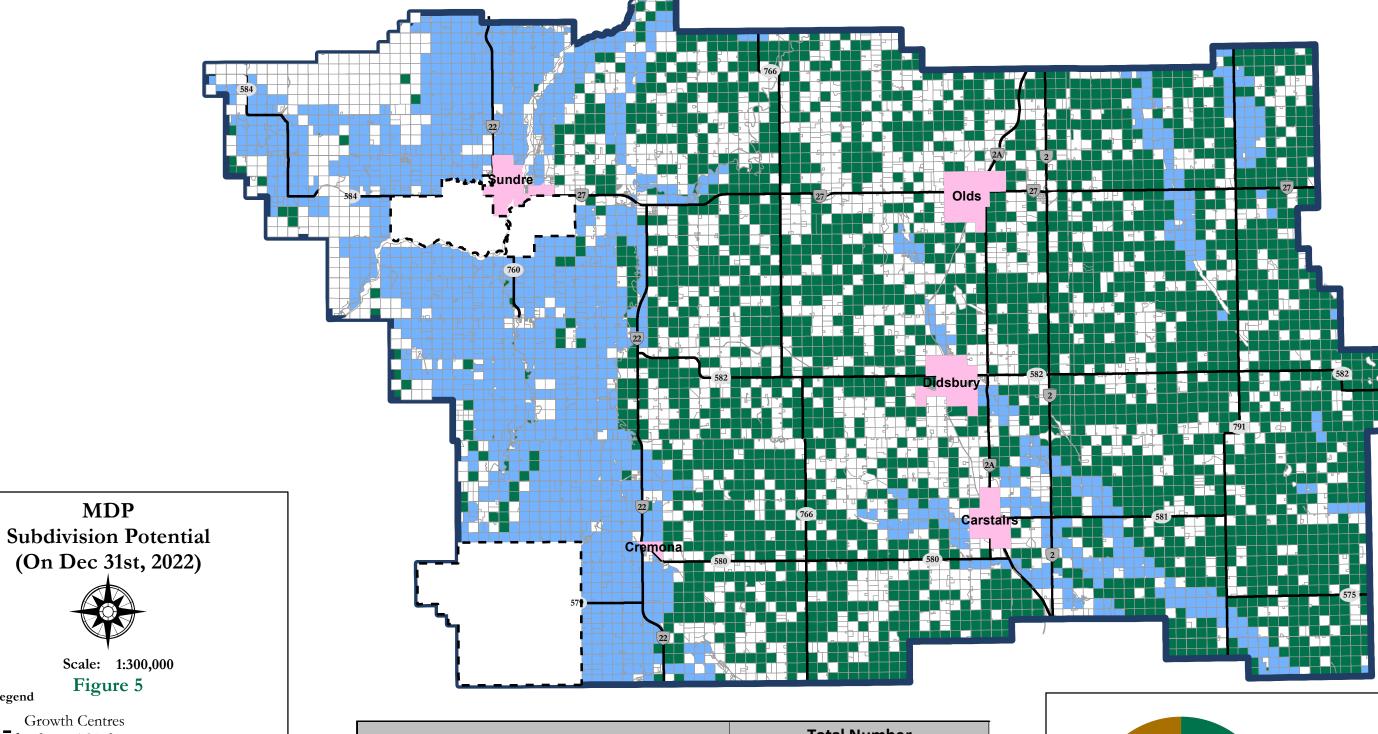
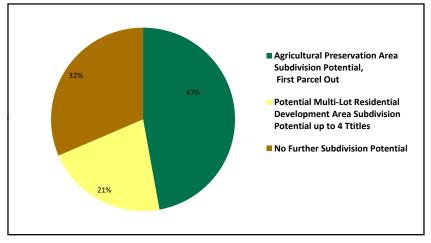


