



Mountain View
C O U N T Y

BERGEN AREA STRUCTURE PLAN
Bylaw No. 03/15

Consolidated Version (Bylaw No. 04/22)
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BERGEN AREA STRUCTURE PLAN

1.0 INTRODUCTION

1.1 Plan Area

The Bergen Area Structure Plan is located in the western section of Mountain View County, south of the Town of Sundre. The Bergen plan area encompasses approximately 171.4 square kilometres (66.2 square miles).

The plan area contains a diversity of landscapes and abundance of natural resources that make it an attractive rural residential location, as well as for prospective residents seeking a rural environment and visitors looking for a weekend or holiday retreat. The Bergen area is within relatively close proximity of Calgary and the Highway 2 corridor, which has become one of the fastest growing regions in the nation.

1.2 Plan Impetus

Growth and development pressures are continually exerted on Mountain View County as Central Alberta grows at a fast rate. Many of the natural features and cultural landscapes of an area that make an attractive area to live and recreate in, can often become endangered by poorly managed growth. To avoid this, part of the County's long-term vision is to retain the local identities in each of its communities and to provide a sustainable framework to manage growth in a fashion that helps to enhance the community's quality of life.

Mountain View County has adopted a new Municipal Development Plan. The strategic directions and policies within the new Municipal Development Plan provide a framework and planning directions for the Bergen Area Structure Plan. Given the Bergen planning area's location and natural beauty, Mountain View County anticipates increasing development pressures in the Bergen plan area and therefore is taking a proactive approach, in concert with Bergen area citizens, to create a long-term vision guide changes that are considered appropriate for the area.

1.3 Purposes of the Plan

The first purpose of the Bergen Area Structure Plan project is to provide direction and guidance for the future development in the Bergen plan area in a manner that reflects the vision and aspirations of the landowners and other stakeholders of the area, while promoting environmentally sustainable development principles that consider, among other matters, the predominate rural, farming nature of the area.

The second purpose of the Bergen Area Structure Plan is to ensure that the Bergen area policy framework is coordinated with the overall goals, objectives, and policies of the County as expressed in the Municipal Development Plan and implemented through the Land Use Bylaw.

2.0 PRESENT SITUATION

2.1 Landscapes

The northern and northwestern boundary of the plan area is the Red Deer River. The lands adjacent to the river are mostly wooded. The banks in the northwest corner of the plan area are very high, while along the north boundary the river varies its course and erodes the adjoining lower banks.

Fallentimber Creek bisects the plan area and flows into the Red Deer River, which forms the north and northwest boundaries of the plan area. Most lands along the Red Deer River are wooded, there being very high banks along much of the northwest corner of the plan area. The river is braided along much of the plan area boundary. During flood events it is eroding banks on both the north and south sides of the river.

A 2008 study of Environmentally Significant Areas of the County of Mountain View identifies two regionally significant environmental areas. These are the Red Deer River Corridor and portions of the Fallentimber Creek drainage basin located in the southwestern corner of the plan area.

The Bergen Area Structure Plan is bordered by two other ASPs. The Southeast Sundre ASP is to the northeast of the Bergen ASP and the South McDougal Flats ASP is to the northwest. The M.D. of Bighorn is to the west of the Bergen ASP.

2.2 Land Ownership

Within the plan area the vast majority of land is privately owned (88% of the plan area). Important, however, is the 9% of the plan area covering 32 quarter sections, or parts thereof, which is Provincial Crown land, since these serve (even though most have grazing lease dispositions) to maintain scenic woodlands in the western portion of the plan area. The remaining 3% is County owned quarter sections, held by the County for gravel extraction or significant environment conservation.

2.3 Crown Lands

There are 32 quarter sections, or parts thereof, of Crown Land within the plan area (see Figure 1). These lands are important to the agricultural industry for grazing. They also are very important for the amenity values they provide to the plan area, including scenic treed highlands and slopes, stream-bank protection, habitat for wildlife and watershed conservation. The use of these lands should be mostly limited to grazing and limited timber harvesting through consultation with Provincial Departments.

2.4 Land Use

The majority of the plan area is in agricultural production. This also includes large portions of wooded areas including 1 Crown owned lands that are utilized to graze cattle. Farms and 'first-parcel out' residences are scattered throughout the landscape. There are very few residential clusters of 4 or more dwelling units.

The only concentrated development is Bergen Springs, which is designated as a seasonal recreational subdivision. It contains approximately 172 lots, which are mostly occupied by seasonal recreation units (cabins, trailers, RVs, etc.) although a number of units are year-round residences.

Commercial uses and community facilities are limited. The former Bergen Store has been a local establishment since the early 1930's. Although the building no longer operates as a store, it is expected to be opened in the future as a commercial space. The Bergen area also has a church,

community cemetery, and a community hall that is used to host local functions and cultural events. Davidson Park, along the Fallentimber Creek south of the Bergen Road Bridge, serves as the only public park in the area.

There also are two major institutional camps in the plan area. Camp Evergreen is located on the east side of Fallentimber Creek in the southeast portion of the plan area while Pioneer Ranch is situated on the highlands in the northwest corner of the plan area.

2.5 Soil Ratings

Figure 4 shows the majority of land within the plan area is considered Class 5, which is defined as soils with severe limitations that restrict their capability in producing perennial forage crops and improvement practices are feasible. The area also has ribbons of Class 6 soil primarily located along waterways and the eastern edge of the western ridge. Class 6 soils are characterized as only capable of producing forage crops and improvement practices are not feasible. The plan area is largely void of agricultural land used for major crop production and the majority of agricultural activity consists of livestock grazing and forage cropping. In localized areas, there are patches of soils that are rated higher than Class 5.

2.6 Roads, Utilities and Community Services

Figure 3 shows the County collector road network, being the long-term asphalt paved road network currently planned by the County.

Secondary Highway 760, which is a paved road, links the plan area to the Town of Sundre and intersects with the Bergen Road (Township Road 320), which is the main east-west corridor.

The plan area contains chip-sealed surfaces along portions of the following roads: Township Road 320 west from Secondary Highway 760 and east to Highway 22; Township Road 322 west of Secondary Highway 760; Township Road 324 east of Secondary Highway 760 along the northeastern edge of the plan area; Range Road 53 south from Township Road 320, and Range Road 55 south from Township Road 320. The remaining County grid roads are gravel surfaces.

Most of the area is serviced with electrical power, natural gas and telephone. Most developments and residences have private individual well water and septic systems. Only the Bergen Springs resort has a communal piped water and /or sewer system. Health, emergency and protective services are provided out of nearby urban communities, the closest being Sundre.

3.0 PLANNING FRAMEWORK

3.1 Enabling Legislation

The Bergen Area Structure Plan has been prepared in accordance with the *Municipal Government Act (Revised Statutes of Alberta, 2000, Chapter M-26)*, which states:

633(1) For the purposes of providing a framework for subsequent subdivision and development of an area of land, a council may, by bylaw, adopt an area structure plan.

(2) An area structure plan

a) must describe

- i) the sequence of development for the proposed area,
- ii) the land uses proposed for the area, either generally or with respect to specific parts of the area
- iii) the density of the population proposed for the area either generally or with respect to specific parts of the area, and
- iv) the general location of major transportation routes and public facilities; and

b) may contain any other matters the council considers necessary.

3.2 Municipal Development Plan

The Mountain View County Municipal Development Plan was adopted on July 18, 2012 and amended from time to time. The new directions in the Municipal Development Plan are:

- encouraging the conservation of agricultural land and the rural lifestyle;
- being open to innovation and new technology;
- concentrating and directing non-agricultural development to newly defined growth centres and economic growth corridors;
- being sensitive to rural and agricultural views and vistas when allowing development;
- planning for higher densities in defined growth centres to ensure that new development is making efficient use of land taken out of agricultural production;
- working towards safe and effective fresh water and waste water systems;
- ensuring there is strong policy direction for the protection of environmentally significant areas;
- ultimately preparing Area Structure Plans (ASPs) for the defined growth centres and economic growth corridors to provide more detailed planning direction;
- making sure that the MDP encourages and allows for a diversity of land uses, lifestyles and housing types to meet the needs of all Mountain View County residents;
- directing future residential, commercial, and industrial development at higher densities, to identified growth centres and the economic growth corridors to take advantage of existing infrastructure, recognize historical patterns of growth and development and to minimize land taken out of agricultural production;
- working with adjacent municipalities and jurisdictions to conduct joint planning and infrastructure sharing for more effective and efficient use of resources; and
- developing and adopt plans for infrastructure as needed.

While these are new planning directions for Mountain View County as a whole, they are not all equally applicable, or even applicable, to certain portions of the County, including the Bergen area. For example, based on the Planning Vision for the Bergen area (see Section 5.1) prepared by the Bergen community, the new directions for growth centres and for higher densities are not applicable or desired within the Bergen area.

3.3 Land Use Bylaw

The Land Use Bylaw No. 01/14, provides land use regulations for all development in Mountain View County. While the Bergen Area Structure Plan contains policies specific to the plan area, it is the Land Use Bylaw that controls the uses of land. As such, the uses on land within the Bergen plan area are controlled by the land use (i.e. zoning) designation of the land in the Land Use Bylaw.

4.0 PLANNING PROCESS AND CONSULTATION

4.1 Planning Process

Area Structure Plans are revisited periodically to ensure that they still reflect the community's needs and desires. This process is a review to bring the ASP into compliance with the policies of the Municipal Development Plan as well as to ensure policies are still relevant. This process is also to identify and address issues or trends that impact land use planning.

The planning process to review an Area Structure Plan is often undertaken in four phases. The first phase included background research and meeting with the Steering Committee to identify planning issues and opportunities within the plan area.

The draft review of the Bergen Area Structure Plan was prepared during phase two.

In phase three, Open Houses and questionnaires were methods used to engage the Public.

In phase four, the formal plan adoption process took place. The Steering Committee recommended to Council that the proposed Area Structure Plan be adopted. Council then proceeded through the readings of the bylaw to adopt the plan, including the holding of a public hearing prior to final adoption of the plan.

The 2014 ASP review process and community consultation is documented in Appendix B. The 2014 process included a Community Consultation, a Questionnaire and an Open House.

5.0 STRATEGIC PLAN DIRECTIONS

5.1 Planning Vision:

A planning vision for the Bergen area was prepared with considerable input from the community through the visioning workshop and the Questionnaire in 2007.

5.1.1 The Planning Vision in 2007 for the Bergen area in thirty plus years was:

The area is green woodlands, natural areas and stream ways interspersed within the predominantly rural, agricultural area. The community is residents and visitors who enjoy a country lifestyle, who respect each other, who cherish agricultural land and the environment, and who value the key attributes of the Bergen area, being its:

- *peaceful, healthy way of life with a rural emphasis*
- *economic well-being and safety for families and individuals*
- *access to services and recreation*
- *agricultural operations*
- *sustainable environment*
- *gradual change through focused and measured growth.*

This 2007 vision for the Bergen Area was discussed with the Steering Committee and deemed to still be the planning direction for the Bergen Community to strive for.

5.2 Planning Strategies

These strategies provide key directions to help achieve the planning vision for the Bergen area.

