

COUNTY OF ST. PAUL NO. 19
MUNICIPAL DEVELOPMENT PLAN
BYLAW NO. 1487

2007

July 17, 2007

(Includes change made by bylaw 1500 dated October 9, 2007)

**COUNTY OF ST. PAUL NO. 19
MUNICIPAL DEVELOPMENT PLAN
BYLAW NO. 1487**

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended authorizes a municipality to adopt a Municipal Development Plan; and

WHEREAS a new Municipal Development Plan has been prepared under the direction of Council; and

NOW THEREFORE the Council of the County of St. Paul, duly assembled, enacts as follows:

1. THAT the County of St. Paul No. 19 Municipal Development Plan, being Schedule "A" attached hereto, is hereby adopted.
2. THAT Bylaw No. 1335 adopting the previous Municipal Development Plan is hereby repealed.

READ A FIRST TIME this 10th day of April AD., 2007.

(Original Signed by Reeve Bouchard)

REEVE

(Original Signed by CAO Kim Heyman)

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME this 17th day of July A.D., 2007.

(Original Signed by Reeve Bouchard)

REEVE

(Original Signed by CAO Kim Heyman)

CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME AND FINALLY PASSED this 17th day of July A.D., 2007.

(Original Signed by Reeve Bouchard)

REEVE

(Original Signed by CAO Kim Heyman)

CHIEF ADMINISTRATIVE OFFICER

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GOAL

The goal of the County of St. Paul is:

- a) to encourage environmentally sound, sustainable agricultural and other forms of economic development, especially rural-based economic development such as oil and gas utilization, and
- b) to encourage environmentally sound and sensitive recreational and lake-oriented residential development,
- c) while conserving and enhancing the County's rural character, and
- d) while limiting the obligation of the County to establish or expand communal water supply and sewage disposal services beyond what already exists.

The County of St. Paul regards both the agricultural land base and its numerous lakes as the County's most enduring assets. The County also recognizes the need to utilize its natural resources to promote economic diversification so that all residents may enjoy optimum working and living standards. This economic diversification must, of course, be environmentally sound, and must also be compatible with the rural environment of the County.

The County foresees agriculture and agricultural service as continuing to be a major economic force in the community. The conservation of agricultural land and measures designed to assist the continuation and enhancement of agricultural activities will remain a priority in most of the County.

The County also foresees resource utilization as the economic force which will drive improved living standards and service levels in the community, as well as its continued growth.

Finally, the County recognizes that the numerous lakes in the region are a substantial attraction and suitable for development. However, the County also recognizes that such development must be both sensitive to the natural environment, protecting and preserving it as much as possible, and that such development can easily lead to the demand that the County provide communal water supply and sewage disposal services and many urban-style services that the County is not in a position to provide.

While it is the opinion of the County that agriculture and natural resource use should not normally be restricted by other forms of development, such uses should both take note of other development forms – especially residential uses – and occur as much as possible in such a manner as to protect the rural and lake-oriented residential amenity of the County.

The County will provide leadership and direction in the following areas:

- (1) Conservation of agricultural land and encouragement of diversity and growth in the agricultural and the agricultural service sectors;
- (2) Encouragement of environmentally sound resource utilization, and economic diversification resulting from that resource use;
- (3) Encouragement of environmentally sound residential development which will not put a strain on the County's services; and
- (4) Provision of the infrastructure necessary to encourage sustainable, environmentally sound economic development.

An important part of this would be planning for lakeshore areas; however, due to the lack of specific criteria and/or provincial policy regarding lake capacity, the County will not be involved in lake capacity studies. This policy will apply until the province has established lake development and lake capacity policies and, further, until the province or another agency has established a method of undertaking and of funding lake capacity assessments which does not involve significant County expenditures. The County will, however, encourage the Province to undertake studies and assessments to develop both criteria and models for measuring lake and lakeshore recreational and development capacities.

OBJECTIVES AND POLICIES

1.0 AGRICULTURE

Statement of Intent

Agriculture and providing services to the agricultural community are regarded as the most important forms of development in the County of St. Paul. Therefore, it is essential that the Plan's policies be directed towards preserving the long term future of agriculture by protecting the land base and providing an environment that will benefit the agricultural community and economy. In order to achieve this, agriculture is viewed as the priority use when affected by competing land uses in most of the County.