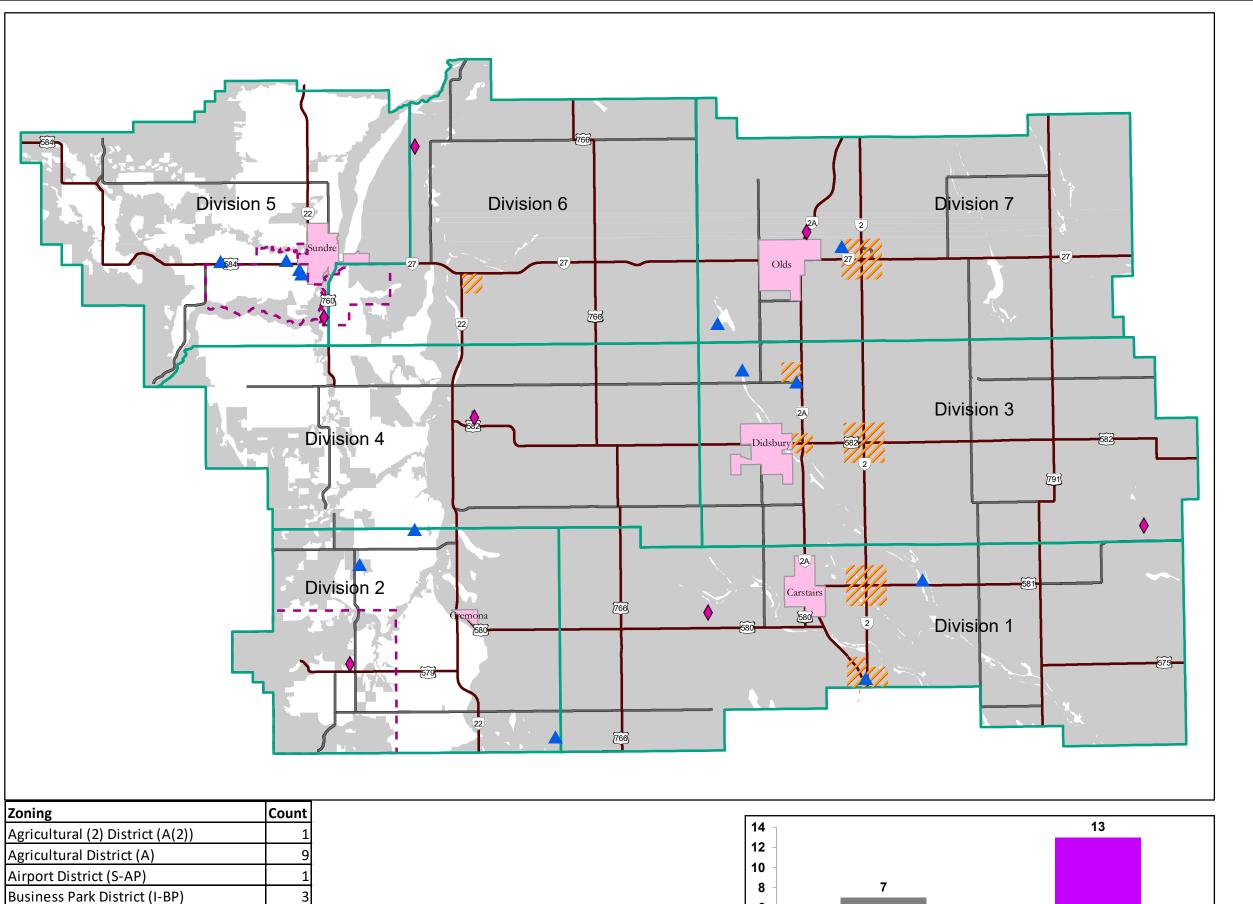
Figure 5
Growth Centres refer to ASP for Subdivision Potential
No Further Subdivision Potential
Agricultural Preservation Area Subdivision Potential, First Parcel Out
Potential Multi-Lot Residential Development Area Subdivision Potential up to 4 Titled Lots

Scale: 1:300,000

MDP

	Total Number of Quarters
Agricultural Preservation Area Subdivision Potential,	
First Parcel Out	2,429
Potential Multi-Lot Residential Development Area	
Subdivision Potential up to 4 Titled Lots	1,102
No Further Subdivision Potential	1,621
Total	5,152





Country Residential (1) District (R-CR1)
Country Residential District (R-CR)

21

Parks & Recreation District (P-PR)

Direct Control (DC)

Total

6

2

**Expansion** 

New



Development Permits issued for Businesses

#### **YEAR**

(Jan 1st, 2021 - Dec 31st, 2021)