5.2.2 The following strategies provide increased clarity and focus as a means to help achieve the overall planning strategy:

- (a) Conserve significant environments, open spaces and vital visual amenities;
- (b) Encourage the sustainable management of Crown Lands;
- (c) Recognize agricultural operations as the defining character of the plan area guided under Agricultural Operation Practices Act (AOPA);
- (d) Maintain the rural lifestyle of the plan area as an area for farm residences and limited country residential developments;
- (e) Explore opportunities for a trail network.
- (f) Afford opportunities for employment through diversification of farming and other forms of economic activity in keeping with the character of the plan area;
- (g) Support public safety through the provision and maintenance of quality roads and utilities;
- (h) Enhance community livability through the continued provision of access to education, health and recreation facilities and programs;
- (i) Promote community safety and well-being through the provision of and access for protective and emergency services and programs;
- (j) Promote the implementation of this Area Structure Plan through the Land Use Bylaw, and the day-to-day subdivision and development processes.

6.0 LAND USE POLICY AREAS

Lands within the Bergen area are allocated into three Land Use Policy Areas in order to direct land uses to the most appropriate areas and to guide the development of land uses within the context of the planning vision and strategies for the Bergen area.

6.1 Land Use Policy Areas

6.1.1 Figure 6 shows that the plan area is allocated among three Land Use Policy Areas, being:

- (a) Agriculture;
- (b) Stream Corridor; and
- (c) Jackson Lake;

6.1.2 The use and management of land within each of the Land Use Policy Areas shall be guided by the policies in the Municipal Development Plan and the policies in Sections 6, 7 and 8 of this Area Structure Plan.

6.1.3 Figure 5 shows the features within the plan area that are deemed to be significant lands such that any land use and land use change within and adjacent to a significant area must consider the provisions of Section 7.2.

6.2 Boundaries

6.2.1 The boundaries between the Land Use Policy Areas generally follow property lines and natural features. Where the boundary does not follow a property line, the specific boundary location may be determined only by:

- (a) the Council of Mountain View County, or
- (b) the County subdivision authority, or
- (c) other authority, person or persons by resolution of Council.

6.2.2 Amendments to the Land Use Strategy Map will not be required for:

- (a) minor property boundary adjustments;
- (b) boundary variations acceptable to the County based upon information supplied in specific studies, outline plans or other relevant source materials.

6.3 Agriculture

Pursuant to the planning vision, the majority of the plan area is set aside as Agriculture in order for the Bergen plan area to remain predominantly a rural, mixed farming community. Dispersed within agricultural areas may be limited recreation, commercial and industrial uses of a nature and size that complement the rural nature of the plan area.

6.3.1 The use of land within the Agriculture area will be primarily for agricultural operations.

6.3.2 In the plan area no new or expanded Confined Feeding Operations (CFO) shall be permitted of a size or intensity that activates the provisions of the Alberta Agricultural Operations Protections Act (AOPA).

- 6.3.3 Non-agricultural land uses may be allowed within the Agriculture area in accordance with the provisions of Sections 7 and 8 of this plan and the Municipal Development Plan.
- 6.3.4 When considering approval of a proposed non-agricultural use, one of the factors to be considered is the effects of the use on adjacent farming operations, being mindful of the community's desire that the area retain a predominantly rural, agricultural character.

6.4 Stream Corridor Area

Stream corridors are important features within the Bergen plan area, the major watercourse being the Red Deer River. The Red Deer River is a provincially significant waterway. It is a major water source for numerous municipalities, industries and agricultural operations (including irrigation) throughout, and even beyond, the Red Deer River watershed. The shoreline and banks of the river, which form the northwest and north boundaries of the plan area, are subject to erosion, slumping and/or flooding. It is important to maintain the integrity of these significant lands to help preserve the quality of the water in the river, to conserve significant shore lands and to limit land uses that may be endangered by the changing nature of the stream course and many of its banks.

Tributaries to the Red Deer River are also important, especially Fallentimber Creek, Nitchie Creek, Community Creek, Highland Creek, and Bergen Creek and their tributaries. These streams are also prone to flooding, and in places, their banks subject to erosion if riparian vegetation is not maintained.

Red Deer River Stream Corridor Area

- 6.4.1 The uses of lands within the Stream Corridor area, including its immediate shorelines, banks, escarpments and terraces, are to be primarily for wooded lands to help maintain the integrity and stability of these significant features.
- 6.4.2 Dwellings and appropriate farming activities should be limited to local sites not subject to bank erosion or slumping because of distance from the river or the presence of slopes of less than 10 per cent, and should be undertaken in a manner consistent with the sensitivities of these sites and adjacent lands.
- 6.4.3 The Provincial's McDougal Flats Flood Hazard Study in Figure 5 identifies the flood hazard area that includes the floodway and flood fringe.

Tributary Stream Corridor Area

- 6.4.4 Along the Fallentimber Creek, Nitchie Creek, Community Creek, Highland Creek, Bergen Creek and their tributaries, farming activities, dwellings and other structures and activities should be set back to minimize impacts on the banks of the stream and the quality of water within the stream.
- 6.4.5 Riparian vegetation should be maintained along the banks in order to protect water quality and to minimize erosion along the streams.

General Policies

- 6.4.6 Viewing areas and pathways are appropriate forms of public recreation within the Area, but these facilities may only be provided on sites and within corridors having suitable characteristics to accommodate these uses.
- 6.4.7 The first parcel out may be supported by the County subject to a re-designation and subdivision application only if it is shown by supporting studies that the site of the first parcel out is suitable for development and there is no potential for adverse impacts on the development or the surrounding significant lands due to flooding, erosion, subsidence or other hazardous occurrence.

6.5 Jackson Lake

The Jackson Lake area contains four County owned quarter sections mostly consisting of significant lands (small lake, boggy). Due to of the sensitive nature of land, agricultural pursuits need to be limited. Because of the area's proximity to lands in the southeast Sundre Area Structure Plan, which promotes recreation trails, the Jackson Lake area should be studied for its potential for connected trails and possibly a public day use area.

- 6.5.1 The Jackson Lake area should be retained in County ownership to conserve the significant features, although some farming for grazing and hay production may take place on suitable portions of the area. Residential use is not supported.
- 6.5.2 The area should be subject to a study to assess the land suitability and need for a future public day use park, with trail connections for non-motorized uses, to Sundre and the Bergen area.

7.0 POLICIES

7.1 AGGREGATE RESOURCE EXTRACTION

Currently, there is a gravel extraction operation east of Bergen Springs. Sand and/or gravel are transported on the local road network to the Provincial Highway network through road use agreements. The County supports sand and gravel as a value added resource and extraction will continue within the plan area in the foreseeable future. The County recognizes the importance of aggregate resources and will endeavor to provide for their extraction in accordance with sound environmental principles. It is recognized that aggregate resource extraction is an interim land use. Measures will be taken to mitigate any negative impacts on adjacent properties. Residents should be aware of the aggregate resource and the use of local roads to transport the sand and gravel.

Goals

The Aggregate Resource Extraction goals are:

- 1) To extract resources in an environmentally responsible manner.
- 2) To minimize the potential conflict of aggregate resource extraction and other land uses.
- 3) To recognize the importance of aggregate resource extraction to the County and Provincial economies.

- 4) To recognize extraction as an interim land use, requiring appropriately phased and timely reclamation.
- 5) To ensure reclamation plans for new pits provide a use that will benefit the community.
- 6) To encourage reclamation plans for existing pits.
- 7) To ensure that sand and gravel pit owners/operators work with the County and the community in designing reclamation plans.

Policies

- 7.1.1 Any future sand and gravel extraction in and around the plan area will require appropriate approvals from government and non-government agencies and proper development setbacks. Aggregate Resource Extraction Operations may require Provincial approvals.
- 7.1.2 Reclamation will consider the long-term land use strategy for the Bergen ASP.
- 7.1.3 All natural resource extraction shall occur in accordance with standards acceptable to the Provincial department responsible for overseeing the environment, and the phased extraction area shall be reclaimed when extraction is finished. A reclamation certificate from the Province may be required.
- 7.1.4 Aggregate resource extraction activities are considered an interim use rather than an ultimate or final land use within the plan area. Development Permit applications for sand and gravel pits shall be accompanied by an end use plan.
- 7.1.5 The County will place conditions upon development approvals in order to minimize the impacts on adjacent developments, the community and the environment; which may include, but are not limited to:
 - a) parameters of operation – depth, total area available to develop, standard hours of operation;
 - b) setbacks from roads, residential and other developments, including reciprocal setbacks limiting development encroaching on existing sand and gravel operations;
 - c) buffering and noise attenuation;
 - d) road use agreements including haul routes and/or development service agreements;
 - e) reclamation schedules;
 - f) environmental protection measures in accordance with an approved County policy; and any other matters deemed necessary by the County Approving Authority.
- 7.1.6 Extraction of resources, particularly sand and gravel deposits, prior to subdivision and development of the lands for other uses should be encouraged.
- 7.1.7 When the natural resource extraction is proposed within an environmentally significant area, the applicant shall submit a detailed environmental site assessment and mitigation plan in support of the proposed development. Additional reports and studies may be required by the Approving Authority to facilitate the evaluation and assessment of the application in accordance with approved County policy.
- 7.1.8 Applications for new or expansion of existing aggregate extraction/processing shall be subject to redesignation and the provisions of the Land Use Bylaw.

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7.2 Significant Features and Environmental Protection

Introduction

Mountain View County desires to conserve lands that are environmentally significant and contribute meaningfully to the amenity values of the plan area. Other features may be environmentally significant as they may pose to be hazardous for development and public safety. Policies that promote conservation measures to protect environmentally significant features not only will assist the retention of the rural ambience of the plan area but will also enhance the quality of life of the area's residents, and promote public safety.

Goals

The conservation goals are:

- (1) To protect significant features from inappropriate use.
- (2) To promote appropriate environmentally responsible development within and adjacent to significant features.
- (3) To provide for development in a manner consistent with the sustainability of surface and groundwater resources.
- (4) To protect hazard lands prone to flooding or identified as flood hazard areas.

Policies

- 7.2.1 The lands and features identified on Figure 5 as Environmentally Significant Area are generalized and may not be a complete representation of significant lands and features in the plan area. Environmental Significant Areas include lands along the Red Deer River, Creeks and Streams that are prone to flooding or identified as flood hazard areas. Mountain View County may determine from time to time that additional lands and features may be classed as significant for the purposes of this Plan.
- 7.2.2 The exact boundaries of an Environmentally Significant Area may be determined by the County as part of the process to consider a subdivision application or a development application, or by land purchase to establish a public park, natural area or other form of conservation area or by a special study authorized or recognized by the County.
- 7.2.3 The provisions of Section 7.2 apply to all lands identified as Environmental Significant Area on Figure 6 and other lands identified in accordance with Section 7.2.1. A proponent of a proposed subdivision or development, by the provision of a study, expert opinion or other information acceptable to the County, may demonstrate that the lands within and adjacent to the proposal are not significant, but the County shall be the final authority.
- 7.2.4 The use of land, including agricultural, within an Environmental Significant Area should be appropriate to the capability and capacity of the Environmental Significant Area by implementing conservation practices in the ongoing use of the land.
- 7.2.5 Notwithstanding any other policy in this ASP, Municipal Development Plan policies shall guide and determine the suitability of redesignation and subdivision applications; or redesignation only applications where any part of the subject land is identified in the Flood Hazard Area (Floodway or Flood Fringe) of an approved provincial study; or where no provincial study exist

and risk is determined through environmental scan, aerial photographs and historic information, the applicant shall be required to determine the Flood Hazard Area.

