

MOUNTAIN VIEW COUNTY
BYLAW NO. 23/21
EAGLE VALLEY AREA STRUCTURE PLAN

Mountain View County
Province of Alberta

Bylaw No. 23/21

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO ADOPT THE EAGLE VALLEY AREA STRUCTURE PLAN

SECTION 1 - AUTHORITY

- 1.01 This Bylaw may be cited as the “Eagle Valley Area Structure Plan”;
- 1.02 Section 633(1) of the *Municipal Government Act*, as amended from time to time, provides Council the authority to prepare and adopt an Area Structure Plan describing the land uses proposed, the population density, the major transportation routes and public utilities proposed and such other things Council considers necessary for the area;
- 1.03 The Eagle Valley Area Structure Plan has been prepared in accordance with the requirements of Part 17 of the *Municipal Government Act*, as amended from time to time; and
- 1.04 It is deemed desirable and in the best interest of Mountain View County that an Area Structure Plan be adopted in order to guide future development and redevelopment.

SECTION 2 - ENACTMENT

- 2.01 The Council of Mountain View County does hereby adopt the Eagle Valley Area Structure Plan which is attached hereto as Schedule “A” and forms part of this Bylaw.

SECTION 3 - REPEAL OF BYLAW

- 3.01 Bylaw No. 47/97 is hereby repealed at the effective date of this Bylaw.

SECTION 4 - EFFECTIVE DATE

- 4.01 This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*, as amended from time to time.

Received first reading August 11, 2021.

Received second reading September 29, 2021.

Received third reading September 29, 2021.



Reeve



Chief Administrative Officer

October 1, 2021

Date of Signing



Mountain View
C O U N T Y

EAGLE VALLEY AREA STRUCTURE PLAN

Bylaw No. 23/21
Adopted the 29th day of September, 2021



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1 Introduction

1.1 Background

Mountain View County (MVC) is largely rural in character but with modern services and amenities. It contains a mix of land uses that include large and small scale agriculture, oil and gas activities, mining, forestry and recreation. Over 13,000 people live in the County and an additional 21,700 within the Towns of Sundre, Olds, Didsbury, Carstairs and the Village of Cremona. This contrasts with the rural community of Eagle Valley which has a population of approximately 140 residents.

Although the County is easily accessed by residents of Calgary, Red Deer, Airdrie and Cochrane, as well as from the Highway 2 corridor, there has been relatively little development pressure in the Eagle Valley community. Between 2011 and 2016 there were only 3 approved redesignations/subdivisions applications, 10 approved development permits and 7 approved building permits. The dominant driver of development in the area has been the oil and gas industry. As of fall 2017, there is a total of 82 kilometres of pipeline, 66 active oil and gas wells and 12 abandoned wells affecting a number of quarter sections. There has been limited development pressure from existing landowners wanting to subdivide their land for family members, prepare for succession and estate planning or for economic reasons and minimal population growth from within the existing community.

The original Eagle Valley Area Structure Plan was adopted in 1997. This plan was focused on preserving agricultural land and reducing the potential for future land use conflicts. The Eagle Valley area is bordered by the Red Deer River to the west and by Range Road 43 to the east. The Red Deer River and Eagle Creek, both within the plan area, are considered environmentally significant and provide important habitats for wildlife and plants. This plan reflects the will of the residents to maintain a close-knit community with a low population density, preserve their rural quality of life and protect wildlife habitat and sensitive natural environments.

1.2 Purpose of Plan

The purpose of this Area Structure Plan is to:

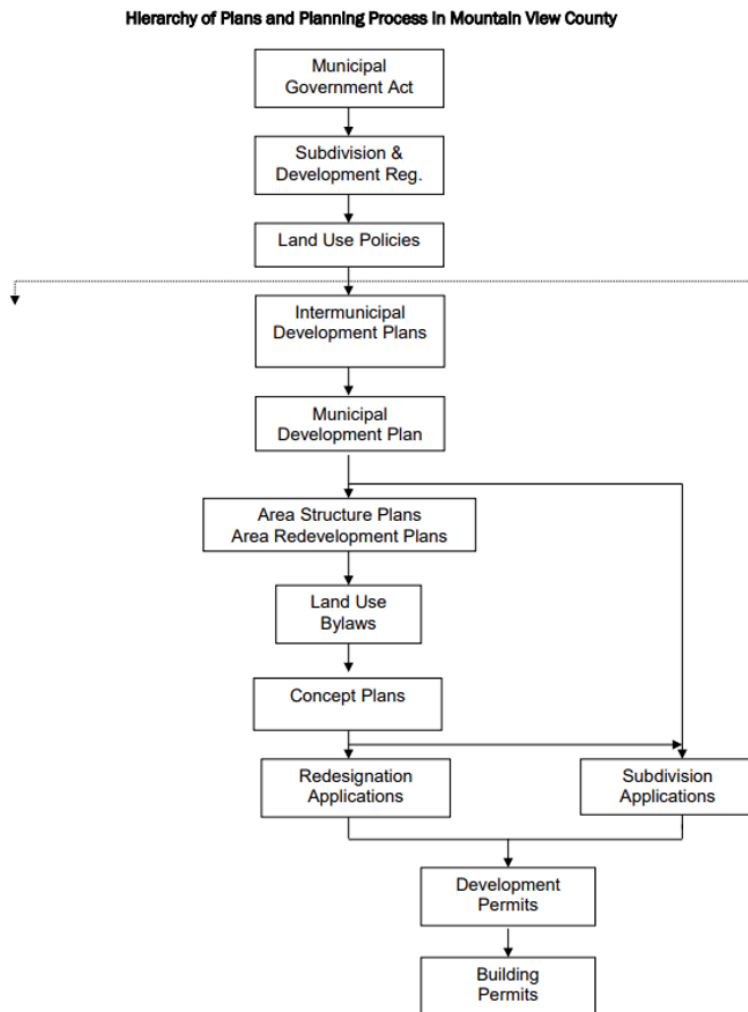
- reduce land use conflicts by ensuring new development is compatible with existing development and the environment;
- support and protect existing agricultural operations and the “right to farm” as stated in the MVC Land Use Bylaw;
- protect limited groundwater resources and ensure sufficient potable water and safe wastewater disposal for all existing and future land uses;
- prioritize land conservation measures by allowing for limited residential development;
- provide landowners within the plan area and potential developers with information on the amount and type of development that may be permitted within a plan area; and,

- provide guidance for Council when making decisions on development proposals for specific parcels of land.

The authority for municipal planning, subdivision and development control is established in Part 17 of the *Municipal Government Act* (MGA). Section 633 allows for municipalities to adopt Area Structure Plans (ASPs) to establish the general land use, population density, transportation, and servicing framework for specific areas.

The MGA also states that an Area Structure Plan must be consistent with the Intermunicipal Development Plan and Municipal Development Plan.

Mountain View County has a well-developed set of policies and documents to guide its evolution, including a forward-looking Municipal Development Plan. These documents provide a strong base and also shape the approach of this Plan.



