



# Mountain View C O U N T Y

## AGENDA

### SOUTH MCDUGAL FLATS AREA STRUCTURE PLAN (ASP) REVIEW

December 13, 2022 – 1:00 p.m.

Mountain View County Office (Council Chambers)

and the opportunity to join Via Zoom Cloud

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1. **CALL TO ORDER**
  2. **AGENDA**
    - 2.1 Adoption of Agenda
  3. **ADOPTION OF PREVIOUS MINUTES**
    - 3.1 Adoption of Minutes from November 15, 2022.
  4. **BUSINESS ARISING OUT OF PREVIOUS MINUTES**

Nil
  5. **DELEGATIONS**

Nil
  6. **OLD BUSINESS**
    - 6.1 Vision (no information)
  7. **NEW BUSINESS**
    - 7.1 Review Draft Open House Questions High Density Residential; and other questions
    - 7.2 Upper Red Deer River Hazard Study information and draft MDP Flood Hazard Area policies and Land Use Bylaw regulations
  8. **CORRESPONDENCE**

Nil
  9. **CONFIDENTIAL ITEMS**

Nil
  10. **ADJOURNMENT**

## MINUTES

### SOUTH MCDOUGAL FLATS AREA STRUCTURE PLAN (ASP) REVIEW

#### MOUNTAIN VIEW COUNTY

Minutes of the South McDougal Flats Area Structure Plan Review  
Meeting held on Tuesday, November 15, 2022, in the Council  
Chamber, 10 - 1408 Twp Rd 320, Didsbury, AB

#### PRESENT

G. Campkin, Chair  
C. Iverson, Vice Chair  
R. Killeleagh, Public Member Via Zoom  
K. Saunders, Public Member  
R. Tudor, Public Member  
R. Warnock, Town of Sundre Mayor  
A. Aalbers, Reeve  
G. Harris, Councillor  
G. Krebs, Councillor

#### ABSENT

S. Smyth, Administrative Assistant, Recording Secretary

#### IN ATTENDANCE

M. Bloem, Director, Planning & Development Services  
D. Gonzalez, Planner

#### CALL TO ORDER

G. Campkin, Chair, called the meeting to order at 1:05 p.m.

#### AGENDA

SMF22-012 Moved by C. Iverson  
That the Steering Committee adopt the agenda of the South McDougal  
Flats Area Structure Plan Review of November 15, 2022.  
Carried

Administration advised that as recommended by the Steering  
Committee, the information on gravel pits, end use and reclamation  
information will be presented before the presentation from Sundre  
Contracting.

#### ADOPTION OF MINUTES

SMF22-013 Moved by R. Tudor  
That the Steering Committee adopt the minutes of the South McDougal  
Flats Area Structure Plan Review of October 11, 2022.  
Carried

#### OLD BUSINESS

6.1 Gravel Pits – Development & Reclamation

J. Ross, Assistant Director of Planning and Development Services, and H. McInnes, Development Compliance Officer, were introduced to the committee.

J. Ross provided an overview of the history of aggregate development in Mountain View County. The information included Provincial legislation and jurisdiction, municipal processes and regulations, and a few examples of County gravel pit reclamations.

Steering Committee questions resulted in the following information:

- Dust suppression requirements depends on the specific pit; typical process requires operators to do dust suppression within the pit and on site and a haul route agreement deals with dust suppression on gravel routes going towards the pit. Haul routes are typically directed to the closest paved surface;
- MVC does not have a Noise Bylaw but requires pits to mitigate noise, for example buffering berms, hay bales. Noise is also in the Provincial Guide to the Code of Practice;
- Depending on the type of extraction, i.e., a wet pit, it is under the purview of Alberta Environment or if mining goes to the water table;
- Reclamation for County owned pits, requires a site to go to its pre-development state (agricultural use), as a preferred end use, unless a provincial body requires or agrees that reclamation be for a different end use. Redesignation is required to accommodate the end use.
- The County support through a Rural Municipalities of Alberta (RMA) Resolution processed a request to the province to allow third parties to review reclamation certificates to speed up the reclamation process.

## **DELEGATIONS**

### **5.1 Sundre Contracting**

Administration introduced S. Duncan, Operator for Sundre Contracting Ltd., and provided a general overview and history of Sundre Contracting. S. Duncan presented a pictographic overview of the ongoing reclamation process for the west area that started in 2017/18.

Steering Committee questions resulted in the following information:

- The reclamation plan for Sundre Contracting includes a waterbody. The plan includes sloping, irregular edges, a variety of grades, hills, and AEP requirements. The waterbody has been used in the past for fire suppression and there is wildlife and overall, no cattail;
- It is precarious to know what the end use of this pit would be, possibly recreational. In the future, the applicant/landowner can make an application to the County for a redesignation proposal compliant with the future land use concept of the ASP;

- The water feature flows and discharges into to the Bearberry Creek and there are no water level issues. Waterbodies whether claimed or not, are owned by the Crown. Water usage, diversions, and licenses are required under the Water Act approvals.
- Dugouts for agricultural purposes are exempt from Provincial regulations/approvals if they meet all the required criteria.
- The life span of the pit is influenced by market demand.

Chair G. Campkin thanked S. Duncan for the presentation.

J. Ross confirmed that the Development Permit conditions for a pit pertain to the general operations in terms of hours of operation, haul routes, etc.

Chair G. Campkin thanked J. Ross and H. McInnes for attending.

## OLD BUSINESS

### 6.2 Future Land Use Concept – Option

A recap from the last meeting discussion on future land use was provided and outlined the following:

- The current ASP Future Land Use Map identifies three areas: the Red Deer River Corridor to the south, the ESA to the north along the Bearberry Creek and the Recreational areas along the Bearberry Creek, south at Coyote Creek and areas east of the Airport lands;
- The source of these three areas were determined by the Environmentally Significant Areas from the 2008 Summit Report and the land use districts of the day;
- Other maps in the ASP also identified these areas, such as Figure 3 – Environmentally Significant Areas, which also contains the McDougal Flats Floodway and Flood Fringe Areas, and Figure 2 – Existing Zoning;
- The Steering Committee had previously directed, at the time of reviewing the plan's Key Components, to combine the Red Deer River Corridor and the Bearberry Creek;
- Other ASP sections that referenced the Red Deer River Corridor are in the Land Use Policies where recreation is supported, as well as environmental significance protection and flood hazard areas;
- ESAs are not a key component. However, sections of the ASP outlined sensitive features and environmental protection with reference to Figure 3 as well as flood hazard areas;
- Recreation is also not a key component; however, the Land Use Policy Area includes recreation which is supported along with tourism in the area.

Administration Recommendations:

- Red Deer Corridor:
  - Specific Policy Areas for Flood Hazard Areas that can align with the Municipal Development Plan policies and the Land Use Bylaw regulations.
  - To remove the Red Deer River Corridor from the Future Land Use Map
- ESAs:
  - Specific Policy Areas is appropriate to address Environmentally Significant Areas and requirements
  - To remove the ESA from the Future Land Use Map
- Recreation:
  - To add “Recreation” as a Key Component (now Guiding Principle) and a change in the Future Land Use Map to include a use for “Recreation”
- Map Option – Future Land Use Map:
  - To add “Recreation” (darker green) along the Red Deer River and the Bearberry Creek and aligned with quarter section boundaries
  - A change from parcels identified previously as Red Deer River Corridor or ESAs to now Agriculture:
    - Two quarter sections east of the Airport
    - One quarter section to the west of the Airport

Steering Committee discussion on Map Option resulted in the following information:

- The Specific Policy Areas will have dedicated sections for Flood Hazard Areas as well as ESAs;
- The Specific Policy Areas will apply in addition to the policies for the Future Land Use Map;
- The Future Land Use Map should be for future land uses and specific areas such as Flood Hazard or ESAs should be an overlay;
- There are no tax implications for a future land use unless an application changes the zoning and more development occurs (buildings and uses);
- The County has a standalone Policy/Procedure how a developer can amend an Area Structure Plan;
- The existing Future Land Use Map does not have specific use areas identified for aggregate extraction. Gravel pits requires redesignation;
- The purpose of the ASP is to create more detailed policies that provide balance between future land uses and community impacts. That balance recognizes what currently exists, what influences the area’s future growth, and provides policy that addresses the potential growth;
- The ASP policies need to address and be clear as to the type and the characteristics for recreational development;

- The LUB has provisions for recreational development which include definitions, uses, regulations and districts;
- Water Valley and Westward Ho are two campgrounds owned by the County;
- Based on the community feedback there may be different types of recreational development that needs to be reflected in the Future Land Use Map as well as in the policy sections.

Steering Committee recommendations:

- Map Option to be presented to the community at an Open House
- Additions to Open House questionnaire:
  - What kind of recreational development does the community want to see and would welcome?
  - What type of recreational development does the community not want to see?
  - What type of growth does the community support in their vision in terms of Population, Industry, Gravel, Airport, and Tourism? The future land use map defines where growth may be supported.

The Red Deer River Corridor is a key component for discussion at the Open House and the Committee agreed with the presented Map Option.

### 6.3 Continuation: Medium and Higher Densities – 8.22, 8.23 & 9.1

A recap from the last meeting discussion on medium densities was provided and outlined the following discussions:

- Discussion if the unsubdivided quarter section SW26 (straight south of Cougar Creek subdivision) on the current Future Land Use Map (split Medium Density and Red Deer Corridor) should remain as Medium Residential Density or changed to Agriculture or Recreational. Support to keep it Medium Density.
- Discussion held on minimum and maximum parcel sizes. Two country residential districts in the Land Use Bylaw with the smallest size at 2 acres within the Country Residential (1) District. Once minimum parcel sizes are defined, there may be no need to have an upper limit as each quarter will have a finite limitation on how large the remainder is; in addition to providing appropriate access. The most growth-orientated land option is to allow for medium density; however, this will be brought forward to the Open House for the community's opinion on parcel size; the total number of titles can be determined after receiving the feedback from the public.

A recap from the last meeting discussion on higher densities was provided and outlined the following discussions:

- There are five quarter sections that are identified as high density residential (Future Land Use Map, Figure 7 as well as Residential Densities Figure 8) and the Committee in previous discussions directed Administration to remove the quarter south of Highway 584 from residential due to proximity to the mill. Input from the committee regarding parcel sizes would be helpful to determine the policy criteria regarding septic's, wells, road systems and accesses. Discussion held to better understand onsite servicing, each lot to provide its own water (well) and wastewater (septic). Discussion on restrictions, for example pump out only and how restrictions may be registered against new titles. Discussion on condominium development with communal services. The parcel size and density will be brought forward to the Open House for the community's opinion along with a preamble for the discussion and visual conceptual options for different parcel sizes and total number of lots per quarter section and information on servicing requirements.

The committee agreed to remove Figure 8 – Residential Densities.

6.5 **Vision**

The Vision will be an ongoing Agenda item, no discussion held.

**NEW BUSINESS**

7.1 Flood Hazard Areas was not reviewed.

Next agenda to include:

- The continuation of 6.2, 6.3 -review specific Open House questions on Medium and High Density Residential
- 7.1 Flood Hazard Areas
- Review of the Open House questions to date

**ADJOURNMENT**

Meeting adjourned at 3:52 p.m.