In that agricultural activities have priority in most of the rural areas of the County, the intent of this Plan is that no legitimate activity related to the production of food should be curtailed solely because of the objections of nearby non-farming landowners or residents in all of the agricultural areas of the County except those near multi-lot residential areas, even if that activity was not practiced when the non-farming use was created. Farming includes, but is not limited to, the use of irrigation pumps and equipment, aerial and ground seeding and spraying, the use of large scale farm machinery, the raising of livestock, and the application of chemical and natural fertilizers, insecticides, pesticides, fungicides, and herbicides. When conducted in accordance with generally accepted agricultural practices and any applicable provincial and federal regulations, these activities may occur 24-hours a day, 365 days each year, and the noise, odours, dust, and fumes caused by the activities will be allowed for as part of the activities directed to the production of food.

Objectives

- (a) To ensure that agriculture remains an integral and viable component of the regional economy and rural social structure;
- (b) To protect agricultural land from unnecessary encroachment;
- (c) To minimize conflicts between agricultural and non-agricultural land users;
- (d) To encourage the rational diversification and intensification of agricultural activities; and
- (e) To minimize the negative impacts of agricultural activities by encouraging good stewardship of the land.

Policies

- 1.1 Most of the County is designated as an Agricultural Use Area as shown on Map 1.
- 1.2 The Agricultural Use Area is to be, for the most part, conserved for agricultural and agriculture-related uses.

- 1.3 While the primary use of the Agricultural Use Area is for extensive and intensive agricultural uses involving the production of feed grains, cereal grains, forage crops, and specialty crops, and the raising of livestock and other animals on a commercial basis, other uses which, in the opinion of Council, do not adversely affect present or future agricultural pursuits may also be allowed on a discretionary basis provided that the development will not adversely affect the agricultural community.
- 1.4 The minimum parcel size for extensive agricultural uses shall normally be a quarter section. Notwithstanding this policy, where no more than two parcels for residential use have been removed from a quarter section, that quarter section may be divided into two halves, provided that each titled area is a minimum of 25 ha (61.8 ac.) in area.
- 1.5 Notwithstanding Section 1.4 above, a single subdivision for agricultural purposes may be allowed at the discretion of the County's Subdivision Authority from each quarter section as a result of fragmentation by a natural or man-made feature (such as a permanent, naturally occurring water body, a highway, or a railroad line, but not by a drainage ditch); but only if both proposed parcels will have access to a developed County road and a suitable site for development, and if both proposed parcels are a minimum of 8 ha (20 ac.) in size.
- 1.6 Within the Agricultural Use Area, a wide range of resource utilization uses may also occur provided that such uses do not negatively impact other surrounding uses.
- 1.7 Subdivision of land which is currently involved in agricultural uses will be discouraged.
- 1.8 Where agricultural land is taken for roads, rail lines, pipelines or other transmission lines, the County shall endorse only those proposals which minimize the fragmentation of agricultural land.
- 1.9 The Natural Resources Conservation Board and approval officers appointed by that Board have jurisdiction over certain confined feeding operations and manure storage facilities in that they require a registration, an approval, or an authorization under the Agricultural Operation Practices Act. The County's policy is that all such confined feeding operations and manure storage facilities must fully satisfy all the requirements and regulations adopted under that Act, specifically the minimum distance separation requirements and the land base requirements.
- 1.10 In addition to the minimum distance separation requirements provided through regulations adopted under the Agricultural Operation Practices Act, the County's policy is that confined feeding operations requiring registration or approval and manure storage facilities requiring authorization under that Act shall not be allowed within 2.4 km (1.5 miles) or the corporate boundaries of the Towns of St. Paul and Elk Point, within 1.6 km (1.0 miles) of any multi-lot country residential area, or within 0.8 km (0.5 miles) of the Summer Village of Horseshoe Bay or the Community Areas designated on Map 1 other than St. Vincent, which areas shall be considered an urban fringe when calculating the regulations approved under the Agricultural Operation Practices Act.

- 1.11 In addition, for the purposes of implementing the regulations adopted under the Agricultural Operation Practices Act, the policies of Area Structure Plans or Intermunicipal Development Plans or agreements within the County of St. Paul respecting confined feeding operations shall be considered to be policies of this Municipal Development Plan.