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- 7.2.6 Within the lands prone to flooding by the Red Deer River, the retention of tree cover is strongly promoted to help maintain the banks of the river. Any public access should be limited to small viewing areas accessed by foot paths. Extensive agricultural uses, such as grazing and hay lands, are appropriate.
- 7.2.7 Notwithstanding any other policy in this ASP, the Land Use Bylaw shall set out regulations to guide development where any part of the subject land is identified in the Flood Hazard Area (Floodway or Flood Fringe) of an approved provincial study; or where no provincial study exist and risk is determined through environmental scan, aerial photographs and historic information, the applicant shall be required to determine the Flood Hazard Area.

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- 7.2.8 The Jackson Lake should be retained in County ownership and maintained as a conservation area, although some extensive farming for grazing and hay production may take place on suitable portions of the area. A future study should investigate the potential of the area for trails to link to the future trail system planned along Highway 760 south of Sundre.
- 7.2.9 Agricultural activity and any approvals for subdivision and development should seek to retain the amenity values of ridges and the upper slopes by retaining woodlands along the tops of ridges and their upper slopes.
- 7.2.10 The County shall require the dedication of an environmental reserve or an environmental reserve easement for the following:
- (a) a swamp (i.e. wetland), gully, ravine and natural drainage course;
 - (b) land subject to flooding;
 - (c) land considered unstable; and
 - (d) land abutting the bed and shore of a lake, river, stream or other body of water.
- 7.2.11 The County shall require environmental reserve dedication where public access is planned or potentially will be required in the future.
- 7.2.12 The width of an environmental reserve or environmental reserve easement along the Red Deer River shall be no less than 20 m from the top of bank, and for other streams and for lakes within the plan area no less than 10 m from the top of bank. Based on a slope stability study by a qualified engineer, a wider width may be required by the County.
- 7.2.13 An environmental reserve or environmental reserve easement adjacent to a wetland should be wide enough to preserve ecological functions, but should be no less than 6 m in width.
- 7.2.14 Where subdivision or development within an Environmental Significant Area is to be allowed, the subdivision and development shall:
- (a) integrate significant features into the design to promote their conservation while enhancing the subdivision or development;

- (b) promote continuity among adjacent sites through the conservation or provision, wherever possible, of habitat and/or open space corridors;
- (c) protect other site amenities, such as views, steep slopes and drainage courses, to enhance the subdivision or development.

7.2.15 Development shall be directed away from hazard lands, being:

- (a) land that is susceptible to erosion, subsidence or slumping;
- (b) flood prone lands; and
- (c) land in proximity to sour gas facilities, if any should be located in the plan area.

7.2.16 For a proposed subdivision or development within or adjacent to a significant area, the County may require a wildlife study, a fishery study or both to determine what conditions may need to be placed on the subdivision or development to conserve habitat and species.

7.3 Farmland

Introduction

Agricultural operations dominate the Bergen plan area, and it is the desire of the area's residents that the plan area remains a predominantly rural, agricultural community. It is desired that lands suitable for farming remain in farming as long as practically possible.

Goals

The farmland goals are:

- (1) To sustain the agricultural land base.
- (2) To accommodate appropriate forms and patterns of non-agricultural land uses.

Policies

- 7.3.1 All lands in the plan area are deemed to be agricultural unless otherwise designated for other uses.
- 7.3.2 Mountain View County recognizes the right to farm and therefore supports existing farming operations where they utilize commonly accepted and beneficial agricultural practices.
- 7.3.3 Non-agricultural parcels shall respect agricultural operations, including their hours of operation, the odours and noises emanating from an agricultural operation and the traffic movements they create.
- 7.3.4 Panhandle lots are not to be considered appropriate subdivision design except for a farmstead separation or where existing utilities, topographic or farming practices preclude other design solutions.
- 7.3.5 The maximum number of titles in order to preserve agricultural land should be two (2) titles per quarter section.

- 7.3.6 The first parcel out of a previously unsubdivided quarter section may only be supported by the County for the creation of one additional parcel, subject to redesignation and subdivision application and the provisions of the Land Use Bylaw and the Municipal Development Plan.

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- 7.3.7 The first parcel out from a previously un-subdivided quarter may be:

- (a) an agricultural parcel should be no smaller than 16.8 hectares (40 acres);

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- (b) a farmstead separation for a farmstead that has been in existence for at least ten years at the time of the subdivision application, but the parcel shall be no larger than 4.05 hectares (10 acres) or smaller than 0.8 hectares (2 acres); or
- (c) a residential parcel, but the parcel shall be no larger than 1.21 hectares (3 acres) or smaller than 0.8 hectares (2 acres), although a larger parcel may be permitted where setbacks, topography and easements prevent the creation of a reasonable building envelope.

- 7.3.8 When a non-agricultural use is to be approved, where possible it should be directed to a site which has soil capabilities of lower quality than other soils within the parcel. The evaluation will include consultation with the Canadian Land Inventory (CLI) and Agricultural Regions of Alberta Soil Inventory Database (AGRASID) Land Suitability Rating System (LSRS) Class 2 and 3 soils as the 1st Dominant, or Co Dominant, the farmland assessment records, historical and current on-site management practices to guide the evaluation of land which will not be based on short term limitations.

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- 7.3.9 In the plan area no new or expanded confined feeding operation shall be supported or permitted of a size or intensity that activates the provisions of the Alberta Agricultural Operations Protections Act.

- 7.3.10 Notwithstanding other policies in this Plan, a subdivision of land that is fragmented by way of natural or man-made features, such as but not limited to waterways, water bodies and highways, may be approved in accordance with MDP policies.

7.4 Residential Development

Introduction

Demand for rural residential housing continues to rise. Given the attractiveness of the Bergen area, as well as its proximity to urban centres and the Highway 2 Corridor, pressure for rural residences is anticipated to remain steady or increase for the plan area. Mountain View County desires to provide rural residential subdivisions, in part to provide for affordable housing options, while minimizing land taken out of agricultural production.

During the planning process various densities of country residential development were considered. The majority of residents within the Bergen area clearly indicated that moderate and large sized

residential clusters are not consistent with the Planning Vision and the fundamental desire for a rural lifestyle within the Bergen planning area. Therefore, the Bergen Area Structure Plan only accommodates limited country residential developments in the Potential Multi-Lot Residential Development Area as provided for in the Municipal Development Plan.

Goals

The residential development goals are:

- (1) To provide for farm and associated farm residences.
- (2) To accommodate limited country residential developments in the Potential Multi-Lot Residential Development Area.

Policies

- 7.4.1 Dwellings associated with farming operations are permitted in accordance with the provisions of the Municipal Development Plan and the Agricultural District in the Land Use Bylaw.
 - 7.4.2 Land use redesignation shall be required for new residential subdivision. In keeping with the rural nature of the plan area, only detached homes are permissible.
 - 7.4.3 Within the Potential Multi-Lot Residential Development Area, a low density rural residential development may be allowed in accordance with the provisions of the Municipal Development Plan. This provides for a low density residential subdivision of up to three (3) titled lots with the balance of the quarter as the fourth titled lot, if the following criteria are met:
 - (a) The subdivision shall not result in more than three (3) titled lots with the balance of the quarter as the fourth titled lot.
 - (b) The maximum total area taken from a quarter section for residential subdivision shall not exceed nine (9) acres (3.64 ha) including agricultural subdivisions smaller than nine (9) acres (3.64 ha). Larger areas may be considered where setbacks, topography and easements prevent the creation of reasonable building envelopes.
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- (c) Where previous subdivision has occurred in the quarter section, and subject to Policy 7.4.3 (a), the minimum lot size shall be 2 acres (0.81 ha) and the maximum lot size for new residential development shall be 3 acres (1.21 ha); larger lots up to a maximum of 5 acres may be considered where setbacks and easements prevent the creation of a reasonable building envelope.
 - (d) The lots shall be concentrated in an area that allows the balance of the quarter section to remain in agricultural operation.
 - (e) The development should be proposed adjacent to any existing residential development or approved subdivision on contiguous neighbouring quarter sections.
 - (f) The development should be located on the periphery of the quarter section to minimize access roads, to discourage panhandle roads, and to minimize the use of agricultural land for roads.
- 7.4.4 Water well and sewage systems that meet provincial and municipal standards are required for development.

- 7.4.5 Notwithstanding any other provisions in Section 7.4, the subdivision of residential lots along coulees or other natural features may be approved if the provisions of the Municipal Development Plan are met and the subdivision shall not result in more than three (3) titled lots with the balance of the quarter as the fourth titled lot.
- 7.4.6 The Bergen Springs development is deemed to be at its maximum capacity such that no additional lots are to be allowed.
- 7.4.7 Notwithstanding other polices in this Plan, subdivisions for titled lots fragmented by way of natural or man-made features, such as, but not limited to, rivers, railway lines and highways, may be considered by Council. The application should not result in more than four (4) titles per quarter section, including first parcel out and farmstead separations, and shall not be permitted if the maximum number of dwelling units as set out in the LUB will be exceeded.

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7.5 Plan Area Economy

Introduction

Traditional agricultural activities are an important aspect of the plan area's economy and a desired way of life for many of the plan area's residents. This plan envisions, where appropriate, agricultural activities as a priority land use within all land use policy areas, but also supports the diversification of the economy through the development of non-agricultural land uses of a scale and character that serve to integrate these uses into the existing land use pattern and are compatible with the rural character of the area.

Additionally, the plan considers the economic contribution of the extraction and harvesting of the energy, sand, gravel and timber resources within the plan area. The majority of this activity is governed by provincial legislation but it is important to consider the potential impacts of proposed development on resource activity.

Goals

The Plan area economy goals are:

- (1) To maintain agriculture as the principle land use, economic activity and way of life in the plan area.
- (2) To provide for diversification of the agricultural industry through agricultural operations.
- (3) To provide for the extraction of sand, gravel, and timber resources in an environmentally responsible manner.
- (4) To provide for a variety of limited commercial, tourism, recreation and other land uses in keeping with the character of the plan area.

Policies

- 7.5.1 Agricultural uses are encouraged within the plan area with a focus on the sustainable use of the land in a manner that is compatible with the environment.
- 7.5.2 Farm subsidiary operations are encouraged within the plan area, but such an operation should not have an adverse effect on adjacent land uses.