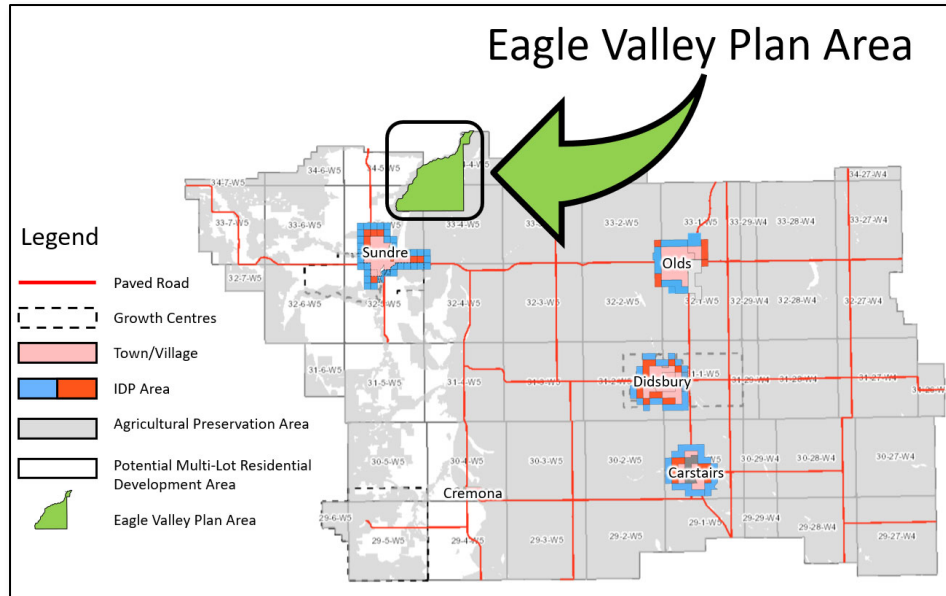
1.3 Plan Area

The Eagle Valley area is located in the northwest portion of Mountain View County; just northeast of the Town of Sundre. The plan area is shown in Figure 1 and includes portions of 76 quarters sections east of the Red Deer River. The total area included in the ASP is ten thousand eight hundred five point two two acres (10,805.22 acres, or 4,372.72 hectares). The plan area is bounded on the north by Red Deer County and on the south by Township Road 334. The western side is bounded by the Red Deer River and the eastern side is bounded by Range Road 43. Where lands are adjacent to the eastern bank of the Red Deer River, those portions to be included within the Area Structure Plan shall be deemed as those parts of quarter sections that are not exempted on a Certificate of Title. Community sites identified within the *Eagle Valley - Our Legacy* book that residents wish to protect from encroaching development include the Eagle Valley Cemetery, Eagle Valley School (Community Centre), Niddrie/Derbytown Bridge, portions of the Palliser/Hector Trail and the site of the Mound Post Office. In response to the question “How is Eagle Valley unique from other communities in Mountain View County?”, resident’s answers include:

- *Quiet and rural.*
- *Fragile aeolian soil deposits.*
- *Huge (healthy population of diverse wildlife species) wildlife resources.*
- *Fragile ecosystem and limited water table.*
- *Exceptionally strong community spirit and organization.*
- *More 4th and 5th generation families on the land.*
- *Tremendous resident support for keeping the valley as a quiet rural area, pride of place and history, a wish to continue with our chosen lifestyles*

(Reference: Eagle Valley ASP Open House, Feb 27, 2017).

The majority of residents’ answers support the theme expressed in these comments. The plan area currently consists of mainly agricultural land uses. A unique geological feature of Eagle Valley is the 38 natural springs which are partially historically documented. The existing land use zones at the time of the adoption of this plan are shown on Figure 2.



1.4 Community Consultation

An application for recreational land use, which was submitted to the County in 1992, raised concerns amongst the Eagle Valley Community and prompted the request to have an Area Structure Plan, which would attempt to reduce land use conflicts. An Advisory Committee, consisting of five members of the public and two County Councillors, created a draft ASP. County staff reviewed the draft. A Public Hearing was held before the Eagle Valley Area Structure Plan was adopted, pursuant to the Municipal Government Act. A survey was provided during the meeting to help the Advisory Committee understand if the policies within the Draft ASP addressed the concerns raised by community members. Over eighty percent of residents who responded to the survey felt that there should be limits on subdivision and development in the Eagle Valley Area. The original plan took direction from the results of this survey and the Eagle Valley ASP was adopted in October 1997.

Correspondence from September and October 2008 indicated there was consideration by the Council of the day to rescind the existing Eagle Valley ASP. Therefore, in 2008 Eagle Valley residents requested a review of the 1997 ASP.

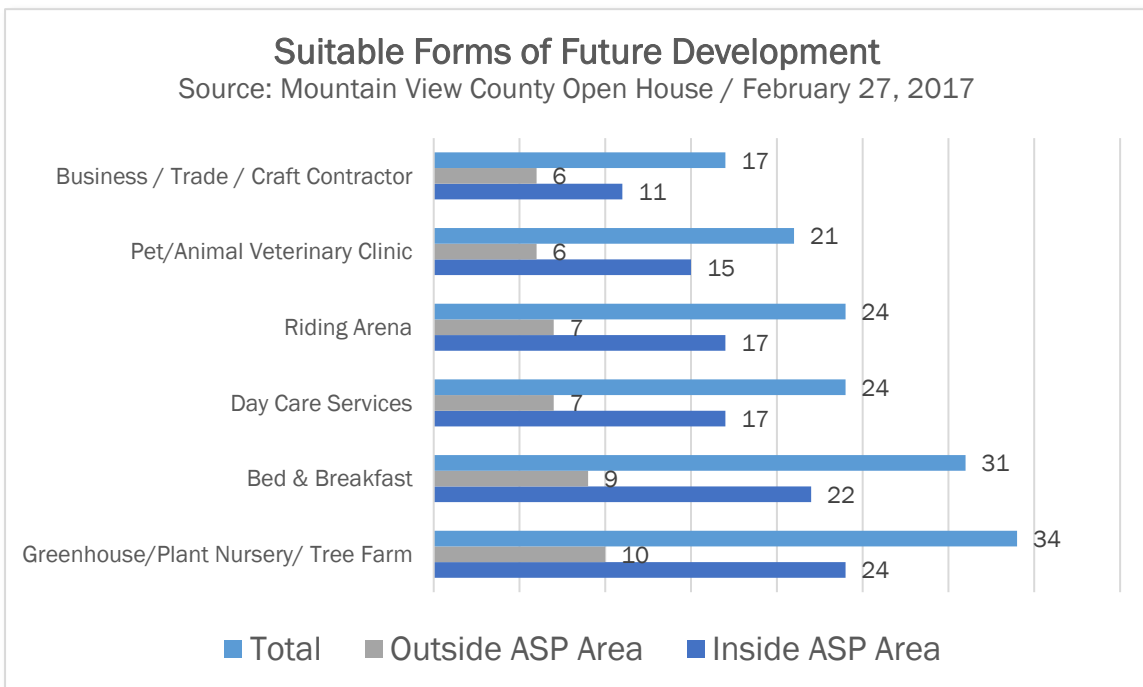
Following requests made by the community, a review of the ASP was considered in 2011; however, a comprehensive review of the Municipal Development Plan was to be undertaken first. As all existing ASP's would be required to comply with any amendments made to the new MDP, the review of the Eagle Valley ASP was considered in 2016.

In August of 2016 a meeting was held to discuss the upcoming Area Structure Plan review. Thirty-eight community members and Councillors from Divisions 5 and 6 attended and resulted in the formation of the Eagle Valley Working Group. This team of area residents collaborated to gather environmental and historical information that could be considered in the development of policies within the future ASP. The abundance of information discovered allowed for the creation of the *Eagle Valley - Our Legacy*

book, which was able to capture the history, surficial geology, soils, water resources, wildlife population, special environmental areas, petroleum history and infrastructure and many residents' views on their quality of life in the Eagle Valley Area.