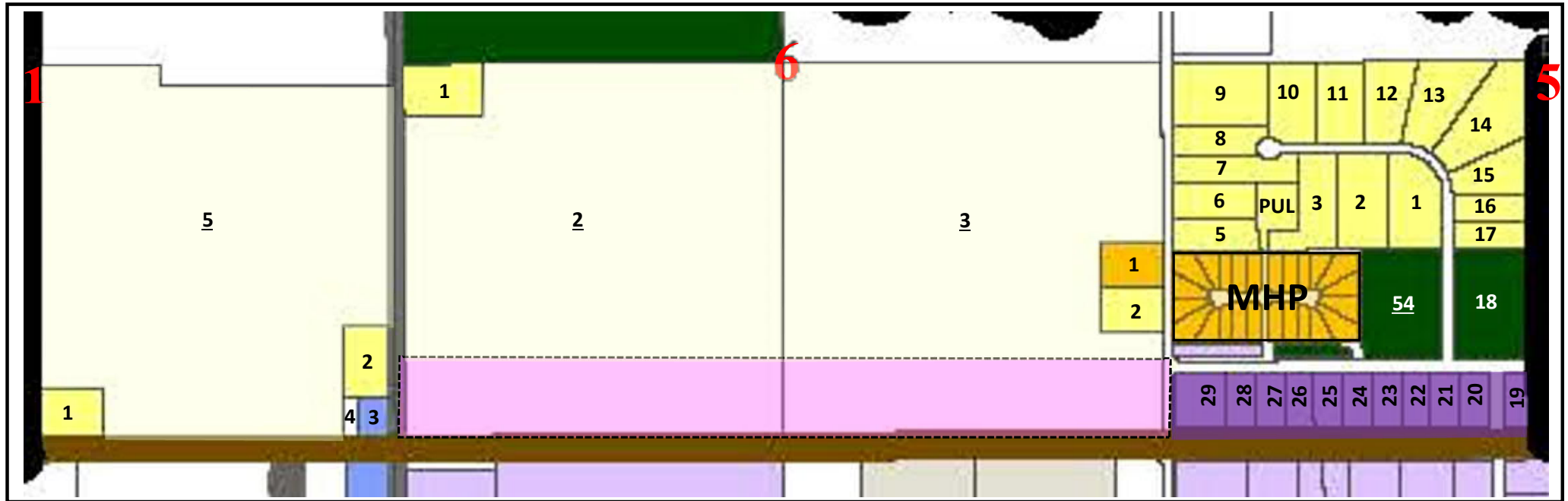
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Chair







I hereby certify these Minutes are correct.

# 7.1 KEY COMPONENTS OF PLANNING AREA: RESIDENTIAL (RECAP)

## DISCUSSION: EXISTING MULTI-LOT RESIDENTIAL DEVELOPMENT WITH POTENTIAL FOR HIGHER DENSITIES



### Legend

 R-CR Parcel	 Future Highway Commercial / Industrial	 Mobile Home Park
 Public Utility Lot	 Potential Areas for Higher Residential development	 Industrial Development

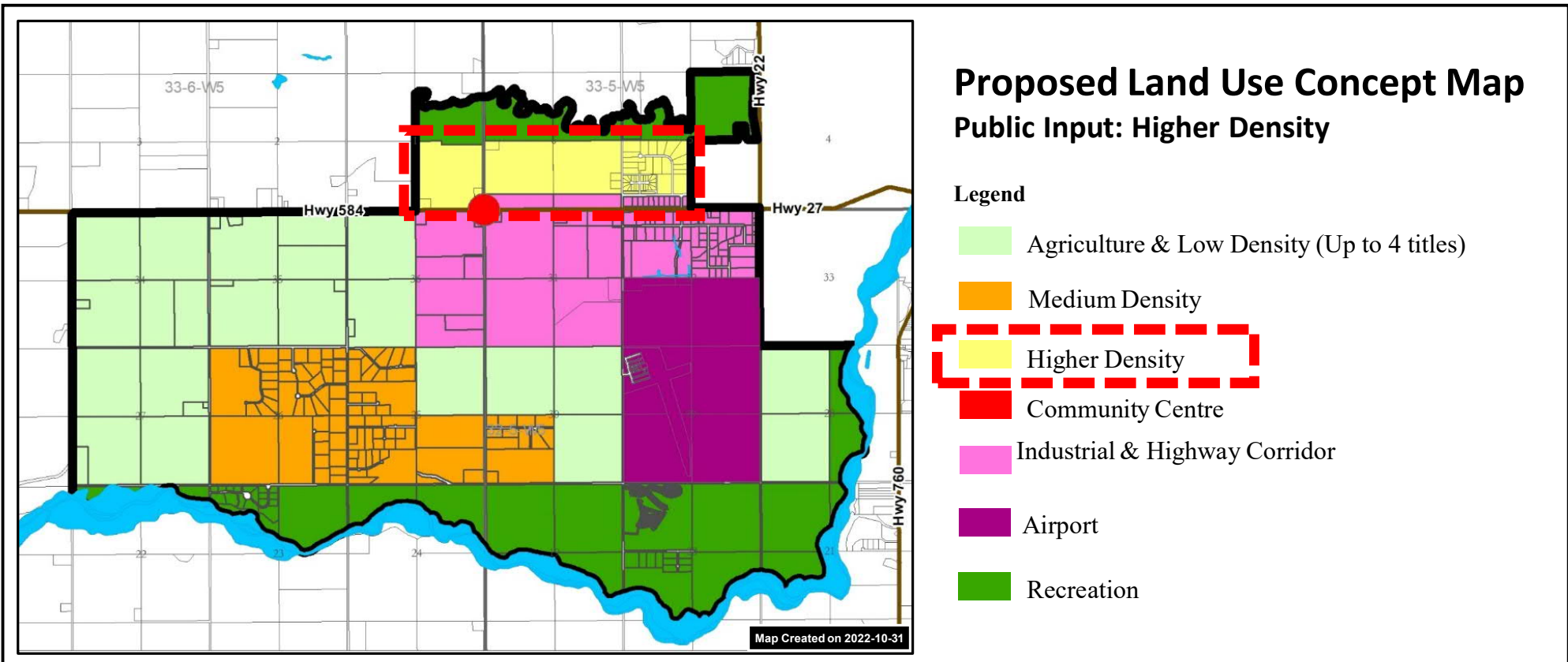
### Discussion Topics & SC Direction:

- Is there support for up to 48 lots from a quarter section?
- Max parcel size?
- Remainder as Ag(2)?
- Servicing – onsite for water wells and septic fields
- Access off County roads (not Highway 584) unless AT agrees
- Bearberry Creek flood hazard

### SC Direction:

Requires Input from the Community





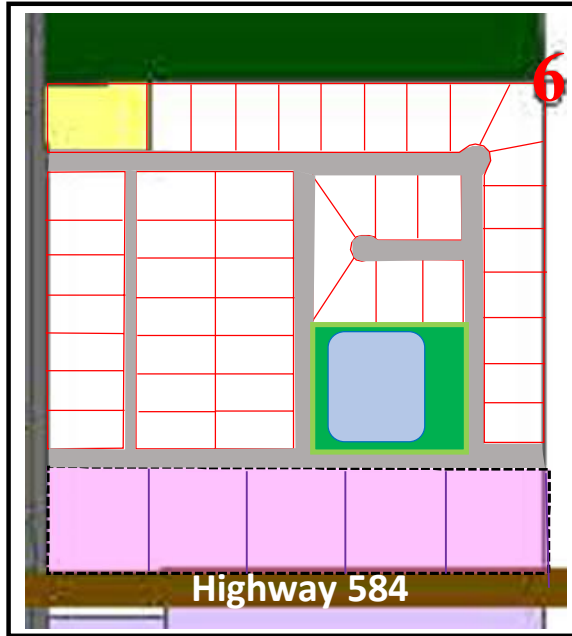
### PREAMBLE

The Municipal Development Plan established the Higher Residential Development can be developed at a maximum density of 48 lots per quarter section. The ASP areas in the South McDougal Flats that could be developed at higher densities are identified in the map and we need your feedback to determine the appropriate densities.

### KEY CONSIDERATIONS

- The County does not have municipal servicing, meaning that each new lot is required to have onsite servicing for the provision of a water well and a private septic system that meets Provincial requirements.
- Each lot will be required to have individual access to a County road.
- The zoning Districts for country residential parcels range from the smallest size at 2 acres up to 5 acres unless an ASP makes provision for larger country residential lots to be considered.

**Example A**

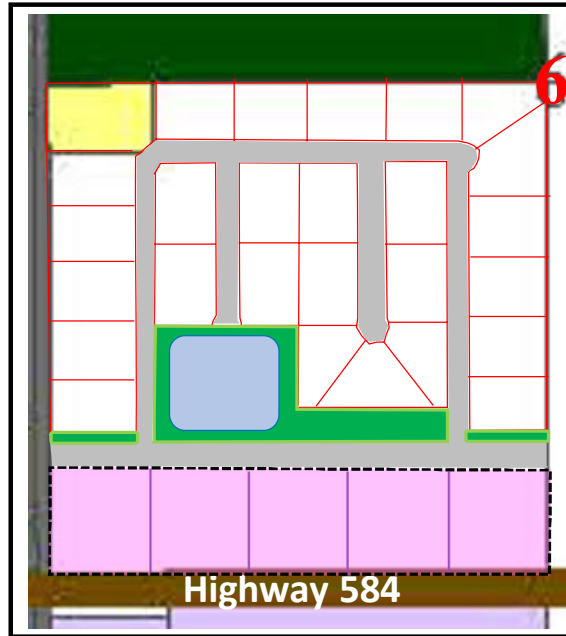


**2.0 acre lots**

- There is already one lot of 4.0 – 5.0 acres.
- There is policy support to allow for more subdivisions for residential development.
- The southern portion, close to Highway 584 is identified for future industrial & commercial development

Lot Size: 2.0 ac (*not to scale*)  
Residential Lots: 44 lots  
Commercial Lots: 5 Lots  
PUL: 1 Stormwater Pond

**Example B**

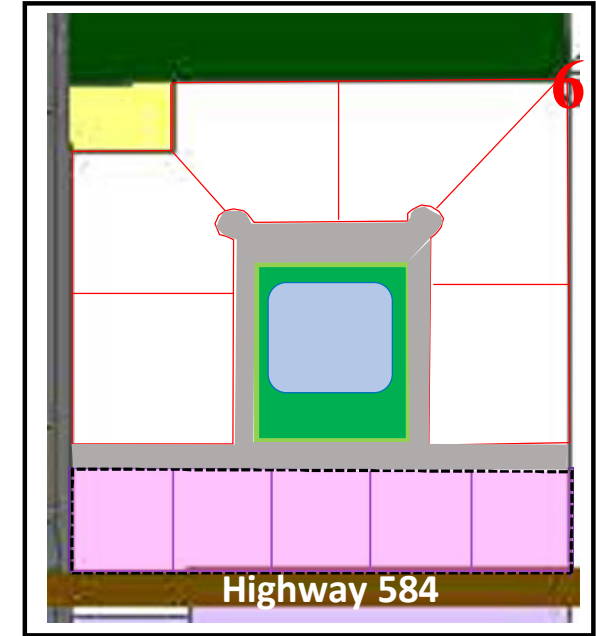


**3.0 acre lots**

- There is already one lot of 4.0 – 5.0 acres.
- There is policy support to allow for more subdivisions for residential development.
- The southern portion, close to Highway 584 is identified for future industrial & commercial development