- 1.12 The premature subdivision and development of good agricultural land, that is, land with an agricultural capability rating of over 40%, for industrial, commercial, or residential purposes, will be discouraged. Council will not amend the County's Land Use Bylaw to allow for large-scale non-agricultural development on good quality agricultural land unless the land in question forms a logical and reasonable extension to existing development areas, the site is particularly suitable for the proposed use, or the intensity of the proposed use makes the removal of the lands from the agricultural land base reasonable.

2.0 COUNTRY RESIDENTIAL DEVELOPMENT

Statement of Intent

The County of St. Paul has experienced a substantial amount of country residential development, particularly near the Town of St. Paul and adjacent to several of the lakes within the County. This trend affects the social, economic and environmental community of the County.

The Plan realizes that country residential living should be encouraged as one of the “lifestyles” in the County, in an organized and controlled fashion. Therefore, the intent of the Plan is to allow country residential development in such a manner as to limit the removal of higher capability agricultural land, to not put undue pressure on the natural environment or on the County to provide communal water supply or sewage disposal services, and not cause unacceptable adverse effects on the agricultural economy and community, or the natural environment.

The County takes its stewardship of development around the lakes in the County very seriously. A considerable amount of country residential development has occurred adjacent to many of the lakes within the County. This form of development has occurred in the past and is continuing at present. Pressure for additional development adjacent and near the lakes in the County is expected to continue into the future. In reviewing such development proposals, the welfare of the lakes themselves will be a consideration within the development review process.

Objectives

- (a) To encourage multi-lot country residential development adjacent to the lakes in the County that is sensitive to the natural environment and, once the Province has determined a method for determining lake capacity, the development capacity of the lakes;
- (b) To allow multi-lot country residential development in other areas of the County that does not interfere with agricultural development or the resource-based economy of the County;
- (c) To limit the costs of providing municipal and utility services to country residential development;
- (d) To maintain options for future land use decisions;
- (e) To avoid conflicts between agricultural and non-agricultural land uses;
- (f) To discourage development in areas which are susceptible to flooding or groundwater contamination;
- (g) To limit development in hazardous areas adjacent to lakes and river banks; and
- (h) To provide a certain level of developmental certainty in country residential areas.

Policies

- 2.1 Both single lot country residential development and multi-lot country residential development will be allowed within the Agricultural Use Area shown on Map 1, subject to the policies noted below.
- 2.2 Single lot country residential development will be allowed within the Agricultural District in the County's Land Use Bylaw. Multi-lot country residential development will only be allowed within appropriate multi-lot country residential Districts in the County's Land Use Bylaw.
- 2.3 Multi-lot country residential development near the lakes in the County may be allowed, but only where designated for such development on Map 1 and subject to the policies noted below.
- 2.4 Where a subdivision for country residential purposes is proposed, the developer shall be required to enter into a development agreement with the County wherein the developer agrees to be responsible for all the costs associated with the subdivision.
- 2.5 Country residential subdivisions shall have direct access to existing graded and graveled or paved roads. Such access shall be provided by the developer of a country residential parcel to the County's standards, or the developer shall pay the County for the installation of such access by the County.
- 2.6 Spatial buffers or setbacks shall be maintained between country residential uses and adjacent uses which may be incompatible for any reason.
- 2.7 Once a farmstead or a fragmented area has been subdivided from a quarter section, the subdivided farmstead or fragmented area shall be considered a country residential use for the purposes of this Plan and the Land Use Bylaw.
- 2.8 Country residential subdivision or development may not be allowed:
 - (a) in close proximity to a resource extraction operation;
 - (b) within a 1 in 100 year flood plain;
 - (c) within the distance established by the *Minimum Distance Separation* formula contained within the Regulations adopted under the Agricultural Operation Practices Act from a confined feeding operation; or
 - (d) adjacent to river banks, unless the banks are certified as being stable by an engineer prior to development and the land owner takes all responsibility for the impact of any bank instability currently or in the future.
- 2.9 Country residential development will be cognizant of the need to preserve critical wildlife habitat, resource extraction, recreation, and historical and archaeological features.

- 2.10 Country residential development will be prohibited in those areas which are too close to sour gas facilities, in accordance with Provincial legislation and regulations.