- 7.5.3 The area within the vicinity of the Bergen Store is to be the focal area for local commercial and service development within the plan area. Other locations for commercial development and service and light industrial uses within the plan area may be appropriate, depending on site characteristics, adjacent land uses, the nature of the proposed commercial development and other factors which the County may consider.
- 7.5.4 In considering an application to subdivide or develop land, the application may be refused if the subdivision or development would compromise the future recovery of sand and gravel deposits.
- 7.5.5 If a resource extraction operation is approved in the plan area, the approval:
- (a) shall be with conditions that minimize any effects on a significant feature, whether on-site, nearby or downstream, and the enjoyment of the use of adjacent land;
 - (b) shall require the reclamation of the site in accordance with provincial regulations; and
 - (c) may apply conditions (e.g. hours of operation, truck haul routes) to minimize or mitigate impacts on the enjoyment of adjacent lands.
- 7.5.6 If a new pipeline or transmission line is proposed to be located in the plan area, the County shall encourage the line to locate within or immediately adjacent to an existing pipeline and transmission corridor. If a new corridor is required, the County shall encourage the corridor to avoid, wherever possible, areas of incompatible land uses and significant features.
- 7.5.7 Existing and future energy and communication corridors shall be protected from encroachment by following the setback requirements established by the board responsible for regulating energy and utilities.
- 7.5.8 The County encourages forest operations within the plan area to be undertaken as part of a sustainable timber harvesting plan so the timber harvest does not exceed the ability of the forest to regenerate commercially viable timber.
- 7.5.9 Home office, home based or contractors business are considered appropriate as an accessory use to a single-detached dwelling provided they are developed in accordance with the policies of this Plan, and the Municipal Development Plan, as well as the provisions in the Land Use Bylaw.
- 7.5.10 Commercial recreation uses may include but not limited to farm vacation and guest ranches with fixed roof accommodation, spas, and other forms of recreation operation operated for commercial gain approved by the County.
- 7.5.11 Applications for new Commercial Recreational Vehicle Campgrounds and Campgrounds are not supported in the ASP.
- 7.5.12 Commercial recreation uses may be permitted in the plan area if the County is satisfied the proposed development would meet the following:
- (a) compatible with the rural character of the plan area;
 - (b) the form, scale, and intensity of the proposed development is compatible with adjacent land uses;
 - (c) the provisions of adequate proposed screening and buffering of noise, light, and other undesirable effects that may be associated with the proposed development;

- (d) minimal effects on the natural environment, whereby actions to mitigate effects on the environment may be required;
- (e) adequate existing and proposed vehicular access roads leading to the proposed development, access points, internal roads and on-site parking facilities; and
- (f) adequate water supply, sewer collection, stormwater management and other services required to accommodate the proposed development.

7.5.13 Locations for commercial recreation developments shall require that a natural feature or an element of a natural feature is included in the development. Natural features include but are not limited to streams, wetlands, woodlands and hillsides with views.

7.5.14 Suitable setbacks, screening and buffers may be required to ensure the compatibility of commercial and light industrial uses with adjacent existing or proposed future land uses recognized in a County approved outline plan or local area structure plan.

7.6 Roads and Utilities

Introduction

The main road network (see Figure 3) in the Bergen plan area consists of Highway 760, two roads classified as 'major collectors', these being the east portion of the Bergen Road and the Fallentimber Trail, and a 'minor collector', being the west portion of the Bergen Road. Most of the remainder of the plan area is served by a network of local roads. For the road network to continue to provide effective and safe access and egress, and thus contribute significantly to the life of the community, it is important that the road network is protected from undesirable encroachment and a multiplicity of accesses.

It is important for individual, family and community health that each development is adequately serviced by water and sewer systems. To protect waterways, it is also important that stormwater management meets provincial standards.

Goals

The roads and utilities goals are:

- (1) To promote an effective and safe roadway network.
- (2) To require appropriate setbacks from roadways.
- (3) To require all development to provide water, sewer and stormwater management systems that meet provincial standards.
- (4) To provide for development in a manner consistent with the sustainability of groundwater resources.

Policies

7.6.1 Any new access from Highway 760 shall need to be approved by the Provincial department responsible for overseeing transportation to serve the subdivision or development of land along the highway in accordance with this Plan and an outline plan or local area structure plan required and approved by the County or the Department. The Province's position is that no new commercial accesses will be supported.

- 7.6.2 Access need not be directly from a collector road, but may be from a county road at a location in close proximity to a collector road.
- 7.6.3 Each proposed subdivision or development shall demonstrate that the subdivision or development complies with the County's road network and policies.
- 7.6.4 In approving a subdivision application or a development application, the conditions of approval shall include:
- (a) the local roads to be created meet County standards;
 - (b) all accesses meet County standards, such that existing accesses may need to be upgraded;
 - (c) if required, turning lanes be provided;
 - (d) any required road widening is provided;
 - (e) the cost of construction and improvements to the County road are borne by the developer; and
 - (f) the cost of the design and construction of local subdivision or development roads be borne by the developer.
- 7.6.5 In order to reduce the number accesses from Highway 760 and county roads, the County may require that a proposed subdivision provide for internal local road links among adjoining developments, including possible future developments.
- 7.6.6 Individual potable water well and septic systems that meet provincial and municipal standards may be allowed for a proposed development.
- 7.6.7 The County shall not approve a subdivision or development if the intended supply of water is groundwater and studies pursuant to the *Water Act* indicate the groundwater resources are insufficient for the subdivision or development or the use of groundwater may unduly affect groundwater users already in the area.
- 7.6.8 All multi-lot and major developments shall have a site development plan which addresses provisions for the management of stormwater to ensure that run-off does not exceed pre-development rates and detrimentally affect County road infrastructure and adjacent lands. The storm-water management plan shall be prepared by a qualified engineer.
- 7.6.9 The County may introduce recycling services within the plan area.
- 7.6.10 A Dark Sky policy shall be applied to all development in the Bergen plan area, such that high mast street lights will not be permitted. Lighting for security and safety shall be provided by low mast, lower wattage standards. It is preferred that lighting should be powered by solar energy.

7.7 Community and Protective Services

Introduction

Although there is a sizeable rural population residing in the plan area, community services, including recreation, schools, health, protective and emergency services are located in and delivered out of nearby urban locations. As the population in the plan area changes and grows, it will be important that the County monitors the impact of growth on education, health, police, fire and ambulance services and facilities.

Goals

The community services and protective goals are to:

- (1) To monitor the impacts of land uses change on education, health and recreation services and programs.
- (2) To cooperate with service providers and adjoining municipalities to promote the availability of community and protective services.

Policies

- 7.7.1 In approving a subdivision, ten per cent of the area being subdivided into new parcels shall be required to be dedicated as municipal reserve in accordance with the MGA. However, if site characteristics do not warrant the dedication of municipal reserve or there is an opportunity in the future to dedicate from the balance of the parcel more suitable lands as municipal reserve, then the County may defer reserve dedication. If the County feels that the dedication of municipal reserve is not warranted, the County shall require money-in-lieu of municipal reserve.
- 7.7.2 When municipal reserve lands are required as part of a subdivision, the design of a subdivision must provide reserve lands that merit use as open space. Wherever possible these should be located and aligned to provide continuity with existing or potential future municipal and environmental reserve lands or other forms of public open space in adjoining land.
- 7.7.3 Within the plan area, public recreation places shall provide only for day use activities, which may include, but not limited to, sports fields, playground equipment, picnic sites, trails and interpretative signs.
- 7.7.4 The Jackson Lake area should be retained in County ownership to conserve the significant features, and should be subject to a future study to assess the land suitability and need for a future public day use park, with pathway connections to Sundre and the Bergen area.
- 7.7.5 Davidson Park should remain as a public day use facility.
- 7.7.6 For subdivision and development applications in locations that have a substantial portion of woodlands, the County shall require that FireSmart principles and fire prevention details are included as part of the application for consideration. In these areas, any approval of an application shall include conditions that require the implementation of FireSmart principles and fire prevention details.
- 7.7.7 The County shall continue to seek opportunities to share protective and emergency services with adjoining municipalities.

7.8 Specific Land Uses and General Policies

Introduction

The Bergen plan area has the potential to provide for a variety of uses, in addition to those addressed elsewhere in this plan, which can be compatible with the resources and character of the area. There

are also a number of development considerations that generally apply to development throughout the plan area.

Goals

The specific land uses and general policies goal is:

- (a) To provide direction for the potential approval of a variety of developments.

Policies

- 7.8.1 The sequence of development within the plan area is generally undefined in that development is left to the initiative of private interests.
- 7.8.2 Secondary suites that do not negatively impact adjacent land uses shall be considered appropriate in the plan area.
- 7.8.3 The existing Institutional Camps are appropriate within the plan area.
- 7.8.4 In considering an application for a new or expanding institutional camp the County may grant approval if in the opinion of the County:
 - (a) the size and form of the development has minimal impacts on adjacent land uses;
 - (b) the proposed use is compatible with adjacent land uses;
 - (c) there is provision of adequate access;
 - (d) there will be adequate sewer and water to service the development;
 - (e) there will be appropriate buffering or screening from adjacent land uses; and
 - (f) the provisions of Section 7.9 of this Plan are met.

7.9 Plan Implementation

Introduction

As a day-to-day tool to put into effect the land use and community development policies of the County, including those contained within the Municipal Development Plan and the Bergen Area Structure Plan, the administration of the Land Use Bylaw is vital to the achievement of the strategies, goals and policies of this Area Structure Plan. In order to make informed decisions on proposed applications to redesignate, subdivide or develop land, the County may need to require special studies.

Goals

The plan implementation goals are:

- (1) To apply the plan to direct the use, subdivision and development of land in the plan area.
- (2) To require where appropriate an outline plan or local area structure plan for the County to determine the suitability of proposed land use changes.
- (3) To monitor land use change to effect gradual, focused and measured growth.

Policies

- 7.9.1 The Land Use Bylaw shall be used to implement the policies of this Plan. A bylaw to redesignate land in the plan area may be adopted by the County where the redesignation is consistent with the land use strategy and the policies of this Plan.
- 7.9.2 Decisions on subdivision and development applications shall implement the applicable mandatory policies of this Area Structure Plan and shall consider all other applicable policies.
- 7.9.3 As part of an application to redesignate, subdivide or development land within the plan area, the County may require any or all of the following to be addressed, and may require that they be addressed within an outline plan or a local area structure plan:
- (a) the suitability of the features of the site for the proposed use or uses;
 - (b) the site design, including parcel sizes and density;
 - (c) the sequence of development;
 - (d) the impact on the site and adjacent lands, including land uses thereon;
 - (e) the consistency of the plan with the statutory plans of the County, including explanations for variances which the County will need to address as part of the plan approval process;
 - (f) the impacts on the environment, including significant lands, and the proposed means to mitigate impacts;
 - (g) the traffic impacts and the proposed means to mitigate impacts;
 - (h) the provisions for road widening, road improvements and intersection improvements for access roads leading to the site;
 - (i) the internal road linkages with adjacent lands;
 - (j) the provisions for water and sewer services;
 - (k) the provisions for stormwater management;
 - (l) the provisions for open space, including linkages with adjacent lands;
 - (m) the dedication of land for environmental reserve, municipal reserve, school reserve, municipal and school reserve or money-in-lieu of land;
 - (n) the aesthetic details, including landscaping within and on lands adjacent to the site;
 - (o) the adequacy of the availability of community services, including any necessary plans for emergency services and evacuation;
 - (p) the community consultation program; and
 - (q) any other matters required by the County.
- 7.9.4 The County may require the proponent of a proposed development or subdivision to prepare an Environmental Review to the satisfaction of the County. An Environmental Review must address any or all of the following as required by the County:
- (a) a description of the proposed undertaking, including its purpose, alternatives and staging requirements; a description of the lands, features and resources of the site, adjacent properties and nearby lands that may be affected;
 - (b) a description of the environmental sensitivity of the lands, features and resources;
 - (c) a description of the predicted effects on the lands, features and resources, including the nature of the impacts on land, vegetation, water and wildlife, during construction;
 - (d) the nature of the impacts of land use activities on land, water and wildlife upon completion of the development, including phases thereof;
 - (e) an indication of the limitations of the review, criteria used in predicting effects, and interests consulted;
 - (f) mitigation actions to alleviate any adverse impacts and monitor the performance of the mitigation measures;

- (g) a presentation of the results in a framework that can assist decision makers in determining the final course of action; and
- (h) any other matters required by the County.