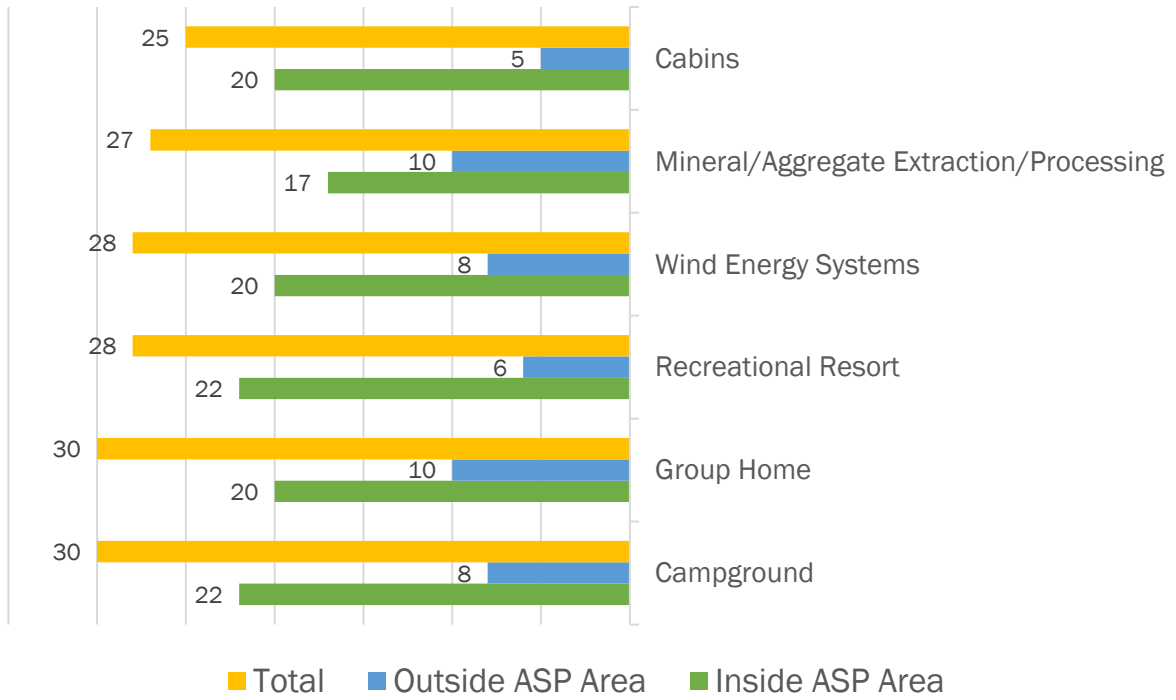
The County engaged the community and met with the Working Group to better understand events that occurred prior to the 1997 ASP adoption. Open Houses were hosted at the Eagle Hill Memorial Community Hall to gain feedback and opinions from the public with regards to the policy development for the new ASP. The Open Houses were held on the dates listed below:

- **February 27, 2017** - Reviewed ASP Vision, Goals and ASP Boundaries. Also gathered information on how many subdivisions and what kind of development should be allowed in the Plan Area. A survey was made available to residents regarding the topics noted.
- **January 29, 2019** - Residents reviewed 23 story boards. Content on the story boards included: history, process, vision statement, redesignation process, plan boundaries, land use policy areas, subdivision of agriculture land, dark sky policy, survey results from first Open House, policies regarding recreational development and a comparison of some of the content from the original ASP to the new draft ASP. A question and answer session was held. A survey gathered information on whether future recreational development would be supported within the Plan Area



Unsuitable Forms of Future Development

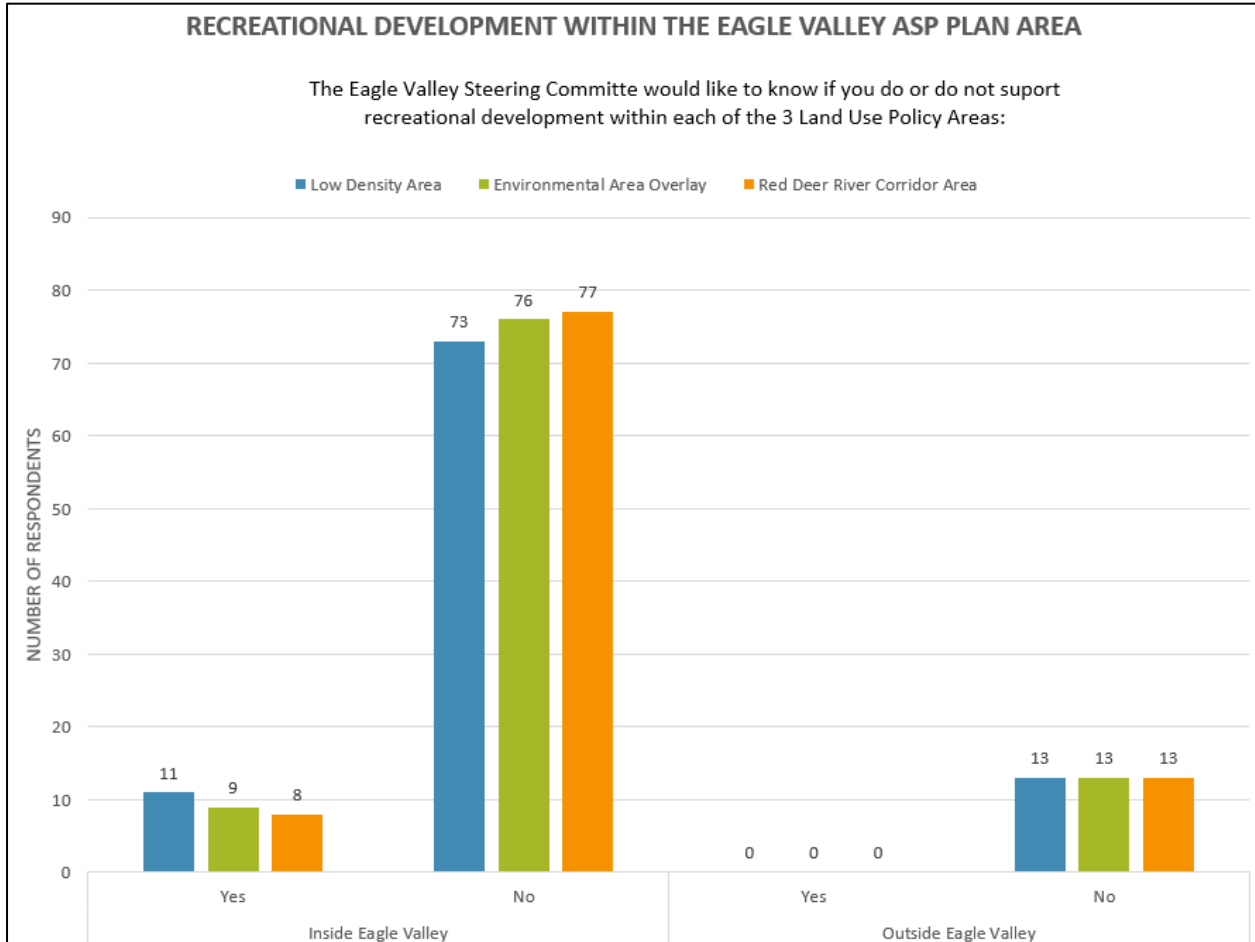
Source: Mountain View County Open House / February 27, 2017



Eagle Valley Draft ASP – Survey Results following the January 29, 2019 Open House

During the Eagle Valley Draft ASP review, local residents were asked to complete a survey regarding recreational development.