Single Lot Separations for Country Residential Use

(Bylaw No. 1500, dated Oct. 9, 2007 Incorporated below – Items 2.11 to 2.15)

- 2.11 On a full quarter section (exceeding 60 ha (148 ac) in size), a maximum of four single lot separations for country residential uses (including any farmsteads and/or vacant parcels) may be allowed per quarter section as single lot separations, provided that the total area of the single lot separations, including the fragmented parcel, does not exceed 8 ha (20 ac). If the quarter section is less than 60 ha (148 ac) in size but more than 45 ha (111 ac) in size, a maximum of three single lot separations may be allowed provided that the total area of the single lot separations, including the fragmented parcel, does not exceed 6 ha (15 ac). If the quarter section is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, a maximum of two single lot separations may be allowed provided that the total area of the single lot separations, including the fragmented parcel, does not exceed 4 ha (10 ac). If the quarter section is less than 30 ha (74 ac) in size but more than 15 ha (37 ac) in size, a maximum of one single lot separation may be allowed provided that the area of the single lot separation does not exceed 2 ha (5 ac). If the quarter section is less than 15 ha (37 ac) in size, no single lot separation may be allowed.
- 2.12 If a subdivision as a result of a fragmentation for agricultural purposes has been allowed, no subdivision for country residential use shall be allowed as a result of fragmentation. However, if no subdivision as a result of a fragmentation for agricultural purposes has been allowed, one of the single lot subdivisions indicated in Section 2.11 above may be approved as a fragmentation may be allowed, at the discretion of the Subdivision Authority, but only if both proposed parcels (the fragment and the remainder) will have access to a developed County road and a suitable site for development.

To be a fragmentation, an area of land must be separated from the balance of the titled area by a natural barrier such as a river, a permanent naturally-occurring water body, a railroad, or a road; but not an undeveloped road on a Road Plan. A fragmenting feature may be a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gully or watercourse, but not normally an intermittent watercourse or a seasonal water run or water or wetland feature; however, the determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority.

- 2.13 The subdivision of country residential parcels from a quarter section allowed pursuant to Section 2.11 above without requiring an amendment to the Land Use Bylaw can be any combination of farmsteads and vacant parcels. A proposal for more than the number of country residential parcels on any one quarter section allowed pursuant to Section 2.11 above will be considered to be multi-lot country residential development.
- 2.14 Notwithstanding Section 2.11, if a quarter section has been divided into two halves within the County, only one country residential parcel may be subdivided from each half quarter section without requiring an amendment to the Land Use Bylaw. If a fragmented parcel has been subdivided from a quarter section, and if that fragmented parcel is in excess of

20 ha (50 ac) in size, only one country residential parcel may be subdivided, one from the fragment and one from the remainder of the quarter section, without requiring an amendment to the Land Use Bylaw. If a fragmented parcel has been subdivided from a quarter section, and if that fragmented parcel is between 8 ha (20 ac) and 20 ha (50 ac) in size, only two country residential parcels may be subdivided, neither of them from the fragmented parcel without requiring an amendment to the Land Use Bylaw.

- 2.15 Single lot country residential use parcels shall not be less than 0.4 ha (1 ac) in size and not more than 8 ha (20 ac) in size. However, the total area of all single lot country residential use parcels on a quarter section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in Section 2.11 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.
- 2.16 Vacant single lot country residential parcels shall not be located on cultivated or otherwise good farm land; but shall be located on the parts of a quarter section that are poorer for agriculture.
- 2.17 Prior to final approval of a subdivision for a single lot country residential use parcel by the Subdivision Authority, the landowner shall provide reasonable assurance to the Authority that any existing sewage disposal system on the site of the lot is functioning in accordance with Provincial regulations.
- 2.18 To be considered a farmstead subdivision, the site shall exhibit some of the following characteristics: a residence, well, dugout, shelter belts, fences, water courses, ancillary farm buildings, power facilities, and access.

Multi - Lot Country Residential Subdivision

- 2.19 A multi-lot country residential subdivision shall be considered to be any subdivision which will create more than a total of three residential lots, whether country residential lots or farmstead lots, on a quarter section.
- 2.20 Multi-lot country residential subdivisions shall be controlled by the County Council through the process of Land Use Bylaw amendment.
- 2.21 Multi-lot country residential developments should be clustered or grouped to reduce potential land use conflicts and minimize service costs.
- 2.22 Multi-lot country residential developments will be discouraged from locating on good quality agricultural land, and shall be encouraged to locate on poorer quality agricultural land.
- 2.23 Multi-lot country residential developments will be encouraged near existing County infrastructure.