7.9.5 Where a site proposed for subdivision or development contains slopes of 10% and over, the County may require the proponent of a subdivision or development to provide a geotechnical report, prepared and stamped by a professional geotechnical engineer, to demonstrate the stability and suitability of the slopes for development and standards for the development of the site, including actions to ensure the stability of the slopes.

7.9.6 The County may require, as part of an application for subdivision or development approval, a report which addresses:

- (a) the potential impact of the development on school enrollment and bussing;
- (b) the availability of police and ambulance services, and potential impacts thereon;
- (c) the travel distances for firefighting services, wildfire protection provisions and proposed alternate means of fire protection;
- (d) an emergency response plan, emergency evacuation plan and emergency access routes; and
- (e) the proposed means to address and/or mitigate any problems identified by the County or service provider of any of the above.

7.9.7 As part of the subdivision and development approval processes, the Provincial department responsible for overseeing culture and history should be consulted regarding the presence of significant historical sites. If a historic resource assessment is requested by the Province, the County shall require that such an assessment be undertaken by a person qualified to do so. If a significant historic resource is identified in the assessment, the site plan must identify the measures that will be used to protect, conserve and/or study the Historical Resources.

8.0 ADMINISTRATION

8.1 Authority of the Plan

The authority for the Bergen Area Structure Plan is through Section 633 of the *Municipal Government Act*. Section 633(1) of the *Municipal Government Act* provides for a municipality to adopt, by bylaw, an Area Structure Plan for the purpose of providing a framework for the subsequent subdivision and development of an area of land.

8.1.1 The County will administer the Bergen Area Structure Plan to guide the use, development and subdivision of land while retaining the predominantly rural agricultural character of the area, thereby assisting the implementation of the Municipal Development Plan.

8.2 Monitoring and Review

Because factors affecting land use, development, settlement, farming and resource use are dynamic, the effectiveness and continued relevance of this Plan will be reviewed from time to time.

8.2.1 The County will monitor the effectiveness of this Plan:

- (a) as the plan's policies are applied in processing proposed applications to redesignate, subdivide and develop land; and
- (b) in communications with other authorities and community groups in dealing with matters of common interest that affect the plan area.

8.2.2 The County will review this plan in its entirety at least every six years.

8.2.3 Between major reviews, the County will monitor the rate and form of land use change in the plan area. In the opinion of Council, if the rate and form of growth seems to exceed that of the planning vision for the Bergen area, Council may establish operational policies that restrict the number or form or both of approved land use changes in the plan area.

8.3 Plan Amendment

Because of the dynamics of social and economic change, it may be necessary from time to time to consider changes to the Bergen Area Structure Plan.

8.3.1 The Council of Mountain View County or a person or persons having an interest in land in the plan area may initiate an amendment to the Bergen Area Structure Plan.

8.3.2 If an amendment is initiated by a person or persons having an interest in land in the Plan area, prior to commencement of the bylaw amendment process the County may require the initiator to support the proposed amendment with a report or reports and other background information.

8.3.3 The process to approve a proposed amendment to the Plan shall be in accordance with the process required in the *Municipal Government Act*. When considering a proposed amendment, the County will:

- (a) consult affected adjoining municipalities in a manner in keeping with Section 12 of the Municipal Development Plan; and
- (b) refer the amendment to any adjoining municipality, school authority, provincial department and agency, and any other person, group or agency the County feels the amendment may affect.

APPENDIX A GLOSSARY

The definitions in this Plan are those of the Municipal Development Plan, a number of which are stated below, and as stated below.

Aggregate Extraction/Processing

Development for the removal, extraction, processing and transmission of the following for commercial purposes: sand, gravel, clay, peat, earth, shale, stone, marl, limestone, sandstone, marble, granite or other non-metallic ores.

Agricultural Operation

An agricultural operation that is carried on for gain or reward or in the hope or expectation of gain or reward, and includes

- (a) the clearing, draining, irrigating or cultivation of land,
- (b) the raising of livestock, including poultry,
- (c) the raising of fur-bearing animals,
- (d) the raising of bees,
- (e) the production of agricultural field crops,
- (f) the production of fruit and vegetables and other specialty horticultural crops,
- (g) the production of eggs and milk,
- (h) the operation of agricultural machinery and equipment, including irrigation pumps,
- (i) the preparation of a farm product for distribution from the farm gate, including cleaning, grading and packaging,
- (j) the on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail consumption,
- (k) the storage, use or disposal of organic wastes for farm purposes,
- (l) the operation of pick-your-own farms, roadside stands, farm produce stands and farm tourist operations as part of a farm operation,
- (m) the application of fertilizers, conditioners, insecticides, pesticides, fungicides and herbicides, including ground and aerial spraying, for agricultural purposes, or
- (n) any other agricultural activity or process prescribed by regulation.

Agricultural Regions of Alberta Soil Inventory Database

A spatial database of soils for Alberta's Agricultural area that have been derived from the Canada – Alberta Environmentally Sustainable Agriculture Soil Inventory Project (1993 to 1998). The land suitability rating system is based on the soil-climate-landscape potential of land for agricultural spring seeded small grains and hardy oilseeds.

Bylaw No. 10/21

Buffering

An area within a property or site, generally adjacent to and parallel with the property line, either consisting of existing natural vegetation or created by the use of trees, shrubs, and/or fences, which is designed to limit views and sound from affecting the development tract adjacent to the property and vice versa.

Canada Land Inventory

Classification of land capability and use for regional resource and land-use planning through a comprehensive federal-provincial survey established under the Agricultural Rehabilitation and Development Act in 1961.

Bylaw No. 10/21

Confined Feeding Operation (CFO)

In accordance with Alberta Agricultural Operation Practices Act (AOPA), a CFO is a fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose.

Commercial Recreation

Recreation facilities that charge a fee for use or entry and has no relationship to the amount of profit earned, if any.

Contiguous

Land immediately adjacent to other land without intervening vacant or undeveloped land.

Coulee

A coulee is usually a deep steep-sided ravine cut into the valley of a river or stream.

Country Residential Lot

Low density lots in rural areas for residential development; the lots generally serve people seeking sparsely settled places away from the influence of cities and towns.

County Collector Network

The County's officially recognized road network for which long term plans for maintenance and/or upgrading exists and may not include asphalt paved, chip sealed, and gravel roads.

Dark Sky

Concepts and practices that attempt to reduce light pollution, particularly in rural areas, in order to conserve energy, reduce glare, maintain rural character, safe guard wildlife (who are often disturbed by excessive light), and maintain views of the night sky and stars.

Density

The number of dwelling units per acre or hectare (residential); also the ratio of floor space or building area to the site area (commercial).

Environmental Reserve

A subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel as environmental reserve if it consists of the following:

- 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; or
- A strip of land, not less than six (6) metres in width, abutting the bed and shore of any lake, river, stream, or other body of water for the purpose of:
 - Preventing pollution; or
 - Providing public access to and beside the bed and shore.

Environmental Review

An assessment of the likely influence a project may have on the environment. The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made. The purpose of the assessment is to ensure that decision-makers consider environmental impacts before deciding whether to proceed with new projects.

Environmentally Significant Areas

Natural areas, which because of its features or characteristics, are significant to the County from an environmental perspective, and which have the potential to remain viable.

Farmstead

An established residential site that previously contained or currently contains a dwelling and other improvements used in connection with the raising or production of crops, livestock or poultry, situated on the same land used in connection with the farming operations.

Bylaw No. 10/21

First Parcel Out

A single lot/parcel created from a previously unsubdivided quarter section and includes quarter sections where fragmented parcels may have been removed prior to consideration for a first parcel out subdivision. Municipal Reserve dedication shall be required in accordance with the Municipal Government Act, including when the first parcel has been subdivided from a quarter section and the MDP identifies the remaining parcel as an unsubdivided quarter section.

Bylaw No. 10/21

Floodway

The portion of the flood hazard area where flows are deepest, fastest and most destructive. The floodway typically includes the main channel of a stream and a portion of the adjacent overbank area. The floodway is required to convey the design flood.

Flood, Design

The current design standard in Alberta that is the one percent flood, defined as a flood whose magnitude has a one percent chance of being equaled or exceeded in any year. Although it can be referenced to as a 100-year flood, this does not mean that it will occur once every hundred years.

Flood Fringe

The portion of the flood hazard area outside of the floodway. Water in the flood fringe is generally shallower and flows more slowly than in the floodway.

Flood Hazard Area

The area of land bordering a water course or water body that would be affected by the 1 in 100 year design flood (a flood that has a 1 % chance of occurring every year) under encroachment conditions. The Flood Hazard Area includes the floodway and flood fringe and may include areas of overland flow.

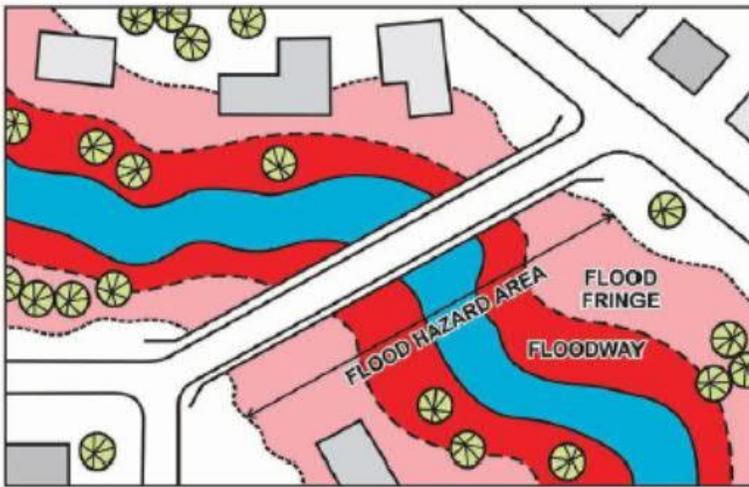
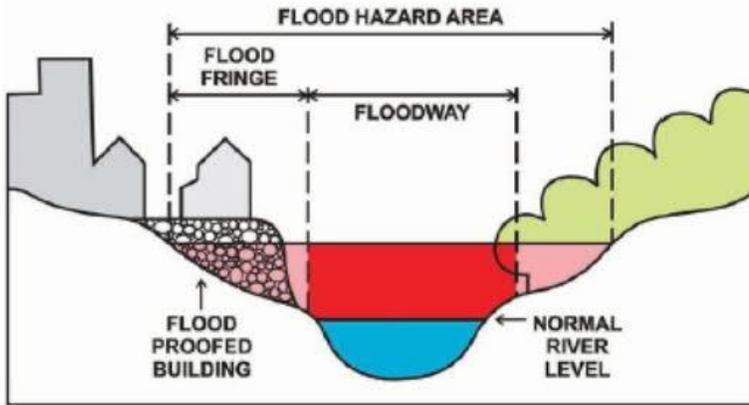


Illustration - Flood hazard area, Floodway, and Flood Fringe

Note: The above illustration is for clarification and convenience only and does not form part of this Bylaw. All provisions of this Bylaw must be referenced.