Size of Lots: 3.0 ac (*not to scale*)  
Total Lots: 26 Lots  
Commercial Lots: 5 Lots  
PUL: 1 Stormwater Pond

**Example C**



**15.0 acre lots**

- There is already one lot of 4.0 – 5.0 acres.
- There is policy support to allow for more subdivisions for residential development.
- The southern portion, close to Highway 584 is identified for future industrial & commercial development

Size of Lots: 15.0 ac (*not to scale*)  
Total Lots: 6 Lots  
Commercial Lots: 5 Lots  
PUL: 1 Stormwater Pond

## **DISCUSSION & SC DIRECTION: HIGHER DENSITY DEVELOPMENT – COMMUNITY CONSULTATION (OPEN HOUSE)**

### **QUESTIONS**

#### **Parcel size**

**Do you support the option to have larger country residential lots of more than 5 acres in size?**

**Reason:**

**If you support lots larger than 5 acres, do you have a preferred maximum size of 10 acres or 15 acres?**

**Reason:**

#### **Parcel density**

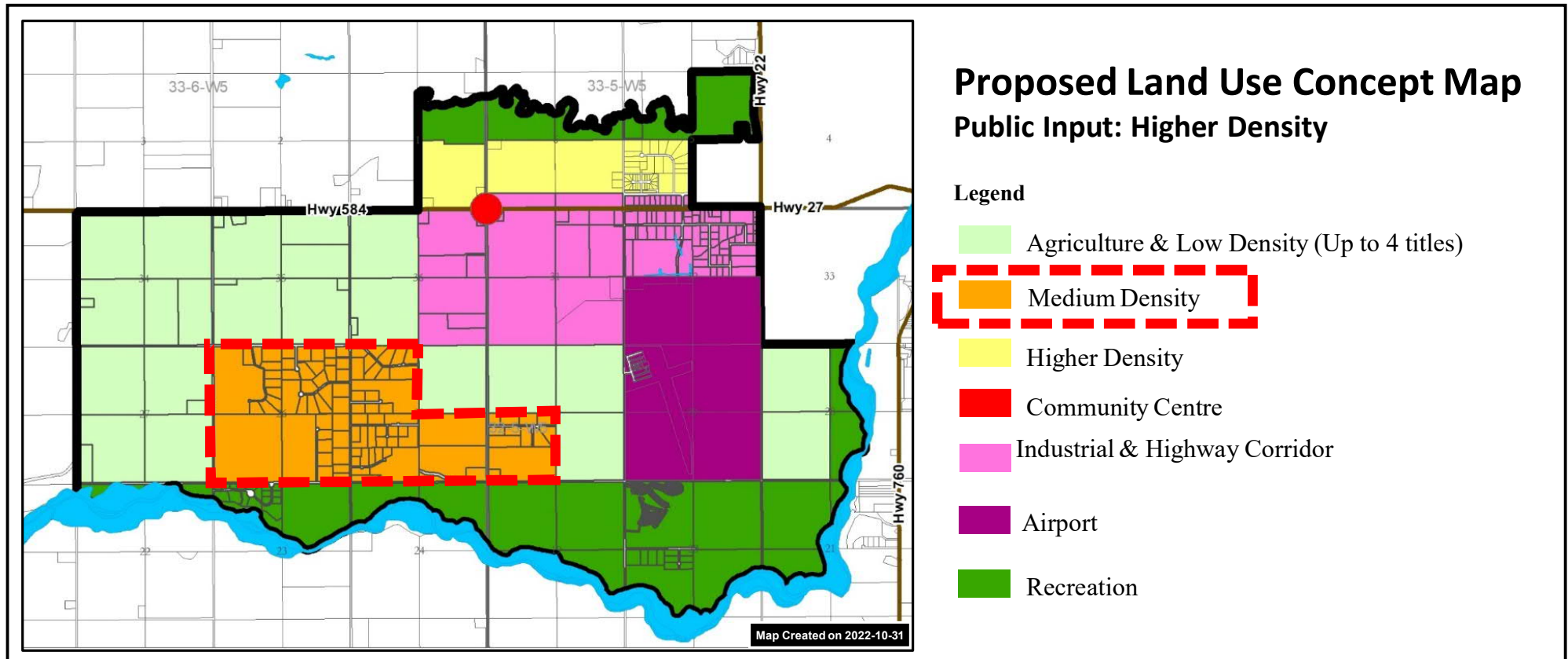
**Do you prefer Example A, B or C for the number of residential lots per quarter section?**

**Reason:**

#### **Location of higher density residential**

**Do you support the location where higher density residential are proposed?**

**Reason:**



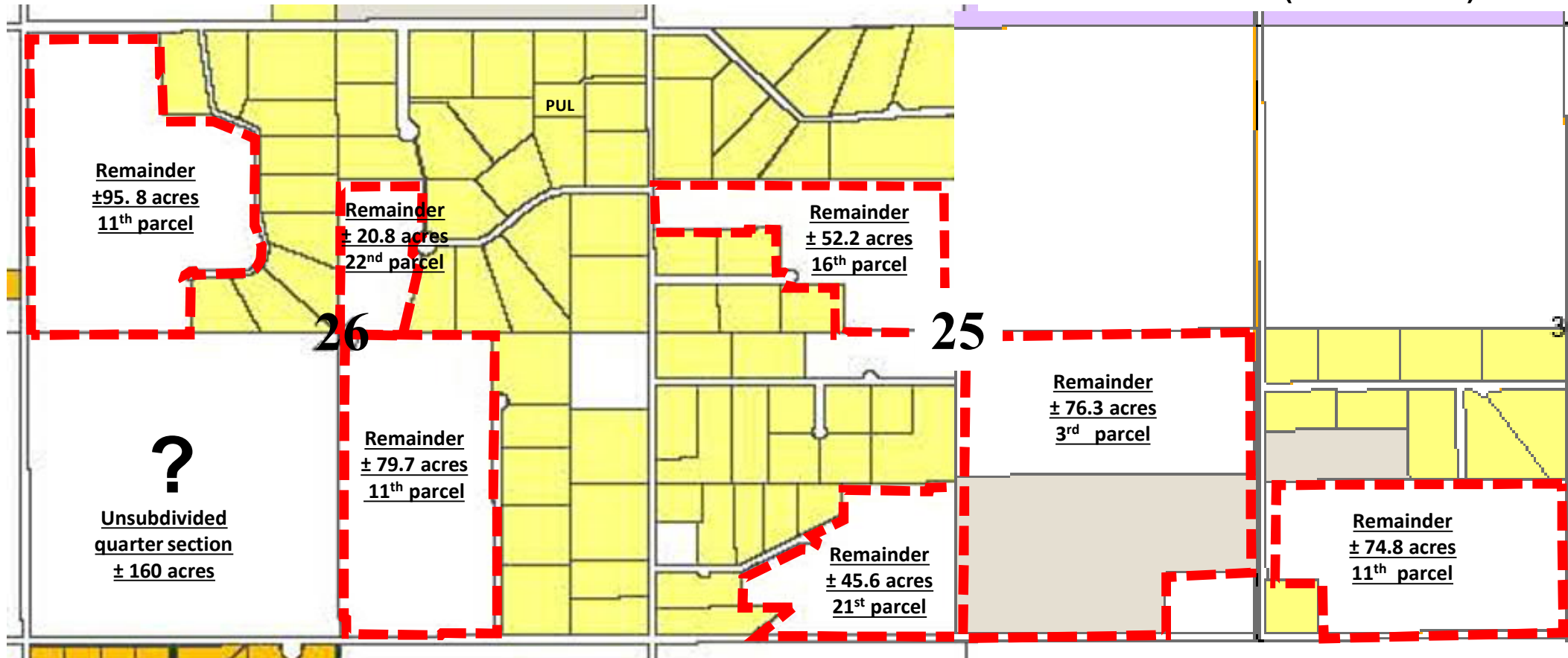
### PREAMBLE

The Municipal Development Plan established the Higher Residential Development can be developed at a maximum density of 48 lots per quarter section. The ASP areas in the South McDougal Flats that could be developed at medium densities are identified in the map and we need your feedback to determine the appropriate densities.

### KEY CONSIDERATIONS

- The County does not have municipal servicing, meaning that each new lot is required to have onsite servicing for the provision of a water well and a private septic system that meets Provincial requirements.
- Each lot will be required to have individual access to a County road.
- The zoning Districts for country residential parcels range from the smallest size at 2 acres up to 5 acres unless an ASP makes provision for larger country residential lots to be considered.

## DISCUSSION & SC DIRECTION: MEDIUM DENSITY DEVELOPMENT – COMMUNITY CONSULTATION (OPEN HOUSE)



**Legend**

- R-CR Parcel
- Agricultural Parcel
- Agricultural (2) Parcel
- Remainders with potential for Medium Density

### QUESTIONS

#### Parcel density

Do you support that more country residential lots can be subdivided from the remainders?

Reason:

#### Parcel size

If you support more subdivision from the remainders, do you support the option to have larger country residential lots of more than 5 acres in size?

Reason:

If you support lots larger than 5 acres, do you have a preferred maximum size of 10 acres or 15 acres?

Reason:

## South McDougal Flats Area Structure Plan Open House Questionnaire

Mountain View County and the South McDougal Flats Area Structure Plan (ASP) Steering Committee invites the public and stakeholders to comment on the following:

- Guiding Principles
- Vision
- Land Use Concept
- Economic Growth

### Guiding Principles

As part of the Steering Committee review, the following seven Guiding Principles have been discussed throughout the ASP process. (Please circle each item 1 to 5, 1 = not supportive, 5 = very supportive):

**Land Use** - To allow the opportunity for balanced progressive growth.

Would you support this Guiding Principle?

1 2 3 4 5

**Social/Community** - To support a diverse rural community that enhances the natural beauty of the area.

Would you support this Guiding Principle?

1 2 3 4 5

**Recreation** - To support recreation and tourism opportunities that are complementary to the plan area.

Would you support this Guiding Principle?

1 2 3 4 5

**Economic** - To foster economic developments in appropriate areas.

Would you support this Guiding Principle?

1 2 3 4 5

**Environment/Conservation** - To encourage conservation practices and natural resource management that minimize negative environmental impacts.

Would you support this Guiding Principle?

1 2 3 4 5

#### Transportation / Infrastructure

To manage an efficient, sustainable, and safe transportation and infrastructure system.

Would you support this Guiding Principle?

1 2 3 4 5

#### Airport

To enhance the airports' ability to support economic development through a Concept Plan.

Would you support this Guiding Principle?

1 2 3 4 5

Other suggestions or comments:

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## Vision

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Throughout the ASP process, the committee has had several discussions on a Vision Statement that represents the South McDougal Flats area. (Please circle each item 1 to 5, 1 = not supportive, 5 = very supportive):

### ***Vision #1 Suggestion***

*"Facilitate the growth and respect the unique diverse community and landscape"*

Would you support this Vision Statement?