These were the results of the survey:



TOTAL of ALL VOTES						
Land Use Policy Area	Inside Eagle Valley		Outside Eagle Valley		TOTAL YES	TOTAL NO
	Yes	No	Yes	No		
Low Density Area	11	73	0	13	11	86
Environmental Area Overlay	9	76	0	13	9	89
Red Deer River Corridor Area	8	77	0	13	8	90

**One respondent, who resides within Eagle Valley ASP plan area, was undecided on recreational development in the Low Density Area.

2 Policy Context

There are a number of policy documents that affect land use planning in the County. The following are applicable legislation and background studies which have been considered when developing within the Eagle Valley ASP:

2.1 Municipal Government Act

The Eagle Valley ASP has been prepared in accordance with Section 633 of the *Municipal Government Act* (MGA). The plan is intended to provide guidance and policy direction for future land use, subdivision and development within the plan area. According to the MGA, an ASP must address the following:

“633(1) For the purpose 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 proposed for the 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 utilities,

and

(b) may contain any other matters, including matters relating to reserves, as the council considers necessary”.

2.2 Land Use Framework

The Land Use Framework is implemented and supported through Bill 36; the *Alberta Land Stewardship Act* (2009), which allows for the establishment of regional land use plans. The purpose of the Land Use Framework is to manage growth through sustainable and smart growth principles. Local decision making will still be left up to the municipalities, however, in the future their decisions and plans will have to be consistent with this regional plan. The applicable regional plan for Mountain View County is the Red Deer Regional Plan. This regional plan has not been started as of the time of this ASP review being approved. Once the regional plan has been adopted, this Plan will be reviewed to ensure compliance with the Red Deer Regional Plan.

2.3 Red Deer River Corridor Integrated Management Plan (IMP)

The IMP is a policy document that provides policy options for municipal governments to adopt into their own statutory plans or bylaws if they so choose. The IMP encourages careful management of land and water uses in and along the Red Deer River Corridor. The goal is to enable long term sustainable development while reducing resource conflicts and minimizing negative impacts on the environment, economy, communities and lifestyles of the corridor's residents.

2.4 Municipal Development Plan

The Mountain View County Municipal Development Plan was adopted on December 9, 2021 and can be amended from time to time. The 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 defined growth centres and economic nodes;
- 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 nodes 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 nodes 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.

The Municipal Development Plan has not identified the Eagle Valley Area as a growth centre, nor are higher densities desired within the ASP area.

2.5 Land Use Bylaw

While the MDP and this ASP provide the planning goals, objectives and policies for the area, it is the Land Use Bylaw (LUB) that is the tool by which the policies are directly implemented. The LUB establishes land use districts through zoning and the corresponding regulations for the use of land and buildings in Mountain View County.

2.6 Environmentally Significant Areas

Conserving environmentally significant areas within the County is essential to protecting overall biodiversity, natural ecosystem functions (e.g. hydrological functions), rare and unique features, wildlife movement and public values. The ability to identify environmentally significant areas and how to best manage them for future generations is essential in successful land use planning.

Summit Environmental Consultants Ltd. was tasked by Mountain View County to update the report and mapping previously completed by Sweetgrass Consultants in 1991. Improvements in GIS technology aided in providing a high level of detail to be observed in aerial imaging and allowed for a better method of identifying important features within the County. Over the years governments, environmental groups, as well as local biologists had also acquired a wealth of information about the area and were interviewed to gather additional data. Changes in legislation and better definitions of riparian areas and wetlands made it possible to more easily rank these areas according to their ecological value and what protection measures should be taken.

The Summit Environmentally Significant Areas (ESAs) report is conceptual in nature but is considered to be the baseline for deciding when additional studies may be required at a specific location to determine the site's suitability for a proposal. Other areas not identified within the Summit report may require further studies, subject to the discretion of a technical employee of the County or by an Approving Authority. The County also utilizes data from FIERA Biological Consultant's *Environmentally Significant Areas in Alberta: 2014 Update Final Report* to cross reference Provincial and County identified ESA's. Additional studies that may be required can include but are not limited to biophysical assessments and environmental site assessments.

The responsibility of protecting and improving Canada's environmental health is shared among all levels of government with numerous Acts in place both federally and provincially. Although ESA's are not legislatively mandated, they are used as a tool to assist communities in identifying specific locations that have a high probability of containing valuable biotic and abiotic features that should be considered for environmental protection. Although there may be regional environmental protection initiatives in place, provincial and federal regulations must always be adhered to. Failure to do so can result in warnings, penalties, enforcement orders or even prosecution.

All applications must have regard for ESAs and other County policies which address environmental protection.

3 Key Principles

3.1 Plan Vision

To protect and sustain the rural quality of life, the historical community sites, Environmentally Significant Areas and the agricultural land within the Eagle Valley Area Structure Plan boundaries. Agriculture will remain as the primary land use.

3.2 Plan Goals

- To ensure that existing water resources are protected from any negative impacts;
- To ensure that environmentally significant areas are adequately protected from the negative impacts of new development;
- To encourage the protection of any identified community heritage resources from any negative impacts resulting from new development;
- To ensure that new development takes place in a manner that minimizes impacts on existing residents' quality of life;
- To ensure that agriculture remains as the dominant land use in the Plan area and that alternative land uses may be considered if they are compatible and supportive of the agricultural community;
- To maintain a rural lifestyle and ensure that higher capability agricultural land, including that used for forage and grazing, is protected for agriculture;
- To encourage the development of the area's road system in a safe and efficient manner;
- To ensure that any future developments be suitable to the soil type/productivity of the lands;
- To ensure that future development is adequately protected from natural or man-made hazards,
- To recognize that the area contains various changes in elevation that may limit development potential due to slope stability.
- To ensure that new development takes place in a manner which minimizes impacts on the area's transportation network.

4 Land Use Policy Areas

This section contains the specific policies to guide future land use and development within the Eagle Valley ASP Plan area, as illustrated on Figure 4 – Land Use Policy Areas. These policies shall be utilized in conjunction with broader policies of the Municipal Development Plan.

4.1 Low Density Area

4.1.1 Purpose

The County supports agricultural use and agricultural value-added businesses as a priority for the area. The MDP encourages the protection of agricultural land and a farming way of life. The preservation of agricultural land came across clearly at the first Open House held regarding the Eagle Valley ASP review. The conservation of farmland and ranch land is very important to the history and character of this area. The intent of these policies is to allow existing agricultural operations to continue without disruption or interference. Therefore, the Eagle Valley ASP accommodates only limited country residential development in the Low Density Area. These land use policies will help protect fragile aeolian soil deposits, water resources, as well as steep or unstable slopes.