- 2.24 Documentation indicating that satisfactory arrangements have been made regarding the development's water supply, sewage disposal, and storm water management may be required for multi-lot country residential development. If water supply and sewage disposal is to be accomplished on an individual lot basis, this documentation may require percolation tests showing the suitability of the lands for on-site sewage disposal, and a water supply report pursuant to Section 23(3)(a) of the Water Act. As well, a storm water management plan, specifically indicating how any impact on adjacent properties or lakes is to be minimized, may be required.
- 2.25 Multi-lot country residential developments near lakes will have reasonable setbacks from the lakes. Environmental Reserves will be required adjacent to the lake, and Environmental Reserve Easements will be used as well as Environmental Reserves in order to protect the natural environment from degradation.
- 2.26 Multi-lot country residential lots which are near a lake but not adjacent to the lake (back-lots), will be developed to a different standard than the lots adjacent to the lakes. Because of the amenity of the lakes, lots adjacent to lakes may be smaller, as small as 0.2 ha, with a minimum of 0.2 ha of developable land; however, because "back lots" will not have the amenity of an adjacent lake, amenity will have to be added on the site of the lot. Therefore, the minimum lot size for such back lots will be a minimum of 0.4 ha, with a minimum of 0.4 ha of developable land.
- 2.27 It is the policy of this Municipal Development Plan that all country residential lots in multi-lot subdivisions be reasonably proportioned, that is, no more than a ratio of 3:1 (depth to average width), especially adjacent to lakes. (For information, on a 2000 sq. m (21,527.8 sq. ft.) lot, that will mean that the minimum average width of the lot shall be 25.85 m (84.8 ft.). On a 4000 sq. m (40305.6 sq. ft.) lot, the minimum average width shall be 35.36 m (116 ft.).)
- 2.28 In order to provide a certain degree of certainty in multi-lot country residential areas, once a lot is created by subdivision, it is the policy of the County that such lots shall not be resubdivided into smaller lots, notwithstanding that the smaller lots might meet the minimum standards of the County's Land Use Bylaw, unless the lot is specifically designed to be resubdivided in the future, and unless further that that possibility is specifically acknowledged by the County's Subdivision Authority at the time of subdivision.
- 2.29 Access to individual lots in multi-lot country residential developments shall be provided by internal roads or service roads developed to standards acceptable to the County, and not directly onto Provincial highways or County grid roads. These standards shall exceed the standards of normal gravel roads.
- 2.30 As well as roads and storm water management facilities, all multi-lot country residential developments will be provided with power, gas and telephone services at the developer's cost.

2.31 Council's consideration of Land Use Bylaw amendments for multi-lot country residential use development will include the following criteria:

- (a) The site should possess features such as trees, ravines, hilly terrain or other topographical features which would provide an attractive residential environment. Where a site is fully or partially treed, all possible means will be undertaken to retain the maximum amount of tree cover.
- (b) The density of development shall be directly related to the development capability of the land resources, such as potable water supply, topography, vegetation, soil and drainage. In this regard, Council may require that development proposals include an analysis of the environment of the site, the means whereby the development will harmonize with the environment, and the means whereby negative impacts on the environment may be mitigated.
- (c) In addition to the policy that multi-lot country residential development near the lakes in the County will be allowed only where designated within this Plan (section 2.3 of this Plan), such development will only take place where specifically allowed by the County's Land Use Bylaw. When considering amendments to the County's Land Use Bylaw to allow such development, Council will require that assessments be undertaken of the suitability of the land for the development proposed. These assessments may, among other matters, deal with the suitability of the site for sewage disposal, the availability of water supply, the stability of the site from slumping or erosion, the susceptibility of the site to flooding, or any other land-oriented matter that the Council deems reasonable in their consideration.

2.32 Prior to considering a multi-lot country residential subdivision, the Subdivision Authority shall seek County Council's opinion as to the suitability of the subdivision's details and design.

3.0 RESOURCE EXTRACTION

Statement of Intent

Sand and gravel, coal, oil and gas are important non-renewable resources in the County of St. Paul. In order to benefit the County's and the region's economy, these resources must be protected and extracted efficiently, but not at the risk of irreparably damaging the local agricultural community or the natural environment. Therefore, it is the intent of this Plan to encourage the utilization of extractive resources in areas of least detrimental impact and to reclaim the land for other productive uses.