1 2 3 4 5

### ***Vision #2 Suggestion:***

*"To create a better everyday life for everyone"*

Would you support this Statement?

1 2 3 4 5

Other suggestions:

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## Land Use Concept

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### **Agriculture**

The conservation of farmland and ranch land is very important to the South McDougal Flats history. Do you support generational farming and agree that a quarter section should be allowed to have up to four titles if the landowner chooses?

Strongly Agree

Agree

Indifferent

Disagree

Strongly Disagree

### **Residential**

See separate slides

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## **Recreation**

A) South McDougal Flats should provide more recreational facilities:

Strongly Agree

Agree

Indifferent

Disagree

Strongly Disagree

What types of recreational facilities do you support within the planning area?

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B) Should the Bearberry corridor and the Red Deer River corridor be primary focuses for recreational activities in South McDougal Flats?

Strongly Agree

Agree

Indifferent

Disagree

Strongly Disagree

C) As these areas are prone to flooding, in your opinion what should these areas be used for? The current ASP identifies Recreation.

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### **Economic Growth**

A) The Future Land Use Map combines the Highway Corridor and Industrial as a single future land concept. Do you agree?

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## 7.2 FLOOD HAZARD AREAS

### SC Recommendation from October 11<sup>th</sup> Meeting:

- Bring back information on the 2021 draft MDP policies and LUB regulation for Flood Hazard Area and information on the Upper Red Deer River Hazard Study.
- The information was added to the November 15<sup>th</sup> meeting, but deferred to today's meeting.

### Summary:

The Province Upper Red Deer River Hazard Study (“the Study”) which covers 85 km along the Red Deer River. Within the County, the Study covers the area just west of Coalcamp Road subdivision to the boundary with Red Deer County (at the Highway 587 Bridge) and 17 km of the Bearberry Creek east of Range Road 62 to where the Creek merges with the Red Deer River in Sundre.

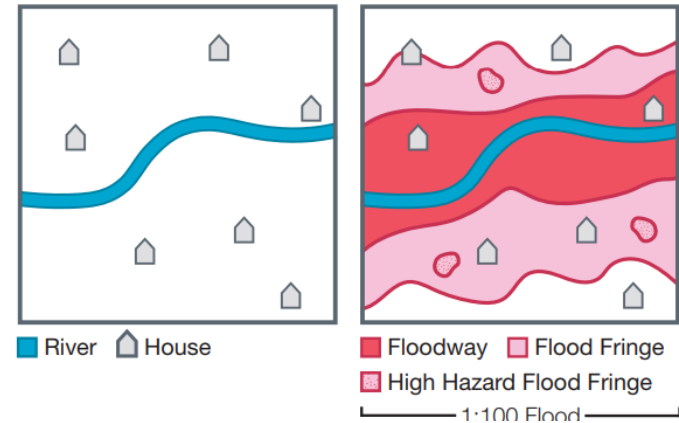
- In 2021, Council directed Administration to prepare MDP policies and LUB regulations that would address redesignation, subdivision and development in the Floodway and Flood Fringe that collectively is the Flood Hazard Area.
- The County hosted a virtual Open House (April 19<sup>th</sup>) and an in-person Open House in McDougal Flats (July 6<sup>th</sup>)
- The draft Floodway and Flood Fringe maps was not available and Council defer amendments until after the election (July 14<sup>th</sup> Council motion).
- Minor map revisions made in August by the Province after receiving feedback that closed in January 2021.
- The Province released a new Floodway Mapping approach (September 2021)  
[New Floodway Mapping Approach Fact Sheet - September 2021 \(alberta.ca\)](#)
  - Areas already mapped will probably not result in a larger Floodway.
  - Existing protection (for example provincial approved berms)
  - 2 new areas “High Hazard Flood Fringe” and “Protected Flood Fringe”

## 7.2 FLOOD HAZARD AREAS

- **Floodway** When a floodway is first defined on a flood hazard map, it typically represents the area of highest flood hazard where flows are deepest, fastest, and most destructive during the 1:100 design flood. When a flood hazard map is updated, the floodway will not get larger in most circumstances to maintain long-term regulatory certainty.
- **Flood Fringe** The flood fringe is the area outside of the floodway that is flooded or could be flooded during the 1:100 design flood. The flood fringe typically represents areas with shallower, slower, and less destructive flooding, but it may also include “high hazard flood fringe” areas. Areas at risk of flooding behind flood berms may also be mapped as “protected flood fringe” areas.

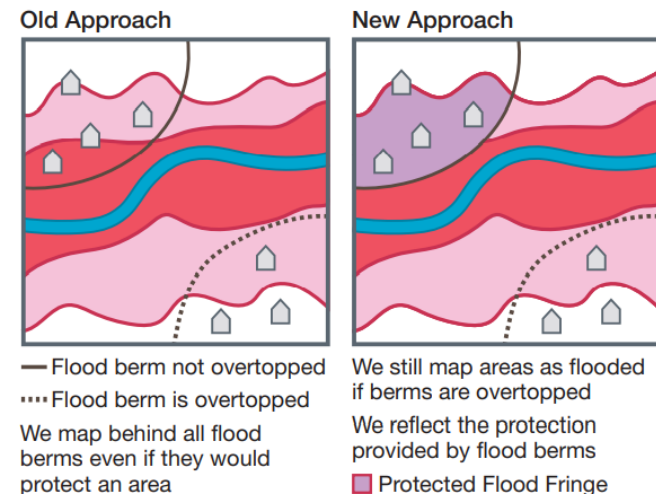
NEW

- **High Hazard Flood Fringe** The high hazard flood fringe identifies areas within the flood fringe with deeper or faster moving water than the rest of the flood fringe. High hazard flood fringe areas are likely to be most significant for flood maps that are being updated, but they may also be included in new flood maps.



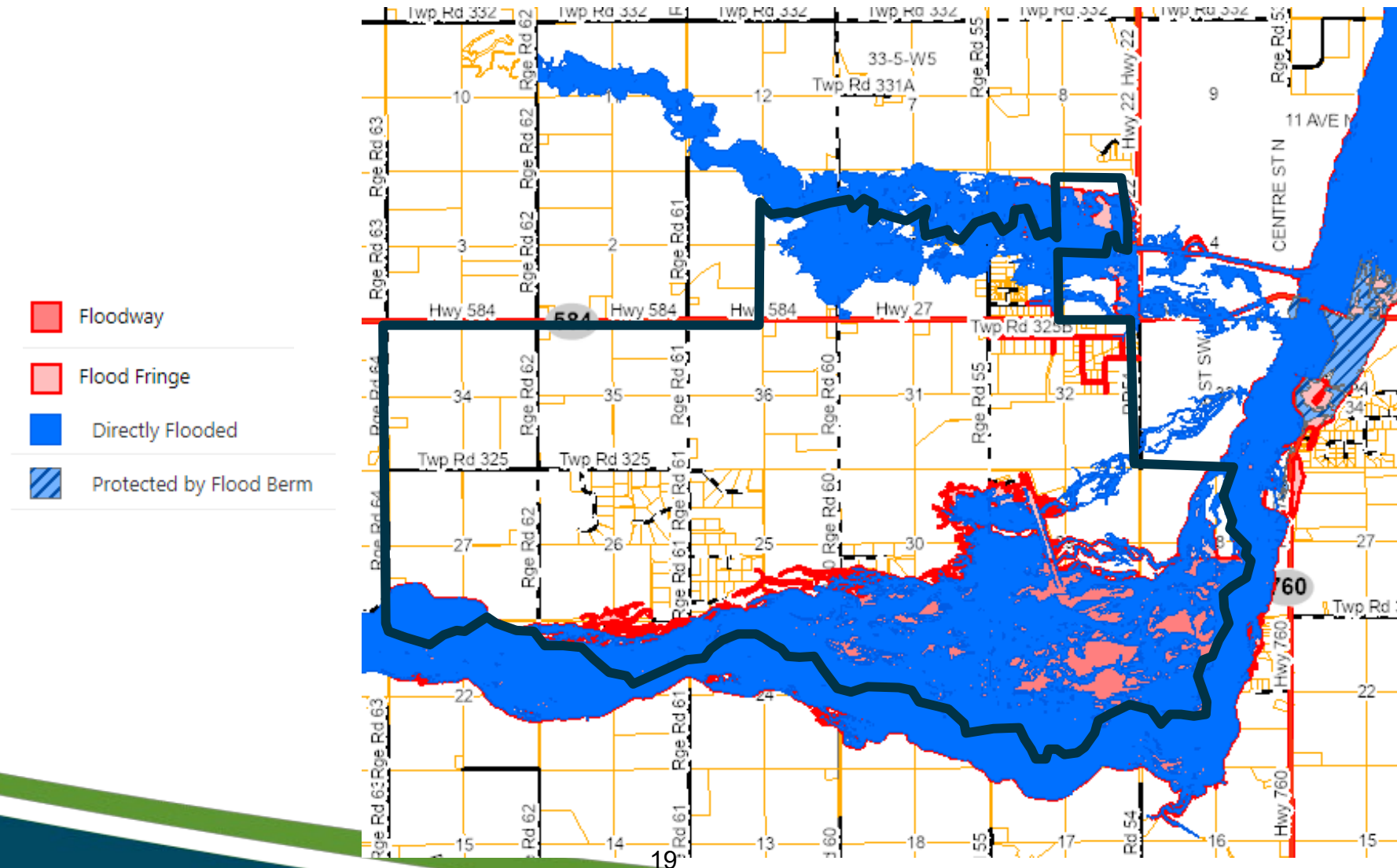
NEW

- **Protected Flood Fringe** The protected flood fringe identifies areas that could be flooded if dedicated flood berms fail or do not work as designed during the 1:100 design flood, even if they are not overtopped. Protected flood fringe areas are part of the flood fringe and do not differentiate between areas with deeper and faster moving water and shallower or slower moving water



## 7.2 FLOOD HAZARD AREAS

- Provincial draft maps: Inundation maps at <https://floods.alberta.ca> [Alberta Floods Portal](#)
- County mapping with the Provincial maps (note this link is not a public link)  
[https://geocortex.mvcounty.com/Html5Viewer/Index.html?viewer=Inundation\\_Map.MVC\\_Staff\\_Map1#](https://geocortex.mvcounty.com/Html5Viewer/Index.html?viewer=Inundation_Map.MVC_Staff_Map1#)





## REGULAR COUNCIL MEETING AGENDA

The Municipal Council will hold a Regular Council Meeting on Wednesday, July 14, 2021, at 9:00 a.m., in the Council Chamber, 1408 Twp. Rd. 320, Didsbury, AB