4.1.2 Policies

- a) Redesignation, subdivision and development shall be in accordance with the Land Use Policy Areas map, as shown in Figure 4.
- b) The Low Density Area designation within the Eagle Valley ASP shall accommodate development of up to a maximum of two (2) titled lots per quarter section, including fragmented parcels.
- c) Agricultural redesignation and subdivision of land shall occur in conformity with the agricultural land use policies of the Municipal Development Plan and the agricultural regulations of the Land Use Bylaw.
- d) Residential redesignation and subdivision of land shall occur in conformity with the residential land use policies of the Municipal Development Plan and the residential regulations of the Land Use Bylaw.
- e) Water well and sewage systems that meet provincial and municipal standards are required for development.
- f) Agricultural land uses should be promoted and encouraged to continue within the Plan Area.
- g) The rights of existing agricultural developments to continue operating shall be supported through the implementation of the provincial Agricultural Operations Practices Act.
- h) Non-agricultural uses shall respect the existing agricultural operations, including their hours of operations, the odours and noises emanating from an agricultural operation and traffic movements.

- i) No new or expanded Confined Feeding Operations (CFO) shall be allowed that are of a size or intensity that activates the Approval provisions of the Alberta Agricultural Operations Practices Act (AOPA) but excludes Registrations.
- j) Commercial or industrial land uses, other than home occupations, minor trades and oil and gas operations, shall not be allowed in the Low Density Area.
- k) Agri-Tourism Businesses that do not require a Confined Feeding Operations approval may be allowed in the Low Density Area.
- l) The redesignation of land for new recreational uses shall not be allowed.
- m) No bare land condominiums shall be allowed in the Low Density Area.
- n) Due to the extensive petroleum infrastructure and sensitivity of area water wells, new applications for extraction or processing of sand and gravel are not supported within the plan area.
- o) Where development is allowed, a minimum 100 metre setback should be provided as a buffer area from watercourses and springs to avoid impacts on water quality, aquatic and riparian habitats as recommended by the Red Deer River Corridor Integrated Management Plan.

4.2 Environmental Area Overlay

4.2.1 Purpose

This area is characterized by orthic dark gray chernozem soils over sand and gravel materials, as well as an area containing a fen. Soil saturation can occur here due to the type of soil present in combination with the movement of water resources. This is the area below the escarpment defined by flood events and identified as the Environmental Area Overlay seen in Figure 4. The overlay is intended to identify areas within the Low Density Area that require additional due diligence to ensure development takes place in a manner that minimizes risk to human safety, the environment and potential development. The use of an overlay will provide policies in addition to those for the Low Density Area that help address some of the unique characteristics of this area. The Environmental Area Overlay limits subdivision to first parcel out only, with the possibility of additional technical reports and conditions to be considered as part of the subdivision and development permitting process.

4.2.2 Policies

- a) Redesignation, subdivision and development shall be subject to the policies of section 4.2 Environmental Area Overlay, in addition to section 4.1 Low Density Area and in accordance with the Land Use Policy Areas Map, as shown in Figure 4.
- b) Subdivision and development within the Environmental Area Overlay may be subject to additional studies, as required by the County, to determine if a site is developable and if

additional engineering is required to ensure the protection and safety of human life and the environment.

- c) In making a decision on the setback from a watercourse, the Approving Authority may refer the application for a Development Permit to Alberta Environment and Parks for comment prior to issuing a permit and may alter the building or structure setbacks where deemed necessary.
- d) Subdivision and development, including residential development, shall not be allowed on any site that is unstable, subject to erosion or slumping, subject to flooding or unsuited for permanent structures; unless compliant with the regulations set out in the Land Use Bylaw.

4.3 Red Deer River Corridor Area

4.3.1 Purpose

During the planning process residents indicated that the protection of environmentally significant areas and wildlife corridors was highly important. The Red Deer River Corridor is an area where there are level 1 (very high significance) environmentally significant areas (ESAs). These areas have high habitat quality, unique ecology and are still relatively undisturbed. The Red Deer River also has regional significance and includes a diversity of breeding birds as well as key wildlife. Areas in close proximity to the Red Deer River may also be at risk for flooding; therefore, these areas are not appropriate for development or for first parcel out subdivision.

4.3.2 Policies

- a) Redesignation, subdivision and development shall be in accordance with the Land Use Policy Areas Map as shown in Figure 4.
- b) Environmentally significant areas (ESAs) shall be managed to maintain the ecological processes and natural features that give the areas their significance.
- c) First parcel out subdivision within the Red Deer River Corridor Area is strongly discouraged, including fragmented parcels. The Red Deer River Corridor Area is intended to accommodate a maximum of one (1) titled lot per quarter section. An environmental impact assessment should be completed for any subdivision or development application.
- d) Development within the Red Deer River Corridor is strongly discouraged except for agricultural uses that do not negatively impact the environmental significance of the corridor.
- e) Development within the Red Deer River Corridor is strongly discouraged, except for public works, services and utilities carried out on behalf of the Federal, Provincial or Municipal Authorities; or, replacement of existing buildings in accordance with the Land Use Bylaw.
- f) Subdivision and development, including residential development, shall not be allowed on any site that is unstable, subject to erosion or slumping, subject to flooding, or unsuited for permanent structures, unless compliant with the regulations set out in the Land Use Bylaw.

- g) Where development is allowed, a minimum 100 metre setback should be provided as a buffer area from watercourses and springs to avoid impacts on water quality, and on aquatic and riparian habitats as recommended by the Red Deer River Corridor Integrated Management Plan.
- h) In making a decision on the setback from a watercourse, the Approving Authority may refer the application for a Development Permit to Alberta Environment and Parks for comments prior to issuing a permit and may increase the building or structure setbacks where deemed necessary.
- i) As a condition of subdivision or development approval, the County may require the dedication of environmental reserves or the registration of an environmental reserve easement, conservation easement or restrictive covenant. These tools shall be utilized to advance the protection of ESAs and shall be filed by Caveat against the land as a condition of subdivision and development approval subject to the provisions of the Municipal Government Act.
- j) Native vegetation should be undisturbed and any tree clearing should be kept to a minimum. Heavy grazing and cultivation should be avoided in the Red Deer River Corridor Area as these activities reduce the attractiveness of the area for wildlife. Where grazing is already existing, riparian management practices, such as fencing and off-site watering, should be considered.
- k) No new or expanded Confined Feeding Operations (CFO) shall be allowed in the Red Deer River Corridor that are of a size or intensity that activates the Approval provisions of the Alberta Agricultural Operations Practices Act (AOPA) but excludes Registrations.
- l) No new or expanded recreational uses shall be allowed in the Red Deer River Corridor.
- m) The Red Deer River watershed should be protected from any activities or developments which would cumulatively result in harm or alteration to water yield, water quality or flood frequency.
- n) The natural channel morphology and substrates should be maintained and protected from harmful siltation, channelization, bank alteration, river crossings, and sand and gravel extraction.
- o) New dams or weirs will require fish passage as directed by the Federal Fisheries Act. This will ensure the protection of traditional fish migrations to key habitat in the Red Deer River or any significant tributaries.
- p) No bare land condominiums shall be allowed in the Red Deer River Corridor Area.
- q) No new or expanded industrial or commercial uses shall be supported in the Red Deer River Corridor Area.
- r) Due to the extensive petroleum infrastructure and sensitivity of area water wells, new applications for extraction or processing of sand and gravel are not supported within the plan area.