Objectives

- (a) To encourage appropriate resource extraction industries;
- (b) To minimize conflicts between resource extraction industry and existing or future land uses;
- (c) To minimize municipal servicing costs due to resource development;
- (d) To ensure that commercial quantities of gravel are fully utilized in a manner that best suits the characteristics of each deposit and surrounding area; and
- (e) To ensure that land disturbed by resource extraction is reclaimed to an equal level or higher than the land's original agricultural capability.

Policies

- 3.1 The developer of a resource extraction industry or activity shall be required at the time of the application for development permit, to demonstrate to the satisfaction of the County, that any necessary provincial permits and approvals pertinent to the development have been obtained.
- 3.2 Any resource extraction industry that requires a development permit, unless exempted by Provincial legislation, shall enter into a development agreement with the County.
- 3.3 Before a development permit is issued, the County may require the proponent of a resource extraction development to post a performance bond or similar security for the purpose of ensuring reclamation is completed where no similar requirement is made by a Provincial agency.
- 3.4 Resource extraction industries or activities shall be, where possible, located on lower capability agricultural lands.
- 3.5 Development permits for sand, gravel, clay or marl extraction shall not be issued until any necessary approvals are obtained in accordance with Provincial legislation.

- 3.6 Development permits for gravel extraction should be issued on the basis of whether the proposed use will fully and efficiently utilize the capability of the deposit. Deposits suitable for construction aggregates should be reserved for that use.
- 3.7 Land which is underlain by a commercial deposit of gravel should not be used for purposes which would prevent subsequent extraction until the deposit has been removed and the land has been reclaimed.
- 3.8 The developer of a gas or oil well site shall be required to obtain approval from the County regarding the construction, upgrading and maintenance of access roads.
- 3.9 The proponents of oil and gas, exploration, extraction and processing, shall be encouraged to enter into an agreement with the County regarding the reclamation of land affected by well sites and pipelines.

4.0 INDUSTRIAL DEVELOPMENT

Statement of Intent

The County of St. Paul has a substantial economic base in the agricultural, sand and gravel, and petroleum industrial sectors. The continuation and expansion of this base is limited due to a finite land base and the non-renewable nature of the mining and petroleum resource sector. In order to ensure a strong long-term economic base for the County, this Plan supports the intention to diversify the economy to complement the agriculture and natural resources bases. It is the intent of this Plan to encourage development of manufacturing and servicing. The Plan recognizes the need for site specific industrial developments, while encouraging the clustering together of compatible industrial uses in rural industrial parks.

Objectives

- (a) To encourage appropriate industrial development in environmentally suitable locations;
- (b) To minimize conflicts between industry and existing or future land uses;
- (c) To minimize any local government costs resulting from industrial development; and
- (d) To minimize municipal servicing costs, including transportation.

Policies

- 4.1 Industries shall be allowed as a discretionary use in the Agricultural Use Area, but not within the multi-lot country residential areas of the County.
- 4.2 Industries shall be encouraged to locate on lower capability agricultural land wherever possible.
- 4.3 Industries shall be encouraged to avoid locating in areas of critical wildlife habitat wherever possible.
- 4.4 Industries that require urban services shall not be allowed except where such services are available from the County or can be made available, or a joint development/servicing agreement between the County and an adjacent urban municipality has been finalized.
- 4.5 All industries shall obtain the approvals and permits required by provincial legislation and a development permit from the County.
- 4.6 Industrial subdivision and development which, in the opinion of Council, could have a significant impact on the community and environment, shall be controlled by the County Council through the process of Land Use Bylaw amendment to an Industrial District in the Land Use Bylaw.
- 4.7 Industrial uses may be allowed in the Community Areas only if they will not overtax services.

Site Considerations

- 4.8 Industrial development shall be encouraged to locate on land that is physically suited for industrial use, considering factors such as soil, drainage, slopes and the availability of necessary services.
- 4.9 Industrial land shall not be located in areas where the use is likely to subject residences, hospitals, schools, or other noise sensitive uses to high levels of noise.
- 4.10 Appropriate buffers shall be located between industries and other existing and future land uses in order to provide adequate visual or acoustic screening. The expansion potential of the industry should be considered in determining the required buffer.