Fragmented Parcel

This is in reference to quarter sections that have had parcels physically separated due to permanent waterbodies or natural features that create a complete physical separation within the parcel or manmade features such as roads, railway lines, in accordance with Mountain View County Policy 6008 as approved and amended by Council from time to time. Municipal Reserve dedication shall be required in accordance with the Municipal Government Act, including when the first parcel has been subdivided from a quarter section and the MDP identifies the remaining parcel as an unsubdivided quarter section.

Bylaw No. 10/21

Geotechnical Report

A report, prepared by a professional geotechnical engineer, setting out the geotechnical limitations of a site in terms of development suitability, and may include recommendations to overcome any limitations to development.

Green Development

Guidelines advocating a development approach that integrates environmental responsiveness (benefiting the surrounding environment and/or reducing environmental impact on land, energy, waste, and natural resources), resource efficiency (using resources in the construction, development, and operations of buildings and/or communities in ways that are not wasteful), and sensitivity to existing culture and community (fostering community in design, construction, and operations).

Hazard Land

Lands which may be prone to flooding, shoreline erosion or slope instability hazards or any hazard that may result in life loss or injury, property damage, social and economic disruption or environmental degradation and lands in proximity to water bodies and water courses with slopes greater than 10%.

Home Occupations

A small business operated by a resident in accordance with the Land Use Bylaw.

Infrastructure

The foundation and facilities that are needed to service communities (e.g. roads, utilities).

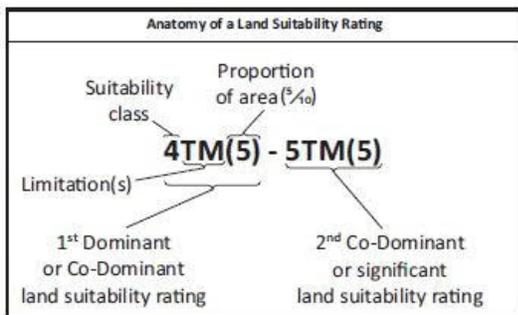
Institutional campground

An established group camp maintained for recreation, education, vacation, religious or other similar uses by organized groups that assume supervision of the camp activities.

Land Suitability Rating System (LSRS)

Land Suitability Rating System (LSRS) The land suitability rating system (LSRS) is a procedure for rating the suitability of land for agricultural spring-seeded small grains (and hardy oilseeds). The system is based on the soil–climate–landscape potential.

Bylaw No. 10/21



Examples of Land Suitability Ratings	
Rating	Explanation
2MT(10)	100% of the area is Class 2 land indicating slight limitations to growth. The limitations are caused by water-holding capacity of soils and slope conditions.
4TM(5) - 5TM(5)	50% of the area is Class 4 and 50% of the area is Class 5 indicating severe and very severe limitations to growth. The limitations are caused by slope conditions and water-holding capacity of soils.
4M(8) - 7NW(2)	80% of the area is Class 4 indicating a severe limitation to growth caused by water-holding capacity of soils. 20% of the area is unsuitable with limitations due to soil salinity and drainage.

Low Density Residential Subdivision

Multi-lot residential development consisting of an application for two (2) to three (3) residential parcels, including single lot applications beyond the first parcel out, with the remaining balance of the quarter as the fourth titled lot.

Bylaw No. 10/21

May

Within policy statements, “may” is a discretionary term, providing notification that the policy in question can be enforced if the County chooses to do so, and is usually dependent on the particular circumstances of the specific site and application. Other policy terms are Shall and Should.

Municipal Development Plan

A Municipal Development Plan is a statutory document that guides future development in the municipality. Provincial legislation requires all municipalities with a population of 3,500 or more to adopt a Municipal Development Plan.

Municipal Government Act

This act forms the legal basis for the way local governments in cities, towns, villages and rural areas operate in Alberta.

Municipal Reserve

A subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel for park or school purposes; at the discretion of the municipality, municipal reserves may alternately be provided by cash-in-lieu or a combination of the two (2). When subdividing an area larger than two acres up to a ten percent (10%) reserve dedication is required.

Open Space

Lands suitable for or allocated for public use, conservation areas or for wildlife areas.

Outline Plan

The Outline Plan is a non-statutory detailed concept plan developed as a prerequisite to redesignation and subdivision approval. An Outline Plan, along with the necessary Detailed Design Reports, (Water, Sanitary Sewer, Storm Sewer, Transportation, Parks, etc.) addresses land use and servicing issues in greater detail than in the Area Structure Plan. The preparation of Outline Plans is the responsibility of the land owner and/or developer of the land in question.

Redesignation

A change of land use designation within the Land Use Bylaw, approved by County Council.

Right to Farm

A term usually applied to regulations that prohibit local governments from passing ordinances that prohibit the existence of an agricultural operation in an area. Right-to-Farm legislation exist in some municipalities to protect agricultural operations from nuisance suits (give immunity from nuisance suits) where claims of nuisance arise from neighbouring property owners or residents that are, or claim to be, injured by activities of those operations or conditions resulting from those activities.

Shall

Within policy statements, “shall” is a directive term that indicates that the actions outlines are mandatory, therefore must be complied with without discretion. Other policy terms are May and Should.

Should

Within policy statements, “should” is a directive term, that provides direction to strive to achieve the outlined action, but is not mandatory. When used within a policy, the onus is on the applicant to justify why the desired action/result is not proposed and/or will not be achieved. Other policy terms are May and Shall.

Statutory Plan

An inter-municipal development plan, municipal development plan, area structure plan, and area redevelopment plan adopted by bylaw.

Subdivision

The division of a parcel of land by an instrument that creates separate titles.

Unsubdivided Quarter Sections

The interpretation of unsubdivided quarter sections usually refer to (+/-) 160 acres ((+/-) 64.75 ha) of land and is based on the original survey and legal description as per the Alberta Land Titles Office. In addition to this traditional interpretation, the County may also consider quarter sections that include gore strips lots created for and still used for public use (i.e., schools), railway lots, and/or utility lots or reconfigured quarter sections that did not result in any additional titles as “unsubdivided quarter sections”. The effect of this interpretation will allow the County to consider subdivision applications that may otherwise not meet the policies outlined within this MDP. Municipal Reserve dedication shall be required in accordance with the Municipal Government Act, including when the first parcel has been subdivided from a quarter section and the MDP identifies the remaining parcel as an unsubdivided quarter section.

Bylaw No. 10/21

Wetlands

Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support vegetation that is adapted for life in saturated soil conditions. Wetlands are protected through a variety of federal and other regulations.

APPENDIX B

2014 Planning Process

Area Structure Plans are revisited periodically to ensure that they still reflect the community's needs and desires. This process is a review only to bring the ASP into line with the policies of the Municipal Development Plan as well to ensure polices are still relevant. This process is also to identify and address issues or trends that impact land use planning.

The planning process to review the Bergen Area Structure Plan was undertaken in four phases. The first phase included background research and meeting with the Steering Committee to identify planning issues and opportunities within the plan area.

The draft review of the Bergen Area Structure Plan was prepared during phase 2. Opportunity for direct verbal input to the draft plan was provided at a Public Open House. The Public Open House was attended by 40 residents. Written input was possible through the Questionnaire. Based upon community responses, amendments were made to the draft review of the Area Structure Plan.

In phase 3, a Questionnaire was available at the Open House and on the County's website. The Questionnaire requested feedback on the draft ASP, key issues and needs, and preferences on alternate land use strategies for the area. The resultant Questionnaire provided a tabulation of the responses together with a compendium of all written comments.

In phase 4, the formal plan adoption process took place. The Steering Committee recommended to Council that the proposed Bergen Area Structure Plan (i.e. the revised draft plan) be adopted. Council proceeded through the readings of a bylaw to adopt the plan, including the holding of a public hearing prior to final adoption of the plan. *Note: additions to this Section may be made in the proposed plan.*

Community Consultation

Community consultation was a significant part of the planning process in 2014, and was guided by a Steering Committee which included four public members.

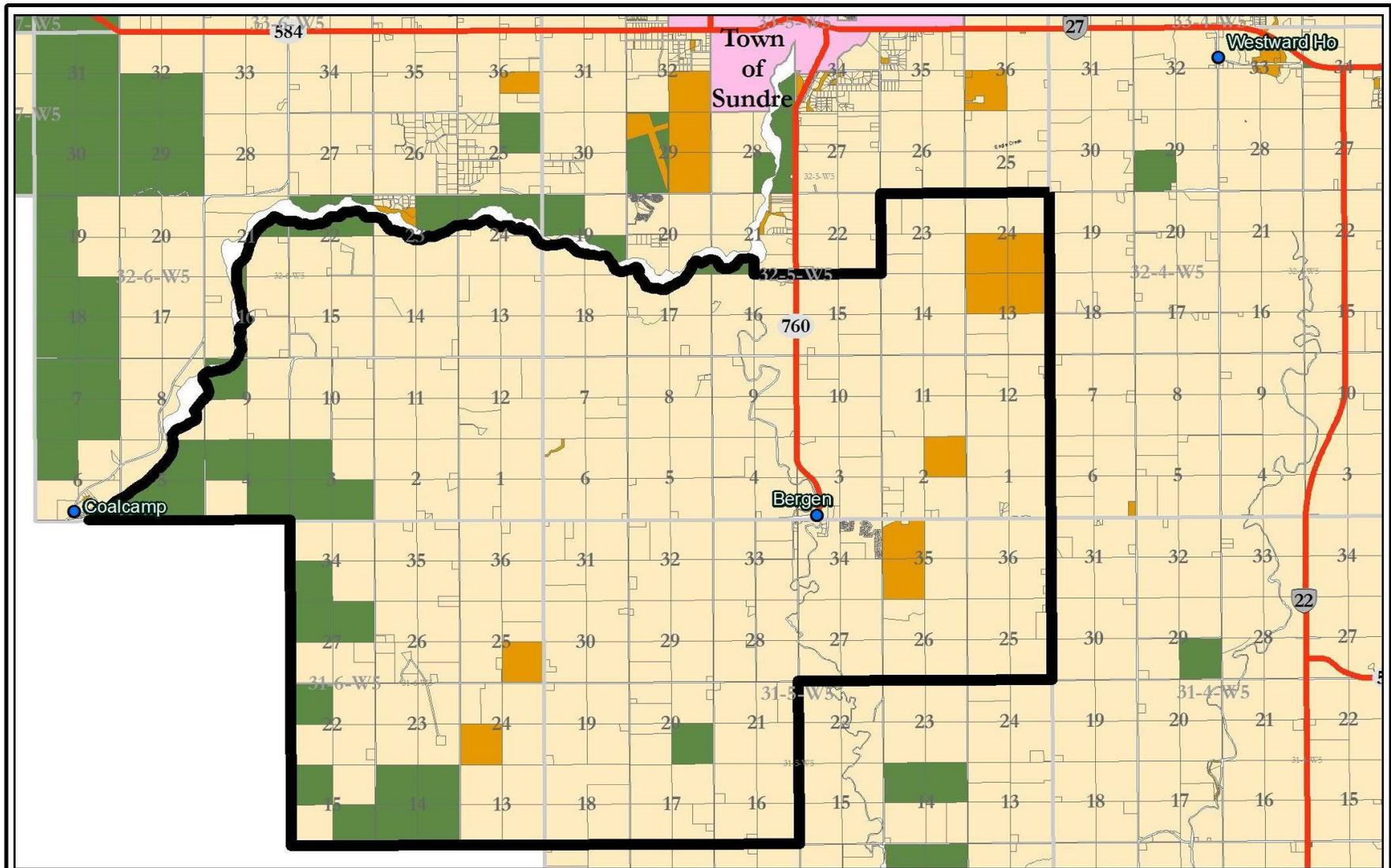
Consultation took place with landowners, leaseholders and renters within the plan area through the Questionnaire, the Public Open House and the public hearing.