5. Environment

5.1 Purpose

Management of the natural environment is important in order to conserve the ecological integrity of the plan area. Priority will be placed on protecting the water quality and natural hydrology, minimizing habitat disturbance and protecting and enhancing the environmental qualities that make the area a desirable place to live. Within the plan area there are many sites that are considered to be environmentally significant or hazardous for development. These include the Red Deer River, Eagle Creek, wetlands, fen areas and many springs. Major river corridors (Red Deer River and James River), valley topography and valley slope breaks comprise key wildlife and biodiversity zones.

Policies are aimed at preventing:

- Loss and fragmentation of habitat;
- Short and long-term all weather public vehicle access;
- Sensory disturbance of wildlife during periods of migration, breeding, thermal or nutritional stress; and,
- The development of barriers to wildlife corridors and migratory routes.

Mountain View County and Eagle Valley Community residents recognize the provincial requirements for mandatory management and recovery plans as covered under the Federal and Provincial *Species at Risk* legislation. The Eagle Valley Community residents will work, in collaboration with the County to ensure such plans are formulated and implemented in a timely manner.

Environmentally Significant Areas that have been identified within the Eagle Valley Plan area can be seen on Figure 5. Important water features in the Plan area can be seen on Figure 6. Also, natural spring locations that have been documented by Alberta Energy Regulator can be seen on Figure 10.

5.2 Policies

- a) Subdivision and development shall not be allowed if the site is unstable, subject to erosion, subject to flooding or otherwise unsuitable for permanent structures.
- b) Should any development be proposed other than low intensity/impact developments, such as the construction of a dwelling or agricultural use, the applicant may be required to 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.
- c) Development may occur adjacent to coulees if the developer demonstrates, through reports and/or analysis prepared and certified by a professional engineer, that stormwater management and slope stability concerns are satisfied.

- d) Slopes of 10% or more shall require a geotechnical report prepared and stamped by a qualified professional geotechnical engineer, demonstrating stability and suitability for development along with the standards for development.
- e) Development on lands identified as hazard land shall comply with the regulations set out in the Land Use Bylaw.
- f) Where subdivision or development within an environmentally significant area is to be allowed, the subdivision and development shall:
 - a. integrate any prominent natural 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; and,
 - c. protect other site amenities, such as views, steep slopes and drainage courses, to enhance the subdivision or development.
- g) Where development is allowed, a minimum 100 metre setback should be provided from watercourses to avoid impacts on aquatic and riparian habitats.
- h) Preservation of the purity and flow of springs in the Eagle Valley ASP area shall be considered when any development is proposed.
- i) As a condition of subdivision or development approval, the County may require the dedication of environmental reserves or the registration of an environmental reserve easement, conservation easement or restrictive covenant. These tools shall be utilized to advance the protection of ESAs and shall be filed by Caveat against the land as a condition of subdivision and development approval subject to the provisions of the Municipal Government Act.
- j) Native vegetation should be undisturbed and any tree clearing, heavy grazing and cultivation should be kept to a minimum. Where grazing is already existing, riparian management practices, such as fencing and off-site watering, should be considered.

6 Infrastructure

6.1 Roads

6.1.1 Background and Purpose

The location of the Red Deer River creates a natural barrier to the transportation routes within the Eagle Valley Area. The majority of the roads in the community go north and west and do not connect with other roads to provide through traffic routes. There are also two well-used intersections along Township Road 340, at Range Roads 43 and 44 that have raised safety concerns by the community, should the use of these roads increase in the future.

The Garrington Bridge, near the northern boundary of the ASP area, was opened in August 1962. Soon after, to provide improved access to Provincial Highways 27 and 587, portions of Township Road 340 and Range Roads 43, 44 and 50 were chip-sealed. All other roads within Eagle Valley are no-exit, narrow, gravel roads that terminate at the boundary of the Red Deer River. Oil and gas exploration have increased traffic volumes and dust and raised safety concerns amongst the community.

The intention of this plan is to protect transportation corridors, propose appropriate development and access management for these corridors and to identify, through future subdivision and development proposals, opportunities for improved transport routes. Development will therefore be required to contribute to the upgrading of roads where required by County policy. The road network within the plan area is shown on Figure 7.

6.1.2 Policies

- a) Each proposed subdivision or development must demonstrate that the subdivision or development complies with the County's road network and policies.
- b) In approving a subdivision application or a development application, the conditions of approval shall include:
 - i. The local roads to be created meet County standards;
 - ii. All accesses, including existing accesses, to meet County standards;
 - iii. If required, turning lanes be provided;
 - iv. Any required road widening be provided;
 - v. The cost of construction and improvements to the County road be borne by the developer;
 - vi. The cost of the design and construction of local subdivision or development roads be borne by the developer; and
 - vii. Connectivity to adjacent parcels to be demonstrated.

6.2 Utilities

6.2.1 Purpose

It is important that any proposed development can be adequately serviced by water and septic systems to ensure the health and safety of individuals, families and the local community. When necessary, a stormwater management plan that meets provincial standards may also be required to ensure surrounding waterways and neighbouring land uses are protected.

One of the environmental assets valued by Eagle Valley residents is the dark, star filled night sky. Residents wish to preserve the heritage of dark skies for the benefit of future generations, wildlife populations and human health.

6.2.2 Policies

- a) Individual potable water wells and septic systems shall meet provincial and municipal standards for a proposed development.
- b) The County shall not approve a subdivision or development if the intended supply of water is groundwater and studies pursuant to the *Alberta Water Act (2000)* 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.
- c) Where on-site illumination is required, efforts should be made to design and position lighting that supports maintaining a dark night sky. Lighting for security and safety should be provided by low mast, lower wattage standards. When possible, lighting should be powered by solar energy. A Note may be included as part of Development Permit approval for residential and agricultural uses to provide information and resources.

6.3 Water and Wastewater

6.3.1 Purpose

During the public participation process, residents indicated that they were concerned with how much development the existing aquifer would support. The County recognizes that the quality of life of the residents of Eagle Valley is dependent upon the provision of water and sanitary wastewater systems. The aim of this ASP is to establish a framework that will guide future development in a manner that responsibly manages water resources and employs various types of technologies to provide for safe wastewater treatment systems. Water and Wastewater services within the plan area will be provided by private systems or when required, by a communal system provided by the developer.

6.3.2 Policies

- a) All future servicing systems shall accommodate adequate water supply for fire suppression when required.

- b) All future developments shall provide evidence of sufficient water supply to support the development, in accordance with provincial regulations. The County shall not approve any development if the intended supply of water is groundwater and studies pursuant to the *Alberta Water Act (2000)* indicate that the groundwater resources are insufficient, or that the use of groundwater may unduly impact groundwater users already in the area.
- c) A development must be individually served with water and septic systems in accordance with provincial standards and the regulations of the Municipal Development Plan, at the developer's expense.

6.4 Stormwater

6.4.1 Purpose

The standard processes of development tend to increase the amount of hard surfaces (driveways, parking areas and roofs) which reduces the ground's capability to absorb water. Permeable surfaces allow greater absorption of water which recharges ground water aquifers. Where possible, landscaping should be used to slow water runoff from hard surfaces and to allow for greater absorption of water. Treatment of stormwater on site is also important to reduce the total amount of pollutants carried into natural water sources. In addition, it is important to control water flowing off the property so that it does not negatively impact neighbours.