1. Call to Order
2. AGENDA
  - 2.1 Adoption of Agenda
3. ADOPTION OF MINUTES
  - 3.1 Regular Council Meeting Minutes of May 26, 2021
  - 3.2 Regular Council Meeting Minutes of June 9, 2021
  - 3.3 Regular Council Meeting Minutes of June 23, 2021
4. BUSINESS ARISING
5. PUBLIC HEARINGS
  - 5.1 Bylaw No. LU 24/21 – NW 28-32-28 W4M
  - 5.2 Bylaw No. LU 25/21 – SW 8-29-2 W5M
  - 5.3 Bylaw No. LU 26/21 – NW 10-32-6 W5M
  - 5.4 Bylaw No. 20/21 – Didsbury Intermunicipal Development Plan – Joint Public Hearing 1:00 p.m.
  - 5.5 Bylaw No. 21/21 – Land Use Bylaw
6. DELEGATIONS
  - 6.1 Lisa Nicholson, Hope 4 MVC Kids Society – 11:00 a.m.
7. BYLAWS
  - 7.1 Bylaw No. LU 27/21 – SE 27-33-6 W5M Plan 9410748 Block 2
  - 7.2 Bylaw No. LU 28/21 – NE 5-30-28 W4M
  - 7.3 Bylaw No. LU 29/21 – SW 2-31-28 W4M
8. DIRECTIVES
  - 8.1 Directives
9. OLD BUSINESS
  - 9.1 Area Structure Plan (ASP) Amendment SW 15-29-5 W5M
  - 9.2 Development Agreement Amendment Request – SD08-188 - NE 2-33-5-W5M
10. NEW BUSINESS
  - 10.1 Development Permit Amendment - PLDPA20210262 - SE 27-29-5 W5M
  - 10.2 Flood Hazard Area - Discussion and Direction
  - 10.3 2021 Fundraising Golf Tournaments
  - 10.4 2021 Cremona & District Recreation Board Funding Approvals
  - 10.5 2021 Citizenship Awards
  - 10.6 Agricultural Plastics Recycling Joint Project
  - 10.7 Inter-Governmental Committee - Ministry One Page Summaries
  - 10.8 Township Road 324 Undeveloped Road Improvements



## Regular Council Meeting Request for Decision

Planning & Development Services

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**Date:** July 14, 2021

**SUBJECT:** Further Discussion & Direction for Flood Hazard Area MDP Policies and LUB Regulations

**RECOMMENDATION:** Council receive the additional Public Engagement Responses and direct Administration to bring forward (through the Public Hearing process) the proactive amendments to the Municipal Development Plan and Land Use Bylaw to address Flood Hazard Areas.

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**ALTERNATIVE OPTIONS:** Council direct \_\_\_\_\_

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### **BACKGROUND:**

On May 26, 2021 Council approved motion RCRC21-348 “That local Councillors hold public meetings to provide the residents with information regarding the proactive amendments to the Municipal Development Plan and Land Use Bylaw to address Flood Hazard Areas; and further, that Administration bring the matter back to the July 14, 2021 Council Meeting for discussion and further direction.”

Division 5 held an Open House on July 6, 2021 and additional comments from the public are included as attachment 01 and can be summarised as support for no regulation by the County; concern on the impact on insurance and mortgages; impact on land values and concern that 1:200 and above flood maps may be used.

The Virtual Open House that was hosted on April 19, 2021 resulted in five (5) written comments received that are included as attachment 02 and can be summarized as a request to “grandfather” existing development; concern not to allow ASP policies for Flood Hazard Area to be more restrictive than MDP policies; encouraging inappropriate development in the Flood Hazard Area; concerns with the public engagement notification (not sending landowner letters) and method of engagement; concerns with technical details of the Study shared as part of the first round of engagement; impact in resale value of property; and strong opposition and requests to hold off on the consideration of municipal policy change until the Provincial Study is finalized.

### **Update on the Upper Red Deer River Hazard Study**

The second round of Alberta Environment and Park’s public engagement to share the Floodway and Flood Fringe maps will likely be this fall/winter.

### **Additional changes since the Virtual Open House and since May 26, 2021 Council meeting**

Since the Virtual Open House, Administration is recommending the following changes:

#### Municipal Development Plan:

- Add clarity that the restriction in the floodway also applies to subdivision only applications (when no redesignation is proposed); and applies to any existing or proposed use.

- Add a policy that deals with redesignation only applications for any use, but exclude residential use that may be considered in the Floodway.
- Add an exception that redesignation and subdivision or subdivision in the floodway may be considered when Federal, Provincial or Municipal authorities proposed public access and use.

Land Use Bylaw:

- Add a size limitation on additions and extension with a maximum ration of 40% addition and extension to 60% existing building.
- Remove the existing regulation for replacement buildings that does not meet the 1:100-year floor level requirement.
- Add that development in existing condominium plans (with approved Stormwater Management Plans) do not need to meet the floor level of the 1:100 design flood.

The proposed MDP policies and proposed LUB regulations amendments are included as track changes in attachment 03 and 04 and the additional changes are highlighted in yellow.

**Administrative recommendation:**

Proceed with scheduling first readings and a Joint Public Hearing for the MDP and LUB amendments. Potential dates for First Readings on August 11, 2021 and a Joint Public Hearing on September 11 or 29, 2021 at or after 1 pm.

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**RELEVANT POLICY:** [Municipal Development Plan Bylaw No. 20/20](#) and [Land Use Bylaw No. 16/18](#)

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**BUDGET IMPLICATIONS:** N/A

**Attachments** ☒ Nil ☐

att 01 - Written comments received after May 26, 2021

att 02 - Written comments received after the Virtual Open House

att 03 - Municipal Development Plan policies track change

att 04 - Land Use Bylaw Section 9.11 track change

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**PREPARED BY:** MB

**REVIEWED BY:**



Correct Legal is:  
NE 32-32-5-5 Plan 8510566 Block 1 Lot 5

## Flood Hazard Areas Division 5 Open House Comments Sheet

Name(s) and Legal: Stan Holst East of Capital Pressue

Please provide your comments/feedback below

Not in support of any restrictions in the  
Floodway or Flood Fringe.

-redesignation

-subdivision

-development

Stan Holst

NE

~~Q~~ 32-32-5-5 Block 1 Lot 5

Collection and use of personal information:

The personal information on this form is being collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act (FOIP) for the purpose of conducting an Open House. Any inquiries relative to the collection or use of this information may be directed to: Mountain View County FOIP Coordinator 1408 - Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0 Ph: 403-335-3311



**Lee-Ann Gaudette**

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**From:** Chris Newton [REDACTED]  
**Sent:** July 7, 2021 12:12 PM  
**To:** Margaretha Bloem  
**Subject:** Open House on July 6, 2021

Margaretha,  
It was good to meet you and get more info regarding this change that the Alberta Government wants to make.

After thinking about it all, I have the following comments:

- I am glad that it currently does not affect my property.
- I am concerned that they are considering using a 200 year flood picture because that may affect me
- My feeling is that this will affect all land values, and insurance/mortgage abilities of any property within the affected area. Are they sure that these changes are actually required?
- Do they know the actual cause of the flooding and can it be mitigated without destroying the value of so many properties? (ie: Was water released from upstream causing extra flow? Was there a blockage downstream that caused a back up of water? Either of these may be mitigated if checked and monitored without affecting these properties)
- I understand that rules and regulations are being created to guide future building and development, which is reasonable, but I am concerned about the need to create this regulation. Would it not be more prudent to supply all owners with the info and let them know the potential of the flooding, provide suggestions, and then let them make their own choices? This way the county/province is not responsible for taking peoples lifetime investments.
- Also make sure they know that there is little or no government help/reimbursement should there be a flood.
- It should be obvious to most people that building near any body of water has flood risk. Providing the info to everyone should be enough rather than creating rules and regulations that will cause financial issues.

Thank you for being open to comments and concerns,

Chris Newton

[REDACTED]

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**From:** [Neil Konner](#)  
**To:** [Gail Evers](#); [PlanDev](#)  
**Subject:** Re: Division 5 - Open House Registration Confirmation  
**Date:** Thursday, July 8, 2021 12:51:38 PM

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Hi Gail,

Please send this email to whom it may concern.

The maps for this Open House for this Flood Hazard study for Floodway and Flood Fringe were not complete. I could not find various properties and locations on the South side of Sundre. Example: Mountain View Senior Housing, Sundre Seniors' Supportive Living Facility. Etc..

Also:

1.) Has this study complied with the reinstated FEDERAL FISHERY ACT, (Fish and Fish Habitat Protection Policy)? Please identify the impact of aggregate, industrial, commercial and residential development, in the flood fringe will have on the Red Deer River ecosystem.

2) Has this study complied with the 2021 Red Deer River Hazard Study?

3.) Has this study complied with the ACTS AND REGULATIONS:  
ENVIRONMENT AND CLIMATE CHANGE IN CANADA?

4.) Has this study complied with the ALBERTA WETLAND POLICY?

5.) Has this study communicated with the "FIRST NATIONS OF ALBERTA"?

Please contact TREATY 7 Consultation Contact with regards to the cumulative impact of aggregate, industrial and commercial development in the flood fringe of the Red Deer River ecosystem that affects the indigenous culture.

In conclusion I believe that any Aggregate, **Industrial** and Commercial development in the flood fringe should not be considered.

Regards,

Neil Konner

[REDACTED]

Sundre, Alberta

[REDACTED]

## Lee-Ann Gaudette

---

**From:** Angela Aalbers  
**Sent:** April 22, 2021 12:55 PM  
**To:** Margaretha Bloem  
**Subject:** FW: Virtual Open House: Flood Hazard Areas on Monday April 19th at 6 pm

FYI

---

**From:** Ms / Mr [REDACTED]  
**Sent:** Monday, April 19, 2021 7:21 PM  
**To:** Angela Aalbers <aaalbers@mvcounty.com>  
**Subject:** Re: Virtual Open House: Flood Hazard Areas on Monday April 19th at 6 pm

Ms. Aalbers,

Thank you for sending out this information as we were not aware otherwise of this particular presentation.

We are encouraged that the County is seriously considering “grandfathering” of existing dwellings and additions / replacements thereto. We had always planned to add on or modernize the old cabin but were concerned it would no longer be possible after previous changes in the planning language.

We would agree that all of the language in development plans / Land Use Bylaw etc should be consistent across the board.

Frizzell / Sherman family

Coal Camp

On Apr 16, 2021, at 08:23, Angela Aalbers <[aaalbers@mvcounty.com](mailto:aaalbers@mvcounty.com)> wrote:

Division 5.

Please see the invitation at the bottom of this email to attend a virtual open house to discuss flood hazard area zoning and subdivision policies and development regulations.

The presentation starts at 6 pm.

The County website location with the pre-registration link and the presentation materials:

<https://www.mountainviewcounty.com/council-boards-services/resident-participation>

On the main County page click on “Flood Hazard Areas: Virtual Open House” under the heading “find information”

The direct link to the pre-registration page: <https://vekeo.com/mountainviewcounty/>

The County is reviewing our current policies in light of;

- additional flood hazard mapping that is currently being done by the Province
- increased pressure from the government to reduce the impact of disaster events. Minister McIver, Municipal Affairs, made many comments at the RMA conference in March about the

increasing cost of responding to disaster events and that the McKinnon report showed that Alberta spends more on disaster recovery than most.

Please also see the changes to Provincial Disaster recovery program <https://www.alberta.ca/disaster-assistance-and-recovery-support.aspx>

## Changes to the Disaster Recovery Program

The cost and frequency of disasters in Alberta is increasing, and our province needs a strong framework in place for dealing with the growing financial risks. That is why we have made changes to the Disaster Recovery Program (DRP).