Figure 6

#### Legend

#### Development Permits issued for Businesses

**♦** Expansion

▲ New

Agricultural Preservation Area

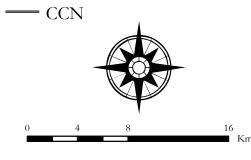
Potential Multi-Lot Residential
Development Area

Town/Village

Growth Centers

Highway Economic Growth Node (ASP's Required)

— Highway

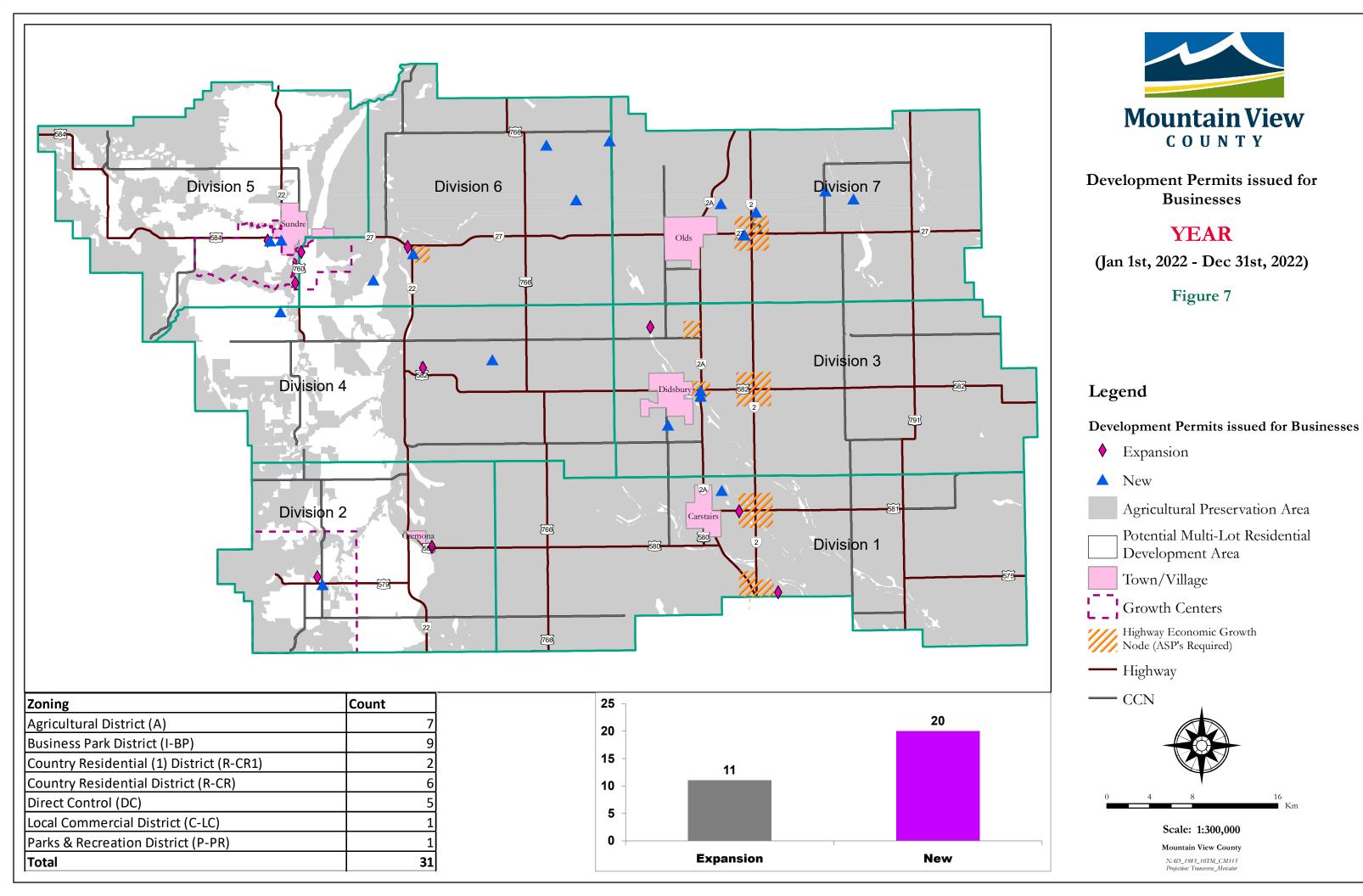