Questionnaire

Seventeen (17) responses to the Questionnaire were received. Preferences and comments regarding the Recreational Vehicle Camping, agricultural land, residential development, Bergen as a Community Centre, economic development, were helpful in generating a land use strategy and policies to guide and direct land use change within the plan area.

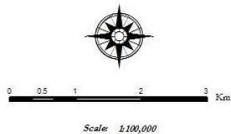
Draft Plan Community Open House

On June 9, 2014 a community meeting was held in the Bergen Community Centre to receive the comments of the Bergen area residents and the general public on the draft review of the Bergen Area Structure Plan. Over 40 residents and other stakeholders attended. Concerns about the following provisions in the draft plan were raised: the proposed Bergen Community Centre policy area and the potential density and variety of development in the area; and the possibility of Recreational Vehicle Camping.



**Bergen
Area Structure Plan**

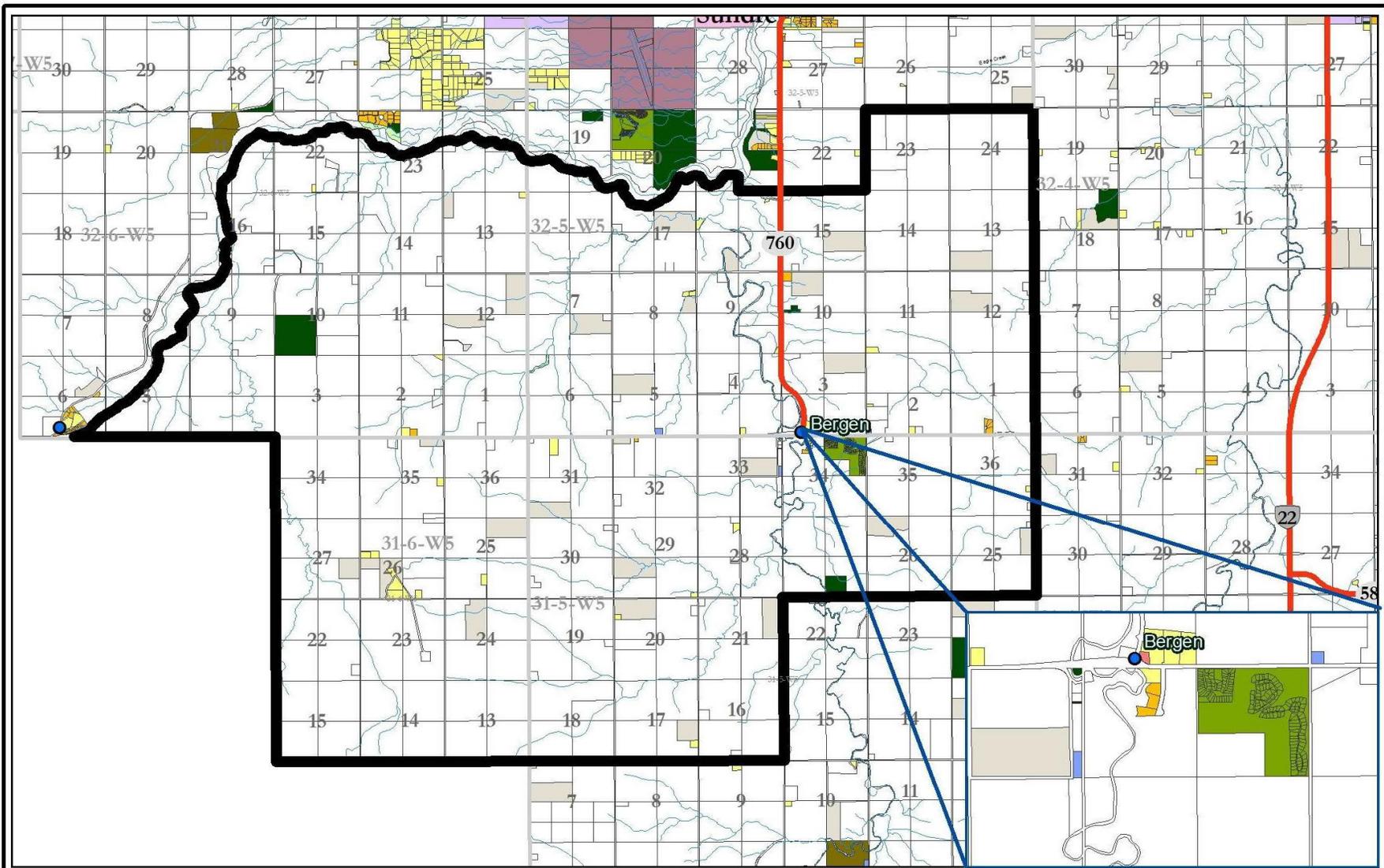
Figure 1: Plan Area Map



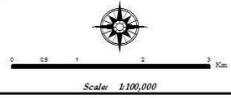
Legend

- Provincial Highway
- County Land
- Crown Land (Prov. and Fed)
- Private Land



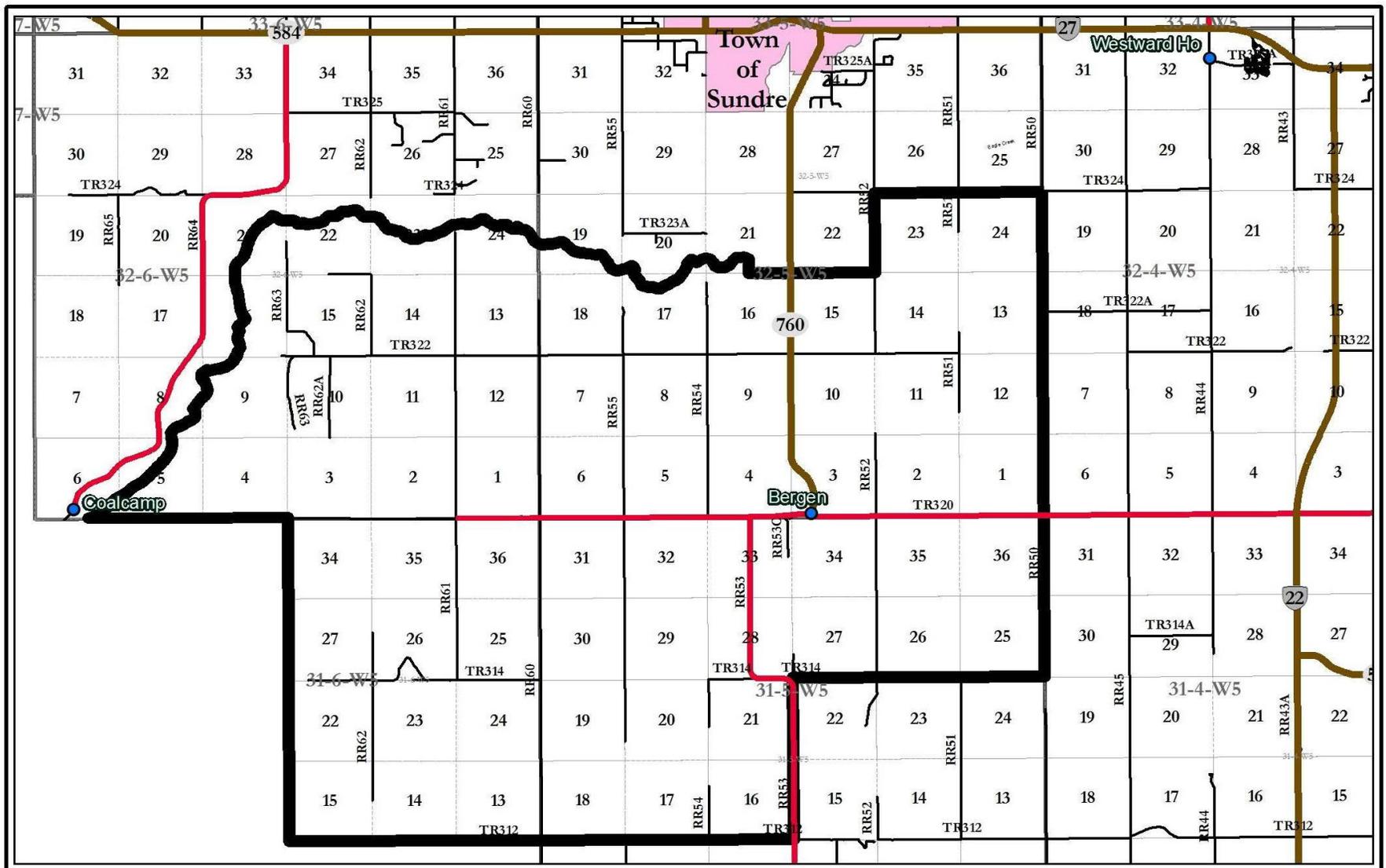


**Bergen
Area Structure Plan**
Figure 2: Existing Land Use Zoning



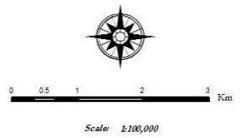
Legend

- | | | |
|-------------------------------------|----------------------------------|----------------------------------|
| Agricultural District (A) | Local Commercial District (C-LC) | Parks & Recreation Dist. (P-PR) |
| Agricultural (2) District (A2) | Highway Commercial Dist. (C-HC) | Parks & Conservation (P-PCR) |
| CR1 Country Residential (1) (R-CR1) | Business Park District (I-BP) | Institution, Educ.&Cult. (S-IEC) |
| Country Residential Dist. (R-CR) | Heavy Industrial District (I-HI) | Airport District (S-AP) |
| Country Residential (2) (R-CR2) | Parks & Conservation Dist (P-PC) | Direct Control District (DC) |