Prior to these changes, Alberta was the only province that did not share the financial risk and liability of disaster expenses through cost-sharing mechanisms, thresholds, residential funding limits, or restrictions to assistance in floodways, as part of its disaster assistance program.

These changes will encourage Albertans to mitigate disaster risks by:

- purchasing appropriate insurance
- reducing property development in high-risk areas
- relocating to less disaster prone areas
- mitigating their properties

## Cost-sharing

We have implemented a 90:10 cost-sharing arrangement with local governments and private-sector applicants, which include homeowners, residential tenants, small business owners, landlords, agriculture operations, condominium associations and not-for-profit organizations and cooperatives.

This arrangement means we provide assistance for 90% of eligible disaster costs and the impacted community and private-sector applicants are responsible for the remaining 10% of their respective costs.

## Homeowner-funding limits

We have implemented a \$500,000 funding cap per homeowner application, and a one-time limit on disaster financial assistance per property. These changes take effect for all 2021 disaster events and are not retroactive to years prior to 2021.

If a property has received disaster financial assistance under a Disaster Recovery Program in 2021 and beyond, that property will not be eligible for subsequent DRP assistance in the future.

- Assistance from the program will not be available to future applicants who own property at the same physical location.
- These limits do not follow a homeowner if they sell the property as the one-time funding limit only applies to the property address.

Homeowner addresses that received assistance under a DRP in 2021 and beyond will be posted online to provide up-to-date information about program funding limits for prospective homeowners, developers, and real estate professionals.

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**From:** Margaretha Bloem <[mbloem@mvcounty.com](mailto:mbloem@mvcounty.com)>  
**Sent:** Thursday, April 15, 2021 4:28 PM  
**To:** Councillors <[Councillors@mvcounty.com](mailto:Councillors@mvcounty.com)>  
**Cc:** Jeff Holmes <[jholmes@mvcounty.com](mailto:jholmes@mvcounty.com)>; Andrew Wild <[awild@mvcounty.com](mailto:awild@mvcounty.com)>  
**Subject:** Virtual Open House: Flood Hazard Areas on Monday April 19th at 6 pm

Good afternoon Councillors,

We have not had many pre-registrations for the virtual Open House on Monday. In addition to our website and the newspaper adverts, we will be pushing notification on our app and proceed with adverts on the radio. It would be great if you send a reminder to everyone on your community distribution contact lists.

The presentation starts at 6 pm.

The County website location with the pre-registration link and the presentation materials:

<https://www.mountainviewcounty.com/council-boards-services/resident-participation>

On the main County page click on “Flood Hazard Areas: Virtual Open House” under the heading “find information”

The direct link to the pre-registration page: <https://vekeo.com/mountainviewcounty/>

<image002.jpg>

Regards,  
Margaretha

Margaretha Bloem | Director of Planning and Development Services  
[403-335-3311 ext. 166](tel:403-335-3311) | [mbloem@mvcounty.com](mailto:mbloem@mvcounty.com)

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## Lee-Ann Gaudette

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**From:** Anne Macklin [REDACTED]  
**Sent:** May 1, 2021 11:14 PM  
**To:** Planning  
**Subject:** Re: Flood Hazard Areas

Mountain View Planning

I am writing to express my concerns over the direction that the county appears to be moving in making changes to development regulation in flood hazard areas. If I understood the presentation correctly, it appears to be the intention of the county to make all development regulation the same in any area prone to flooding. Any Area Structure Plan that is more restrictive should remain so. Area Structure Plans are created with the unique attributes of a particular area in mind. If development in a flood hazard area is discouraged it is with good reason.

The provincial material on disaster financial assistance and recovery support clearly states that there is a one time limit on disaster financial assistance per property. With the increase in major weather events, insurance in flood prone areas is becoming virtually impossible to obtain. Is it not then incumbent upon a county planning department to steer prospective developers away from development in flood hazard areas? I have witnessed the county approve a subdivision and development on a property that is clearly in the flood zones on the maps and which was under four feet of water in 2005. Such approvals encourage inappropriate development. In the eyes of the public an approval is tantamount to saying "It's safe to build there." ((Neither the applicant for a subdivision nor the purchaser who developed the acreage were in the area at the time of the flood.)

Neither subdivisions of acreages (whose intent are clearly for residential purposes) nor development of permanent structures of any kind should be approved in flood hazard areas. Period. Anything else is irresponsible.

Sincerely,  
Anne Macklin

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May 10, 2021

Dear County of Mountain View Council,

Re: Upper Red Deer River Hazard Study and proposed Flood Hazard Area Bylaw amendments

Our specific relationship to this matter is the **NE ¼ of section 1, township 33, range 6, w5** along the **Bearberry Creek**, lands belonging to Sydney and Kathleen Vollmin for whom we act as Power of Attorney.

We would like to thank Councilor Angela Albars and Director of Planning and Development Services, Margaretha Bloem for their prompt replies to our calls within the last few days in bringing us up to speed with the intent of the study and Bylaw amendments after only becoming aware of these plans May 7th.

We understand that the discussion for council to act on the study is to take place within this month and wish to make known a number of concerns relating to the study and the long term affect and limitations it will have on our family property as well as for our neighbors along the Bearberry Creek and Red Deer River corridors.

1. We are surprised that as land owners directly impacted, we have not been specifically contacted or made aware of the proposed changes to the Municipal Development Plan and Land Use Bylaw. We apparently missed seeing the Open House notice and certainly had no reason to search the Alberta Environment website. This omission is not for lack of interest or involvement in municipal affairs but another unfortunate symptom of Co-vid restrictions and volume of on-line flow of information.
2. We believe the Provincial Flood mapping detailing the Floodway and particularly the Flood Fringe zone is inaccurate based on three generations of family information and experience. We understand the map is a result of elevation readings but it does not account for actual land slope and divisions between the Bearberry Creek and Red Deer River flows. For example on the above mentioned quarter the Flood Fringe zone indicates flood potential requiring the water to run uphill behind and through the residence. To be specific, even in the flood of 2005, the building site was not flooded. There is a lower coulee which is spring fed and actually part of the Red Deer drainage which accounts for this elevation reading. While the Bearberry Creek has traditionally had high water flow in the spring as with every stream and river sourced from the high country, we believe the far reaching Flood Fringe zone is highly exaggerated.
3. We are concerned that the proposed Bylaw changes will drastically impact resale value of the family property, having adverse implications to landowner insurance and the opportunity to build or subdivide. The original Corless properties have been in the family for 4 generations and the families have an expectation to continue to live on and benefit from these properties.

Our appeal to the County of Mountain View is to step back from making immediate changes to the Land Use Bylaws until Alberta Environment has had proper consultation and concluded its study; and further that constituents have opportunity to have greater input into how those recommendations impact the County of Mountain View. We appreciate that it is important for Municipalities to keep in step with Provincial guidelines which allows for flow of funding through the levels of government and for local governments to provide clear and transparent bylaws to fairly treat the citizens within the Municipality. This being said, we feel with Covid-19 restrictions, this is not the time to “Zoom-meeting” these changes but to allow for adequate consultation of all stakeholders. In addition, we feel it would have been, and still is appropriate for those landowners who are specifically impacted within the county to receive a letter so that we have first-hand information as to the intent of the changes and the ramifications to our family holdings.

Thank you for your consideration of our concerns.

Sincerely,

Larry Nielsen & Connie Nielsen (nee Vollmin)



May 10<sup>th</sup>, 2021

Sent via email

Mountain View County  
1408 Twp Road 320,  
Didsbury, Alberta T0M0W0

Attention: Reeve Bruce Beatty, [bbeattie@mvcountry.com](mailto:bbeattie@mvcountry.com)  
Council  
Margaretha Bloem, [mbloem@mvcountry.com](mailto:mbloem@mvcountry.com)  
Director of Planning

We write this letter as a group of residents from the South McDougall Flats area who share a collective concern with the Bearberry Creek Flood Hazard Analysis and Mapping engagement process which has been initiated by the Province and embraced by Mountain View County.

We have had discussion with councillors and appreciate the desire of council to get this finalized to protect constituents and their investment, but we feel that there has not been enough involvement from all the stakeholders. Many people do not even realize that this is in the works. We respect and appreciate the efforts to reach out but unfortunately people still do not know. We must get the information out in a different way. We as a few have just been recently made aware of this study and its possible implication for us.

We have also been in discussions and are working with Alberta environment, we are supplying firsthand experience and technical information regarding the province's inundation map of the Bearberry Creek and possible errors. We need the county's support in working with Alberta Environment.

We would first like to take this opportunity to thank the County of Mountain View for hosting the Flood Hazard Areas Virtual Open House relating to Flood Hazard Areas within the County including the Upper Red Deer River and Bearberry Creek which is now under study by Alberta Environment. It is unfortunate that such an important event was not communicated to all stakeholders and residents through mail and that additional time was not taken to ensure that everyone situated within the impacted areas were duly notified. We appreciate the County efforts but see it as a missed opportunity for the County to gain insight into the views of its constituents.

Many of us have participated in responding to the questionnaire provided by the province relating to the Flood Inundation Mapping of Bearberry Creek and it is safe to say that we all strongly disagree with the delineation of the flood inundation areas as presented. In our view acceptance of this mapping as complete and accurate is very premature.

We recognize that the province is in the midst of a provincial flood mapping program and that it will have far reaching implications for all Albertans. But at this time, no one knows how and to what extent an individual landowner will be affected so talk of constraining development, landowner one-time compensation and the like at this juncture is just plain wrong.

With respect to the specific amendments to the Land Use Bylaw and specific Area Structure Plans outlined during the Virtual Open House we have the following observations and comments:

***We would like to state that we are categorically opposed to moving forward with the adoption of the amendments to the Land Use Bylaw and the subsequent amendment to the Area Structure Plans that were presented at the Virtual Open House at this time.***

In our view, these amendments are entirely premature, and it appears that we are being asked to comment on something without the benefit of having the necessary information before us to provide an informed response. In our view, the County and all landowners which may be ultimately affected should await completion of the various reports and maps by the Province, vet them for accuracy and effectiveness, examine the alternatives such as mitigation opportunities through robust community engagement and then finally introduce tools such as amendments to planning policy to implement the plans.

In principle, we support the inclusion of amendments to the Land Use Bylaw as a method of dealing with constraints and opportunities on lands near a water body which may be impacted or affected by Flood Hazards. We say and stress **'IN PRINCIPLE'** because the impacts of such amendments are so significant and impactful to a landowner from restricting or eliminating development opportunities, impacting succession planning, obtaining home and property insurance to the resale of their property they should only be introduced as part of a comprehensive and well thought out strategy to deal with flood events.

We can appreciate that the recent adoption of the new Municipal Development Plan indicated a desire to bring subordinate planning policy documents in line with the MDP and that this particular amendment suggests that the actions of council today are merely the next step or progression in completing that work.