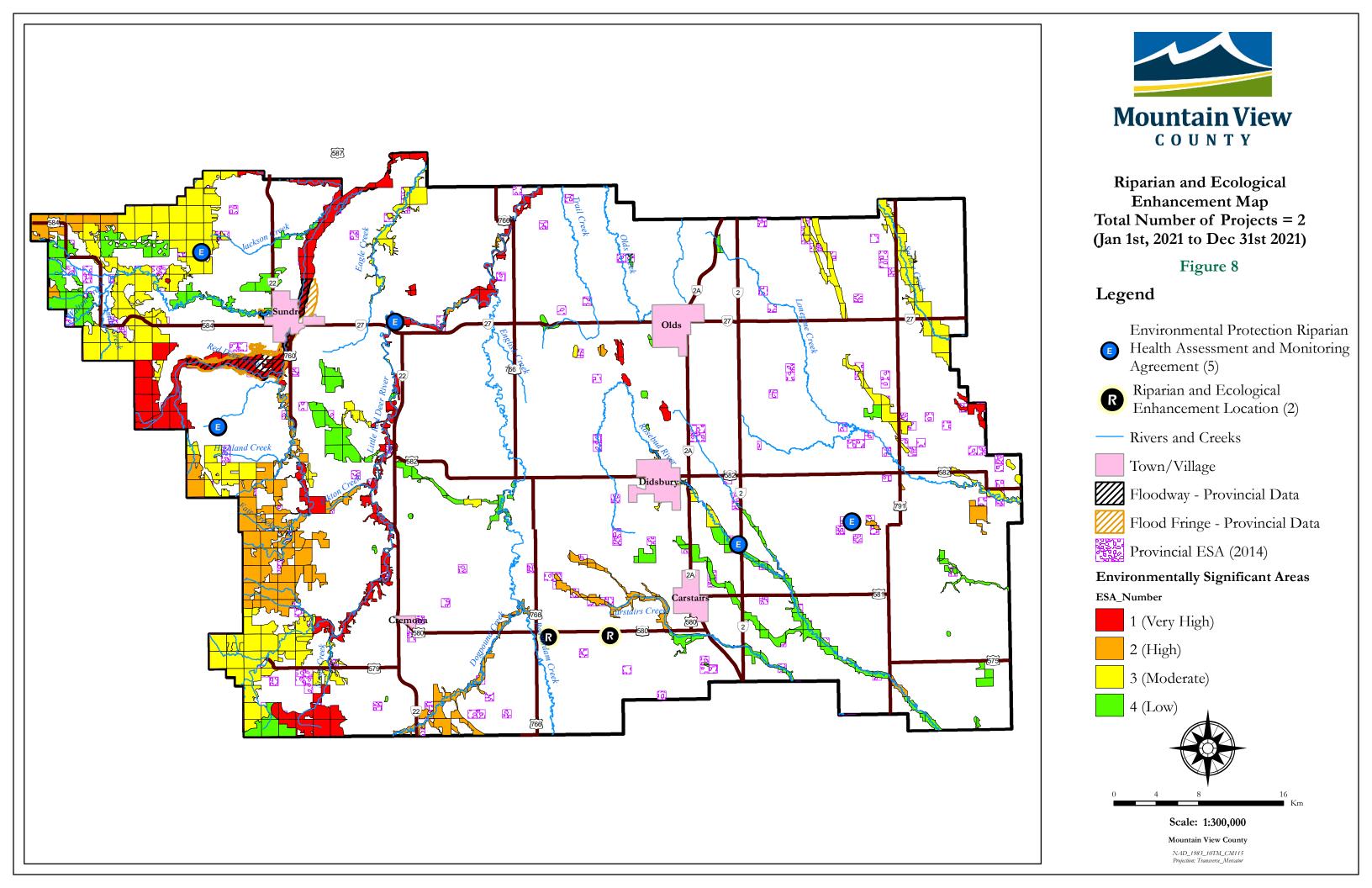
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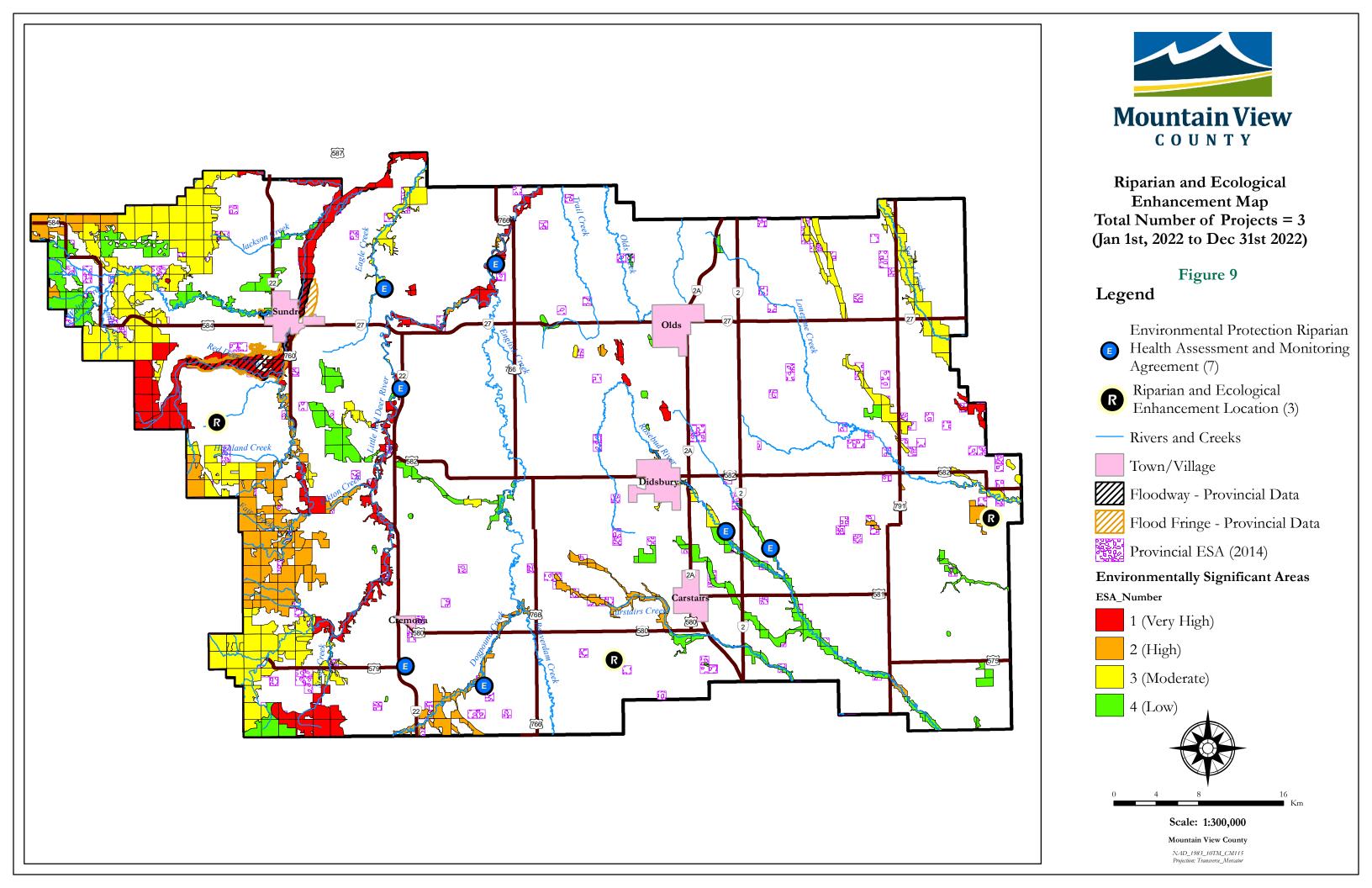
Mountain View County