6.4.2 Policies

- a) A stormwater management plan may be required for development applications. The plan shall demonstrate that surface drainage is controlled and does not impact any existing development on site and/or on adjacent lands. The plan shall address 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 study shall be prepared by a qualified professional engineer.
- b) Where possible, storm drainage should be handled through natural means, such as bio-filtration swales and landscaped areas. Infrastructure, such as curbs, gutters and subsurface storm drainage systems should be avoided.
- c) Stormwater facilities should be designed to integrate natural and mechanical treatment systems such as constructed wetlands, bioswales, vegetated filters, and open channels to treat stormwater runoff. On-site infiltration shall be encouraged as much as possible on each site, rather than diverting water to a storm drainage system or to an adjacent site.
- d) In remote and/or heavily treed areas, water distribution, stormwater detention/retention, and/or rainwater collection facilities should be integrated with emergency services requirements (i.e. firefighting) so that appropriate access and connections are provided.
- e) Development within the plan area shall control surface runoff using best management practices, both during construction as well as in the long term.

7 Administration

7.1 Development Phasing

The Municipal Government Act (MGA) requires that an ASP must describe the sequence of development. Development phasing will be considered based on the existing infrastructure within a particular policy area. Leap frog development should be avoided. If new roads are required or if existing roads require upgrading, the developer will take full responsibility for this and will fulfill the standards and requirements of Mountain View County and/or the provincial department responsible.

7.2 Monitoring and Review

This Plan is expected to be implemented over a long period of time. It is also intended to be a “living document” – a document that may change over time. While a plan is ideally reviewed every five years for major amendments, it is recommended that this plan be internally monitored annually to determine if the Plan is being followed. This will help the County to determine at the end of each five year period if the Plan is achieving the goals and what forms of review and amendment may be required.

7.3 Plan Amendment(s)

The Council of Mountain View County or a person or persons having an interest in the land within the plan area may propose an amendment to the Eagle Valley Area Structure Plan in accordance with the Municipal Government Act and County policies.

7.4 Plan Interpretation

When interpreting the policies of this Plan, use of the words, “shall”, “should”, and “may” will have the following meaning

<i>Shall</i>	is a directive term that indicates that the actions outlined are mandatory, therefore must be complied with, without discretion
<i>Should</i>	is a directive term that provides direction to strive to achieve the outlined action but is not mandatory. When the policy is directed to the developer, the onus is on the applicant to justify why the desired action/result is not proposed and/or will not be achieved.
<i>May</i>	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

8 Glossary of Terms

The definitions of these terms are intended to provide a better understanding of the context in which the term is used within this Area Structure Plan. Not all terms used within this Area Structure Plan are defined below. This glossary should be read in conjunction with the glossary of the Municipal Development Plan.

Abiotic

The physical and chemical aspects of the environment that are considered non-living, such as air, water and nutrients.

Agri-Tourism Business

A low intensity agricultural diversification and agri-tourism business that is secondary to the existing principal agricultural use of the land and is compatible with the agricultural character of the area. The business provides access to the general and traveling public and may include but are not limited to growing, packing and sale of agricultural food products, educational gatherings, festive gatherings, small-scale wineries and breweries and associated uses; minor food establishments and store fronts including farm gate stores, cafes and diners.

Approving Authority

As established pursuant to the *Municipal Government Act*, that person(s) defined by the *Subdivision and Development Approving Authority Bylaw of Mountain View County* and shall include one or more of the following;

- a) a Designated Officer;
- b) a Development Officer;
- c) the Municipal Planning Commission
- d) the Administrative Subdivision and Development Approving Authority;
- e) an Inter-Municipal Planning Commission; or
- f) any other person or organization whose specific roles are determined in separate Bylaws.

Bare land Condominium

A condominium in which the units are defined in relation to the land rather than in relation to a structure. A bare land condominium could be a duplex or freestanding home with its own yard. A bare land condominium shares all the other features of a conventional condominium except for the definition of the boundaries.

Biophysical Assessment

A Report prepared by a qualified professional biologist, identifying rare plant and wildlife species/communities, as listed on the current Alberta Conservation Information Management System (ACIMS) and Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as well as other environmentally significant attributes or features such as wildlife movement areas, denning areas etc.

The findings of this report shall assist in the preparation of the environmental management plan and/or concept plan.

Biotic

Any type of organism that lives within the environment, such as plants and animals.

Buffering/Buffer Zone

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 property and vice versa.

Community Heritage Resource

Any work of nature or of humans that has been identified by the community to be of value for its paleontological, archaeological, prehistoric, historic, cultural, natural, scientific or esthetic interest. An identified Community Heritage Resource is not necessarily a feature that has been designated as a Provincial Historical Resource.

Concept Plan

Interchangeable with the term outline plan which refers to a plan, may be adopted by resolution that relates to a proposed development and its relationship to existing and/or future development of adjacent lands. All concept plans may include the following information:

- 1) Existing Situation – A baseline description of the following matters and an evaluation of the potential impacts on the proposed development:
 - a) existing land use, ownership and development;
 - b) topography, geotechnical, hydrological, hazardous and/or environmental conditions that characterize the area;
 - c) existing servicing arrangements, utilities, and transportation routes;
 - d) any other matters the Municipality requires to be investigated.
- 2) Local Development Matters – A description and evaluation of the following matters describing the proposed development within the plan area:
 - a) the proposed uses of lands within the concept plan area;
 - b) proposed parcel size(s) and density for the concept plan area;
 - c) the proposed internal road hierarchy and its impacts on the Provincial and Municipal road networks;
 - d) Reserve dedication strategy and environmental protection measures;
 - e) Proposed servicing arrangements;
 - f) Any other matters the Municipality requires to be investigated.

Based on the scope and intensity of development proposed, concept plans may require the provision of supportive reports and/or studies completed by a qualified professional including but not limited

to: servicing study, geotechnical assessment, traffic impact assessment, stormwater management plan, biophysical assessment and preliminary engineering plans and specifications. Concept plans shall be prepared in accordance with approved County policy.

Confined Feeding Operations (CFO)

As defined by the Agricultural Operation Practices Act, Section 1 (b.6), means 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 but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race track or exhibition grounds.

Conservation Design

A density neutral design system that takes into account the natural landscape and ecology of a development site and facilitates development while maintaining the most valuable natural features and functions of the site. One objective of this design approach is protecting the essential physical, chemical, and biological characteristics of the environment against degradation.

Dark Sky Principle

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

Density

A measure of the number of units (lots, dwellings, people, etc.) within a specified area. This ASP often refers to density expressed as lots or parcels per quarter section.

Development

- a) an excavation or stockpile and the creation of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; and
- d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Environmentally Significant Area (ESA)

Areas that are important, useful and often sensitive features of the landscape, that provide long-term benefits by protecting biodiversity, natural ecosystem function, area and unique features, wildlife movement corridors, and public values. Identification of ESAs is an important tool in land use planning. Please refer to Policy and Procedure 6012 as adopted by County Council. For the purposes of this plan, ESAs are those that have been identified in the *Environmentally Significant Areas: Mountain View*

County report prepared in 2008 by Summit Environmental Consultants and adopted by Council in 2009.

Environmental Site Assessment

A report prepared to the satisfaction of Mountain View County which identifies potential or existing environmental contamination liabilities. The analysis typically addresses both the underlying land as well as physical improvements to the property.

Fen

A type of wetland dominated by sedges and containing deep deposits of peat. A fen differs from other types of wetlands as it has a high water table and slow lateral water movement. Fens are sometimes referred to as “muskegs”.

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 a 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.