Economic Considerations

- 4.11 The proponent of any new industrial development or expansion of such development shall identify any costs associated with providing new services and upgrading existing services made necessary by the proposed development. The apportionment of costs shall be negotiated by the County and be settled within a development agreement which shall be a condition of subdivision or development approval.

5.0 COMMERCIAL DEVELOPMENT

Statement of Intent

The intent of the Plan is to accommodate commercial facilities, primarily adjacent to the highway system and within established Community Areas, in order to meet the needs of the agricultural community, of local residents, and of the highway traveling public. No commercial development shall adversely affect the standard of safety or convenience, or the functional integrity of any highway or road. The Plan also recognizes that specific commercial uses may require unique site locations in order to serve the rural community.

Objectives

- (a) To encourage appropriate commercial development in environmentally suitable locations;
- (b) To minimize conflicts between commercial development and existing or future land uses;
- (c) To minimize any local government costs resulting from commercial development; and
- (d) To minimize municipal servicing costs, including transportation.

Policies

- 5.1 Commercial uses shall be allowed as discretionary uses in the Agricultural Use Area, but not within the multi-lot country residential areas of the County.
- 5.2 Commercial subdivision and development which, in the opinion of Council, could have a significant impact on the community and environment, shall be controlled by the County Council through the process of Land Use Bylaw amendment to an appropriate Commercial District in the Land Use Bylaw.
- 5.3 Commercial uses may be allowed in the Community Areas only if they require limited services.
- 5.4 Highway commercial uses shall refer to those uses, primarily established adjacent to highways, which provide service requirements for the highway traveling public. Such uses would include service stations, bulk oil sales, restaurants, motels and campsites.
- 5.5 General commercial uses, those uses which primarily serve the agricultural industry, the resource extraction industry, or County residents, including retail and wholesale sales, personal and equipment services, restaurants, offices, and financial and entertainment establishments, should be encouraged to develop in Community Areas and existing areas of general commercial use, unless it can be demonstrated that there is justifiable reason and need for such use in another location.
- 5.6 Commercial uses shall be encouraged to locate on lower capability agricultural land wherever possible.

- 5.7 Commercial uses shall be encouraged to avoid locating in areas of critical wildlife habitat wherever possible.
- 5.8 In consideration of a proposal for a commercial development, an assessment of the proposed development may be required which:
- (a) precisely defines the boundaries of the proposal;
 - (b) designates suitable building sites;
 - (c) ensures the functional integrity of the adjacent roads is maintained through the use of service roads and/or limited access points;
 - (d) defines standards of development which may include architectural, landscaping and sign controls;
 - (e) identifies methods and facilities for servicing; and
 - (f) includes groundwater and soil permeability tests and an assessment of the natural environment of the site.

6.0 INSTITUTIONAL DEVELOPMENT

Statement of Intent

The intent of the Plan is to encourage institutional facilities such as schools, places of religious assembly, emergency and protective services, and the like to locate in appropriate places in the County to meet the needs of the community, which includes local residents, the business community, the traveling public, and even the province. The Plan also recognizes that specific institutional uses may require unique site locations in order to serve the community.

Objectives

- (a) To encourage institutional development in suitable locations;
- (b) To minimize conflicts between institutional development and existing or future land uses;
- (c) To minimize any local government costs resulting from institutional development; and
- (d) To minimize municipal servicing costs, including transportation.

Policies

- 5.1 Institutional uses shall be allowed as discretionary uses in the Agricultural Use Area, but limited within the multi-lot country residential areas of the County.
- 5.2 Institutional subdivision and development which, in the opinion of Council, could have a significant impact on the community and environment, shall be controlled by the County Council through the process of Land Use Bylaw amendment to an appropriate Institutional District in the Land Use Bylaw.
- 5.3 Institutional uses in the Community Areas shall normally be allowed only if they require limited services.
- 5.4 Institutional uses shall be encouraged to locate on lower capability agricultural land wherever possible.
- 5.5 Institutional uses shall be encouraged to avoid locating in areas of critical wildlife habitat wherever possible.
- 5.7 In consideration of a proposal for an institutional development, an assessment of the proposed development may be required which:
 - (a) precisely defines the boundaries of the proposal;
 - (b) designates suitable building sites;
 - (c) ensures the functional integrity of the adjacent roads is maintained through the use of service roads and/or limited access points;

- (d) defines standards of development which may include architectural, landscaping and sign controls;
- (e) identifies methods and facilities for servicing; and
- (f) includes groundwater and soil permeability tests.