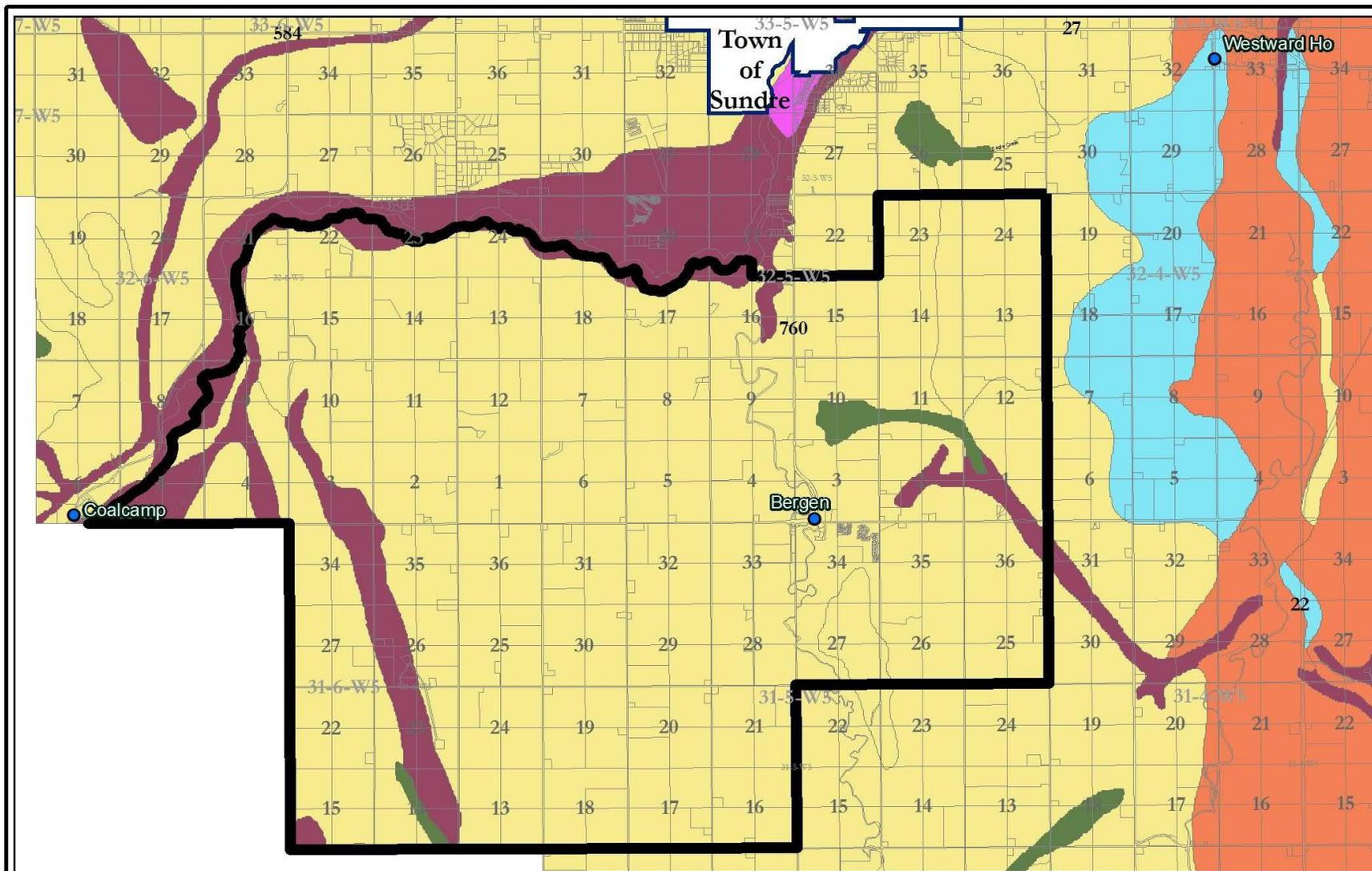
**Bergen
Area Structure Plan**

Figure 3: Road Network Map



- Legend**
- Highway
 - County Collector Network
 - Developed Road Allowance





**Bergen
Area Structure Plan**

Figure 4: Canada
Land Inventory Mapping



0 0.5 1 2 3 Km

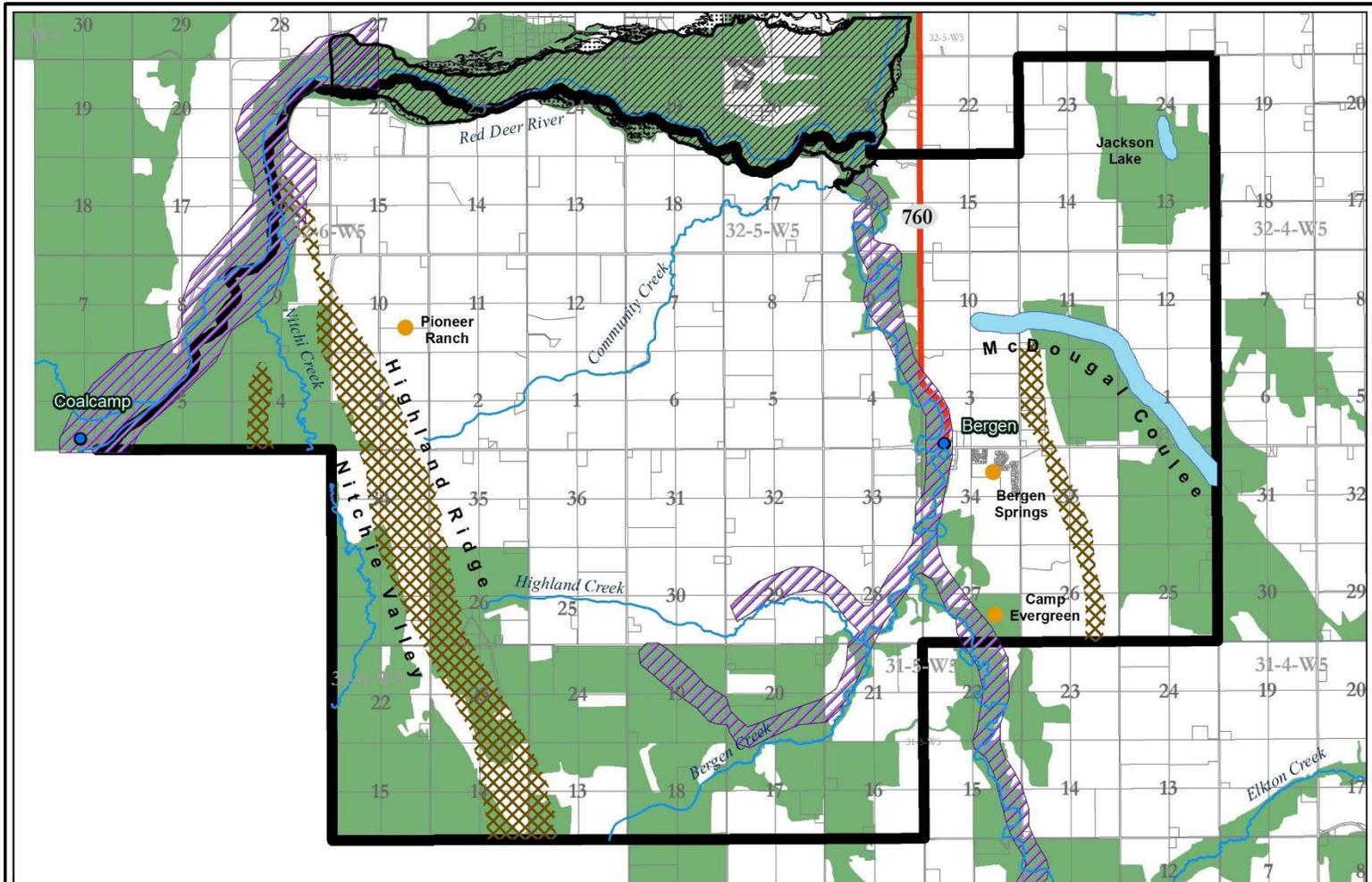
Scale 1:100,000

Legend

Canada Land Inventory - Soils
CLI Class

- | | | | |
|---|---|---|---------|
|  | 1 |  | 4 |
|  | 2 |  | 5 |
|  | 3 |  | 6 |
| | |  | 7 |
| | |  | Organic |





Bergen Area Structure Plan

Figure 5: Natural Features and Community Amenities Map



0 0.5 1 2 3 Km

Scale: 1:85,000

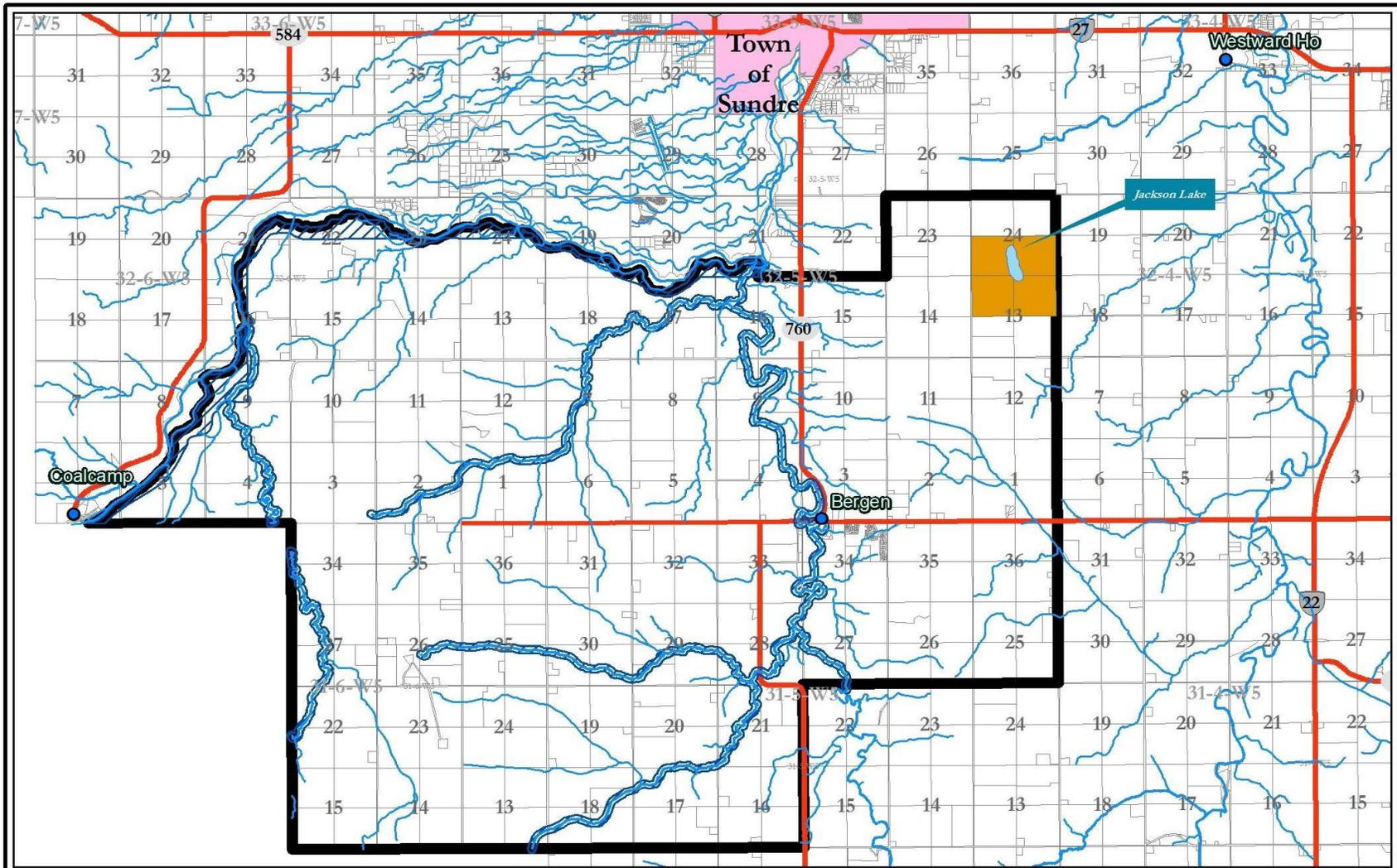
Legend

Provincial Studies

- McDougal Flats Flood Hazard Area (Floodway)
- McDougal Flats Flood Hazard Area (Flood Fringe)

- Environmentally Significant Areas
- Coulee & Lake
- Ridge

- Areas Prone to Flooding
- Community Amenities



**Bergen
Area Structure Plan**

Figure 6: Bergen Landuse
Policy Areas



0 0.5 1 2 3 Km
Scale: 1:100,000

Legend

- Rivers and Creeks
- County Collector Network
- Town

Land Use Policy

- Agriculture
- Jackson Lake
- Stream Corridor