**Our position is:**

- 1. That we fail to see the urgency in amending the Land Use Bylaw or the South McDougall Area Structure Plan before all the information is at hand. So, we request that the County defers any action on this matter for now.**
- 2. We request that the county send registered letters to all landowners impacted by the Flood Hazard Analysis and Mapping being done by the province so informed discussion can happen.**
- 3. We ask that the county wait till we can meet again (covid restrictions) in a town hall meeting to discuss each area affected. We feel that a virtual town hall is not a viable option for discussing such an impactful definition of land use.**
- 4. We request information from the county about mitigation options through the county for all existing residences and developments.**
- 5. We need the county's support in working with Alberta Environment.**

We understand that nothing is changing until such time as the Flood Hazard Mapping is complete because Council will not allow development in areas which have preliminarily been identified as being in the Flood Inundation Areas.

Please heed our request and defer any action on these amendments until such time as the landowners are truly informed on all the implications of the Provincial Flood Hazard Mapping and its impacts are known and understood by all.

Yours Truly,

Impacted residents of the Bearberry Creek Flood Hazard Analysis and Mapping

PS (we are only a few because others in our area do not know this information yet)

Dennis Featherstone

Ryan McCool (Sundre River Resort)

Larry and Connie Nielsen (Sid Vollmin)

Brian Dziadek

Mark and Kelly Dziadek

## Lee-Ann Gaudette

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**From:** Bruce Johnson <coyoteop@telus.net>  
**Sent:** May 12, 2021 9:15 AM  
**To:** Margaretha Bloem  
**Subject:** Land Use bylaw

Good morning Margaretha. I am writing this email regarding some concerns we have regarding the review and possible upcoming changes to the land use bylaws that we would like you to bring up to council.

With the NW 20-32-5-W5, and NE 20-32-5-W5 now considered to be in the floodway, we are somewhat confused on what development may be allowed on the remainder of our NE 20-32-5-W5 quarter section. A good portion of the quarter is still undeveloped. Our original plan was for an additional 9 holes of golf but our thoughts have changed on this somewhat. We would like the council to consider when looking at the bylaw changes of a possible seasonal campground with shallow services that would be its own identity. There would be no subdivision of any of these lots. We are also considering a 9 hole par 3 golf course to go along with the campground. We would like the council to consider all of the options above when looking at the bylaw changes. Thanks for your consideration on this matter.

Regards

Bruce Johnson  
General Manager  
Coyote Creek Golf & R.V. Resort Inc.  
( 403) 638-2450 Ext. 219

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## Abstract from Section 4.0 Residential Land Use Policies

County Collector Network. The extent of paving required shall be in accordance with approved County Policy.

- 4.3.9 Internal subdivision roads for higher density residential development (five (5) lots or greater per quarter section) shall be paved or chip sealed as determined by Council and provided at the developer's expense.
- 4.3.10 Individual well and septic systems that meet municipal and provincial standards may be permitted for proposed residential developments.
- ~~4.3.11 New Residential redesignation and subdivision shall not be permitted within a floodway of any watercourse.~~
- 4.3.12 Notwithstanding any other policy in this Plan, subdivision and development shall not be permitted if the site is unstable, subject to erosion, ~~subject to flooding,~~ or unsuited for permanent structures, unless compliant with the regulations set out in the Land Use Bylaw.
- 4.3.13 Notwithstanding Policy 4.3.12, development may occur on the sides of coulees if the developer demonstrates, through reports and/or analysis prepared and certified by a professional engineer, that stormwater management and slope stability are properly addressed. The developer may be required to further demonstrate suitability of the site through slope adaptive housing, access roads and/or driveways that are less than 10% slope.
- 4.3.14 Slopes of 10% or more shall require a geotechnical report prepared and stamped by a registered professional geotechnical engineer, demonstrating stability and suitability for development along with the standards for development.
- 4.3.15 Application for bareland condominium subdivision for the development of seasonal recreational facilities and/or amenities shall be considered and as such shall be required to meet all criteria for access, services, and all other county standards identified for residential development. Bareland condominium subdivision for the development of residential uses that allow year-round occupancy is strongly discouraged; however, if approved, County standards shall apply.
- 4.3.16 MVC may support affordable housing options including secondary suites, attached housing, senior housing, and use of manufactured homes to allow people options for getting into the housing market.
- 4.3.17 The establishment of secondary suites may be considered within all residential and agricultural areas of MVC.
- 4.3.18 Secondary suites shall be built to code (the Alberta Building Code and Safety Codes Act) and follow all regulations set out in the Land Use Bylaw.
- 4.3.19 Home occupations that do not have any negative impact on the surrounding area are considered to be appropriate for rural residential areas.
- 4.3.20 A previously unsubdivided quarter section shall include quarter sections with lots created for and still used for public use (i.e. schools), railway lots, oil and gas

## Abstract from Section 5.0 Economic Development Land Use Policies

- 5.4.2 Commercial recreational development in the rural area may include, but is not limited to: campgrounds, resorts, and “dude ranches” with fixed roof accommodation, spas, golf courses and the ancillary clubhouses and other forms of recreational operations that are operated for commercial gain.
- 5.4.3 Commercial recreational development may include bare land condominium subdivisions for seasonal recreational vehicle sites.
- ~~5.4.4 Recreational development in the flood hazard areas or areas prone to flooding may be appropriate land uses when complying with regulations set out in the Land Use Bylaw.~~
- 5.4.5 Recreational development applications shall include consultation with the County's Economic Development Officer on a case by case basis.
- 5.4.6 Recreational development applications shall include community consultation with area landowners, residents, administration and Council.
- 5.4.7 The County shall maintain a recreational development strategy and/or mapping to identify areas that are appropriate for recreational development and associated uses, as well as to identify areas that are not suitable for recreational development and/or certain types of recreational uses.
- 5.4.8 Commercial recreational development applications shall satisfy appropriate servicing requirements relative to the type and form of the application proposed at the application stage and this may form part of the development agreement.

## Abstract from Section 6.0 Environmental Land Use Policies

- 6.3.6 Areas known to be Hazard Lands within MVC are identified on Figure 4. Further studies should be required as part of any subdivision or development application to determine the exact location of the lands within a site.
- 6.3.7 Hazard lands representing river valleys shall require a dedication of a minimum 6 metres environmental reserve, environmental easement and/or restrictive covenant from the delineated top of bank at time of subdivision or development. The extent of this restriction shall be guided by approved ASPs, existing provincial standards with respect to development in proximity to hazard lands and/or a geotechnical assessment prepared by a qualified professional engineer in support of the subdivision and/or development.
- 6.3.8 Development on lands identified as hazard land shall comply with the regulations set out in the Land Use Bylaw.
- ~~6.3.9 No development shall take place in the floodway unless compliant with the regulations set out in the Land Use Bylaw. Development within the flood fringe may be permitted if compliant with the regulations set out in the Land Use Bylaw. Development within areas prone to flooding may be permitted if compliant with the regulations set out in the Land Use Bylaw.~~ Notwithstanding any other policy or policies in this Plan or any ASP policies, applications for redesignation and subdivision or subdivision only (when no redesignation is proposed) for any existing or proposed use shall not be supported if any part of the proposed parcel(s) subject to the redesignation and proposed to be subdivided; or proposed to be subdivided only:
- (i) is located in the floodway of the 1 in 100-year design flood of a Provincial Study; or
  - (ii) is located in the floodway of the 1 in 100-year design flood of a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority.
- a) This policy shall not apply when the remainder's land use is redesignated at the same time to bring the land use designation into compliance with the Land Use Bylaw and any part of the remainder is located in the Flood Hazard Area (floodway or flood fringe) and complies with other applicable statutory plan policies.
  - b) This policy shall not apply to redesignation and subdivision; or subdivision only (when no redesignation is proposed) that may be considered when Federal, Provincial or Municipal authorities propose public access and use.

6.3.10 Notwithstanding any other policy or policies in this Plan or any ASP policies, applications for redesignation only (when no subdivision is proposed) for any use, but excluding residential use may be considered if any part of the area that is subject to the redesignation only (when no subdivision is proposed):

(i) is located in the flood way of the 1 in 100-year design flood of a Provincial Study; or

(ii) is located in the floodway of the 1 in 100-year design flood of a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority.

This policy shall not apply when the remainder's land use is redesignated at the same time to bring the land use designation into compliance with the Land Use Bylaw and any part of the remainder is located in the Flood Hazard Area (floodway or flood fringe) and complies with other applicable statutory plan policies.

6.3.11 Notwithstanding any other policy or policies in this Plan or any ASP policies, applications for redesignation and subdivision; redesignation only (when no subdivision is proposed); or subdivision only (when no redesignation is proposed) may be considered for any existing or proposed use if any part of the area that is subject to the redesignation and subdivision; redesignation only; or any part of the area that is subject to the subdivision only:

(i) is located in the flood fringe of the 1 in 100-year design flood of a Provincial Study; or

(ii) is located in the flood fringe of the 1 in 100-year design flood of a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority, and

(iii) the application demonstrates that other applicable statutory plan policies are complied with and the proposed development can meet the regulations of the Land Use Bylaw.

6.3.12 Notwithstanding policies 6.3.9, 6.3.10 and 6.3.11 above, or any other policies in this Plan or any ASP policies, applications for redesignation and subdivision; or redesignation only (when no subdivision is proposed); or subdivision only (when no redesignation is proposed) or development permit applications for new aggregate extraction/processing:

a. shall not be supported if any part of the aggregate extraction/processing



(i) is located within the floodway of the 1 in 100-year design flood of a Flood Hazard Area of a Provincial Study or

(ii) is located within the floodway of the 1 in 100-year design flood of a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority.

b. may be considered if any part of the aggregate extraction/processing is located in the flood fringe of the 1 in 100-year design flood of a Provincial Study or a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority if the application demonstrates that other applicable statutory plan policies are complied with and the proposed development can meet the regulations of the Land Use Bylaw.

6.3.13 To determine if a Flood Risk Assessment is required, Administration shall consider the mapping of hazard lands, topography and natural features of the subject lands, aerial photographs, historical information and site visits.

~~6.3.104 Development within the flood fringe may be considered, if properly designed by a qualified professional engineer.~~ Land Use Bylaw Regulations shall identify the design standards for development in Flood Hazard Area (floodway and flood fringe) of the 1 in 100-year design flood of a Provincial Study; or development located in the Flood Hazard Area (floodway or flood fringe) of the 1 in 100-year design flood of a Flood Risk Assessment prepared by the Applicant to the satisfaction of the Approving Authority.

~~6.3.115~~ Wetlands shall be protected as environmental reserve, an environmental reserve easement or a restrictive covenant in accordance with Mountain View County Policy 6009.

~~6.3.126~~ Enhancement of a wetland may be required at the time of a subdivision application.

~~6.3.137~~ The developer should be required to provide a geotechnical report, prepared and stamped by a registered professional geotechnical engineer, for slopes over 10%, to demonstrate stability and suitability for development. The engineering report shall outline the standards for development of the site.

~~6.3.148~~ All future ASPs shall include detailed environmental studies identifying environmentally sensitive and hazard lands and wildlife corridors, and may include other requirements deemed necessary by staff and/or Council.

~~6.3.159~~ Redesignation, subdivision and development applications may require a Phase I Environmental Site Assessment prepared by a qualified professional.

~~6.3.1620~~ The County recognizes that there are Provincial setback requirements from pipelines, wells, wastewater treatment facilities, active and reclaimed landfills as well as other facilities; these setbacks shall be implemented. The County recognizes that landfills and wastewater treatment facilities may need to be expanded in the

future and this will be a consideration when adjacent lands are subdivided or developed.