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 overland bank. The floodway is required to convey the design flood.

Groundwater

Water found beneath the surface of the earth. The depth at which soil pore spaces and fractures or voids in rock become saturated is known as the water table. Groundwater is naturally recharged through precipitation and infiltrated (and is therefore affected by the permeability of surface materials), and can be withdrawn for agricultural, industrial or municipal uses (and is therefore affected by settlement density and wells).

Growth Centre

An area designated around previously identified growth nodes, economic development nodes, and/or existing urban areas where future developments will be directed, including residential and business uses.

Hazardous Land

Hazardous lands refer to lands which may be prone to flooding, shoreline erosion or slope instability hazards or any hazard that may result in loss of life 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%.

Open Space

Areas of land not covered by structures, driveways, or parking lots. Open space may include common areas, parks, lakes, streams and ponds, etc.

Permitted Use

Means the one (1) or more uses of land or buildings that are permitted in a given district, with or without conditions applied by the Approving Authority upon application having been made. All permitted uses require the issuance of a development permit, unless exempted under the Land Use Bylaw.

Plan

Shall refer to the Eagle Valley Area Structure Plan.

Plan Area

Shall refer to the lands within the boundary area of the Eagle Valley Area Structure Plan.

Riparian Habitat

The natural areas adjacent to a watercourse or water body, typically with unique ecosystems that occur in transitional areas between the terrestrial (dry) and aquatic (wet) ecosystems. They include floodplains, streambanks, lakeshores and wetlands, and may exist within any land use area. They are typically more productive in terms of plant and animal species, diversity and biomass, than upland area, and function as wildlife movement corridors.

Riparian Buffer

The area on either side of a watercourse or water body in which land use and development are highly controlled in order to protect the ecological function. According to the Alberta Cows and Fish Association, 30 metres on either side of a watercourse or water body is normally adequate for nutrient, metal and chemical removal, however at least 100 metres is better for wildlife corridors and water/snow infiltration, and 200 metres are preferable for sediment removal and erosion control. Mountain View County currently requires dedication of a minimum of 6 m Environmental Reserve and/or Environmental Easement from the surveyed top of bank at the time of subdivision.

Steep Slopes

A slope in excess of 10% is considered to be the threshold above which construction, drainage, layout of utilities, etc. are more complex and more expensive, and where erosion potential is increased.

Mountain View County currently requires that development on slopes of 10% or more may require a Geotechnical Report.

Watercourse

Any natural or man-made channel, stream, brook or river through which water flows, A watercourse can be located above ground or below ground.

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 have soil that is permanently or seasonally saturated with moisture, and which may be partially or completely covered by water, including swamps, marshes, bogs, sloughs, etc. These features are important as a source of freshwater and as ecosystems containing often diverse plant and animal life. They are protected through a variety of federal and other regulations.

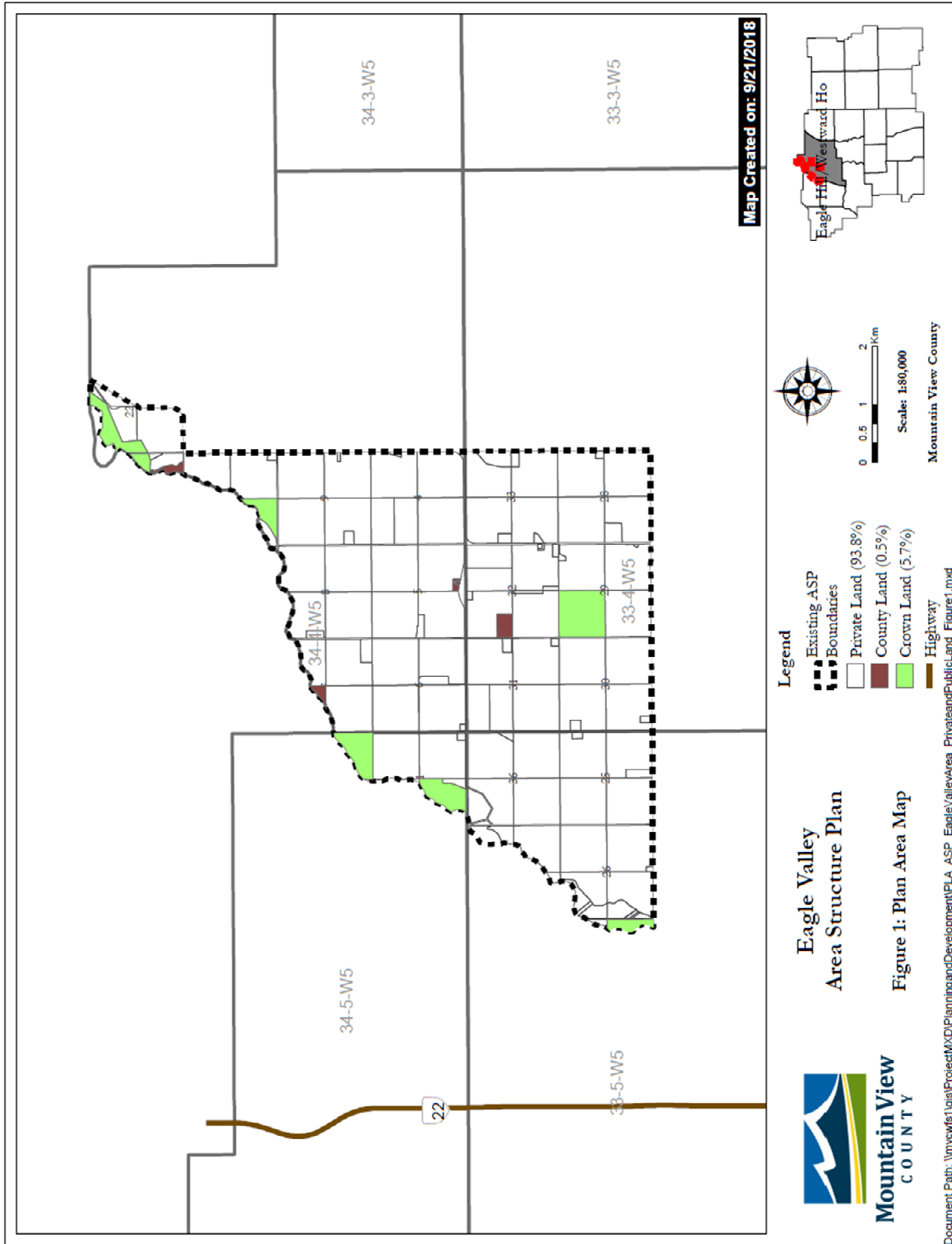
Wildlife Corridor

An area or habitat that allows movement of various species between areas of human inhabitation. It is desirable to avoid fragmentation of patches, so that continuous corridors for wildlife movement can be maintained.

9 List of Acronyms

ACIMS:	Alberta Conservation Information Management System
AEP:	Alberta Environment and Parks
AER:	Alberta Energy Regulator
AOPA	Agricultural Operation Practices Act
ASP:	Area Structure Plan
AT:	Alberta Transportation
CFO:	Confined Feeding Operation
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
ESA:	Environmentally Significant Area
IMP:	Integrated Management Plan
LUB:	Land Use Bylaw
MDP:	Municipal Development Plan
MGA:	Municipal Government Act
MVC:	Mountain View County

10 Figures



Eagle Valley Area Structure Plan
Bylaw No. 23/21