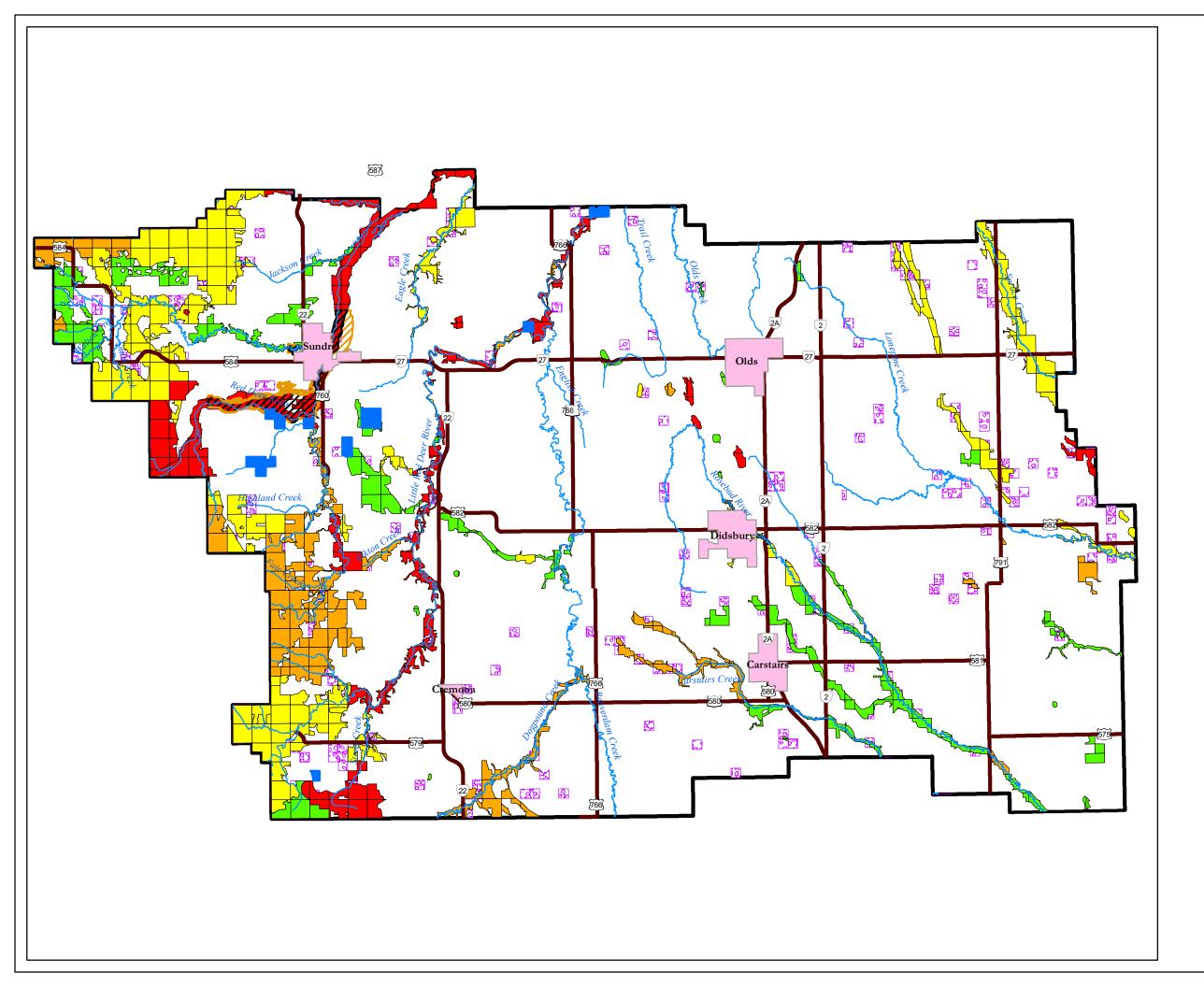
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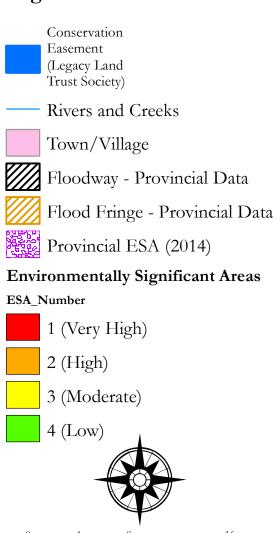




## Conservation Easement (Legacy Land Trust Society)

Figure 10





Scale: 1:300,000

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