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district regulations.

3. All yard setbacks shall comply with the provisions of the district where the secondary suite is located.
4. A minimum of three (3) on-site parking spaces - two (2) for the principal building and one (1) for the secondary suite shall be provided.
5. The maximum building height shall comply with the provisions of the district where the secondary suite is located.
6. Secondary Suites are not considered a dwelling unit and should not exceed the size of the principal dwelling located on site. When constructing within and/or attached to an Accessory Building, the ratio of use shall be a maximum of 40% Secondary Suite to 60% Accessory Building.
7. A secondary suite attached to an accessory building shall comply with the following:
  - a) the secondary suite shall be associated with accessory residential structure such as a garage holding personal vehicles or an accessory farm building. All structures shall conform to all building code regulations under the *Alberta Safety Codes Act*;
  - b) the form and character of all new construction (accessory building and secondary suite) shall be consistent with the principal building on the subject property so that the appearance remains consistent; and
  - c) all servicing arrangements for the secondary suite shall comply with Provincial standards respect to the provision of water and sewer servicing arrangements.

### 9.11. Hazard Lands

1. Flood Hazard Area Development Restrictions

#### Floodway

- a) No development shall take place in the floodway except for the following uses:
  - (i) Agriculture, Extensive that does not include buildings, structures or any obstruction in the floodway;
  - (ii) Roads, bridges, flood and erosion infrastructure as part of public works, services and utilities carried out on behalf of the Federal, Provincial or Municipal Authorities on land that is publically owned or controlled;
  - (iii) Recreational Vehicle, Recreational Vehicle - Park Model, Accessory Buildings less than 10.0 m<sup>2</sup> (107.6 ft<sup>2</sup>) and Decks that meet the district regulations on legal existing parcels as of July 1, 2015 or parcels to be created by registration of subdivision plan for which conditional approval had been given prior to July 1, 2015 that is zoned recreation and identified in the floodway in Schedule 4;
  - (iv) walkways and paths that are constructed level with the existing natural grades;
  - (v) ~~replacement of an existing building~~ Additions/extensions to existing buildings not greater than a maximum ratio of 40 % addition/extension to 60 % existing building not involving the construction or placement of fill material below the 1 in 100-year design flood. Replacement or new basements are not included in this provision.

*The uses described in 9.11.1 a) (i) - (iv) are exempt from requiring a Development Permit.*

## LUB Regulations Section 9.11 Hazard Lands

*The uses described in 9.11.1 a) (v) ~~is~~ are discretionary and requires a Development Permit.*

- b) Development for the purposes of Section 9.11.1 a) does not include:
  - (i) Routine maintenance to existing buildings; or
  - (ii) Construction of gates, fences or other means of enclosure less than 1.8 m (6.0 ft) in height that will not have a detrimental impact on the flow of water in the floodway; or
- c) Notwithstanding the provisions in Section 9.11.1 a) and b) ~~all legally existing parcels as of July 1, 2015 or parcels to be created by registration of subdivision plan for which conditional approval had been given prior to July 1, 2015 all parcels~~ identified in the floodway of the 1 in 100-year design flood of provincial studies, in Schedule 4, 5, 6 or Flood Risk Assessments prepared by applicants to the satisfaction of the Approving Authority may develop to a flood fringe standard when complying with Section 9.11.1 d) and e) ~~except for:~~
  - (i) Aggregate Extraction/Processing that shall not be permitted if any part of the Aggregate Extraction/Processing use is located in the floodway;
  - (ii) Berms that shall not be permitted in any part of the floodway.

### **Flood fringe**

- d) Development within the flood fringe:
  - (i) shall demonstrate that floor level (including the construction system of the floor) is above the 1 in 100-year design flood. A qualified professional Engineer accredited by APEGA shall provide a detailed site survey and cross section drawings in support of the application except in the floodway, where this regulation shall not apply additions/extensions to existing buildings and development within existing condominium developments with approved stormwater management plans;
  - (ii) shall have no basements;
  - (iii) shall be flood-proofed. New mechanical, electrical services and equipment shall be designed and installed a minimum of 0.6 m (2.0 ft) above the 1 in 100-year design flood. New or replacement private sewer systems shall be designed and installed to be flood-proofed;
  - (iv) shall not result in the placement of fill materials unless the parcel is subject to the provisions of Section 9.11.1 c) where fill materials will be allowed specifically for the use of ensuring that development is above the 1 in 100-year design flood; and
  - (v) shall not include fill materials for the purpose of creating a berm for drainage and flood mitigation unless approved by the appropriate Provincial Authority.
- e) Notwithstanding any other provision in this Land Use Bylaw, all development within the flood fringe is discretionary except for the following exempt uses that do not require a Development Permit:
  - (i) Agriculture, Extensive that does not include buildings, structures or any obstruction in the flood fringe;
  - (ii) Roads, bridges, flood and erosion infrastructure as part of public works, services and utilities carried out on behalf of the Federal, Provincial or Municipal Authorities on land that is publicly owned or controlled;

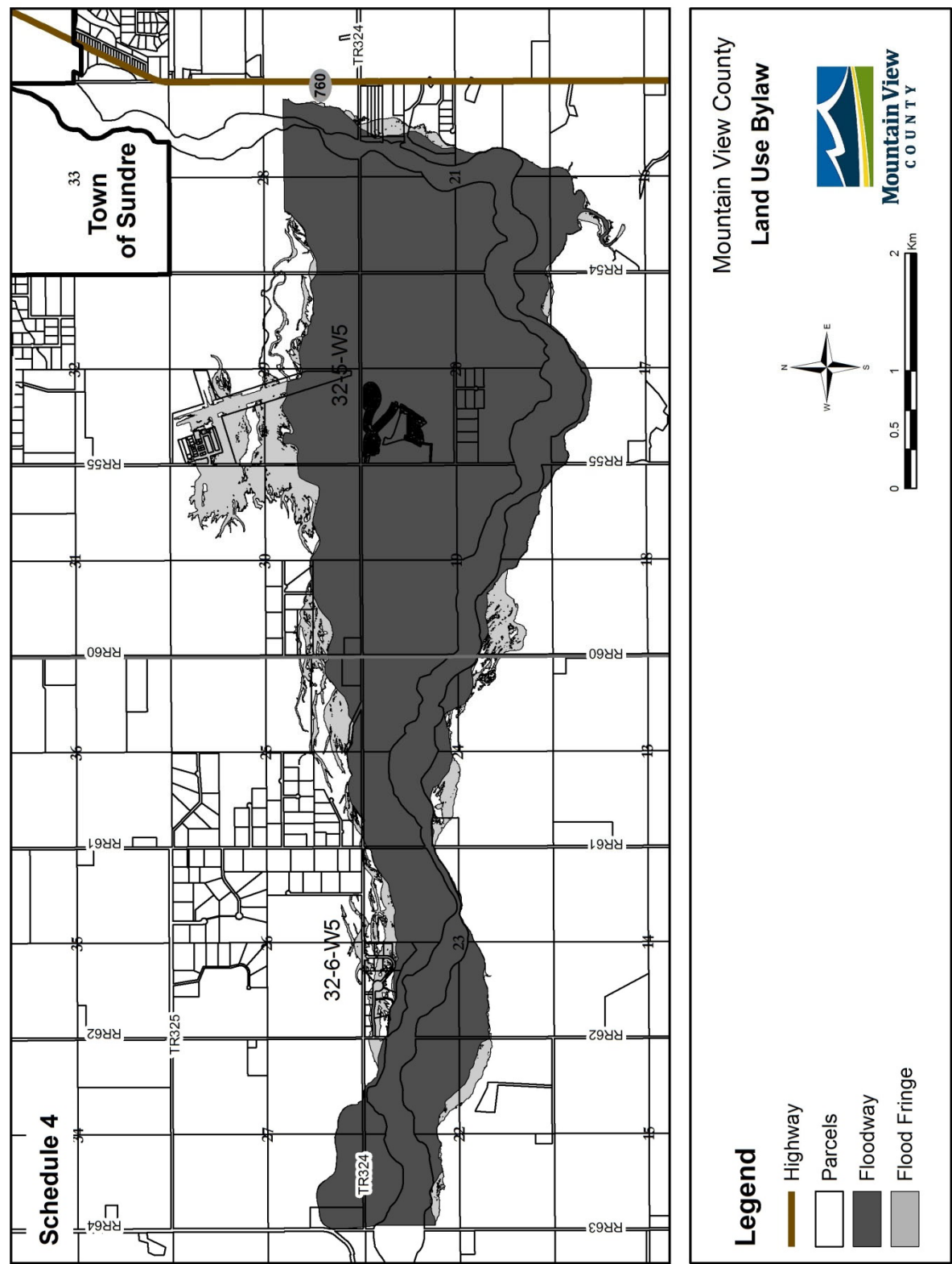
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- (iii) Recreational Vehicle, Recreational Vehicle - Park Model, Accessory Buildings less than 10.0 m<sup>2</sup> (107.6 ft<sup>2</sup>) and Decks that meet the district uses and regulations on legal existing parcels as of July 1, 2015 or parcels to be created by registration of subdivision plan for which conditional approval had been given prior to July 1, 2015 that is zoned recreation and identified in the floodway in Schedule 4;
- (iv) walkways and paths that are constructed level with the existing natural grades.
- f) Where land is situated adjacent to or includes the banks of any watercourse and where the slope of the bank adjacent to any watercourse is in excess of 10% no building or other structure shall be permitted:
  - (i) where the height of the bank is less than 6.0 m (19.7 ft) within 12.0 m (39.4 ft) from the top of the bank;
  - (ii) where the height of the bank is between 6.0 m (19.7) and 23.0 m (75.5 ft), within a distance that is two times the height of the bank, from the top of the bank;
  - (iii) where the height of the bank is greater than 23.0 m (75.46 ft), within 46.0 (150.9 ft) from the top of the bank.
- g) Lesser setbacks may be considered if supported by a geotechnical report (See Appendix A).
- h) In making a decision on the setback from a water body, the Development Authority may refer the application for a Development Permit to Alberta Environment for comments prior to issuing a permit and may alter the building or structure setbacks where deemed necessary.

### 2. Development near water bodies and water courses

No development shall take place in areas prone to flooding or subsidence unless:

- a) The Applicant demonstrates through a Flood Risk Assessment to the satisfaction of the Approving Authority that no development will occur in the floodway of the 1 in 100-year design flood except for that which complies with 9.11.1 a) (i) - (vi) and b) (i) - (ii);
- b) The Applicant demonstrates to the satisfaction of the Approving Authority that development in the flood fringe of the 1 in 100-year design flood comply with 9.11.1 d) (i) - (vi) and 9.11.1 e); and
- c) If subsidence is a concern, the Applicant may be required to submit a slope stability assessment completed by a licensed geotechnical engineer or a person qualified to perform such work.



Schedule 4 Flood Hazard Area, Floodway and Flood Fringe from the McDougal Flats Flood Hazard Study prepared by Alberta Environment and Sustainable Resource Development

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[Add Schedule 5 Didsbury Flood Hazard Study](#)

[Add Schedule 6 Sundre Flood Hazard Study](#)

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