7.0 URBAN EXPANSION AND COMMUNITY AREAS

Statement of Intent

The Towns of St. Paul and Elk Point are surrounded by the County of St. Paul. They provide a range of commercial, industrial, residential and institutional services to the wider community. This Plan recognizes the right of a municipality to determine its own growth; however, the Plan also recognizes that urban uses may have negative effects on adjacent rural uses such as agriculture, and vice versa. It is therefore the intent of this Plan to support the continued orderly growth of the incorporated urban centres based on their Municipal Development Plans and cooperation with the County.

The Summer Village of Horseshoe Bay is also within the County, adjacent to Vincent Lake. This Plan recognizes this municipality. However, it is a policy of the Plan to limit any further growth of the Summer Village.

This Plan also recognizes several unincorporated centres - the hamlets of Ashmont, Heinsburg, Lafond, Lindbergh, Lottie Lake, Mallaig, St. Edouard, St. Lina, and St. Vincent, together with Owlseye, Riverview, and St. Brides – and designates them as Community Areas. These are primarily residential communities which provide important social and commercial functions to the agricultural community. It is the intent of this Plan to promote the orderly growth and development of these Community Areas where appropriate.

Objectives

- (a) To ensure incorporated urban centres and hamlet areas expand in an orderly manner;
- (b) To ensure that lands needed for future urban centre or hamlet expansion are not used prematurely or indiscriminately in such a manner that would either preclude or significantly increase costs for the conversion to urban uses; and
- (c) To ensure that hamlets have enough land within their respective boundaries to undertake comprehensive land use planning and development of servicing schemes.

Policies

- 7.1 The municipalities of St. Paul and Elk Point should be encouraged to expand in areas which would minimize the removal of:
 - (a) higher capability agricultural land;
 - (b) regionally significant natural resources; and
 - (c) environmentally sensitive areas.
- 7.2 The County may support future urban centre expansion and annexation in which:
 - (a) the lands are immediately adjacent to existing municipal boundaries;

- (b) the land is suited for or can be economically adapted to urban uses and servicing;
 - (c) the staging of development is in conformity with the urban municipality's Municipal Development Plan; and
 - (d) the lands are needed to meet urban growth requirements.
- 7.3 The County and the Town of St. Paul have developed a plan for future land use, development and servicing of certain areas around the Town in the County. The County will continue to work closely with the Town in the detailed planning of these lands near the Town of St. Paul with the goals being the best utilization of the land and the minimization of long range land use conflicts and servicing costs.
- 7.4 The County will also work with the Town of Elk Point in the detailed planning of lands surrounding the Town, if the Town so wishes. The results of this dialogue may be in the form of an Area Structure Plan, an informal Outline Plan, or a simple agreement respecting either land uses and/or the provision of municipal piped water supply and sewage disposal services and/or development consultation with the urban municipality.
- 7.5 Residential development, together with community services and limited general commercial and industrial development compatible with the hamlet environment, shall be encouraged in the areas shown as Community Areas on Map 1, contingent upon site-specific suitability of any development.
- 7.6 Areas Structure Plans or informal Outline Plans should be used to establish development patterns for each of the Community Areas which will maintain their distinctive attributes and provide residential opportunities different from those provided in the urban municipalities.
- 7.7 Hamlet expansion which may jeopardize groundwater supplies or quality should not be allowed.
- 7.9 The County shall discourage any further growth of the Summer Village of Horseshoe Bay.

8.0 RECREATION

Statement of Intent

As the demand for recreational land for both public and private use continues to increase, so does the need for planned recreational facilities and areas. The intent of this Plan is to recognize and encourage local recreational uses based on the capabilities of an area to sustain intensive or extensive development. Recreation development shall be located in areas where it does not adversely affect the agricultural economy and community, or components of the natural environment.

Objectives

- (a) To ensure that the recreational potential of high quality resources is not jeopardized through premature and incomplete development for future generations; and
- (b) To conserve land with a high capability for supporting outdoor recreational activities;
- (c) To obtain the lands necessary for park use through the subdivision process; and
- (d) To protect lands which are hazardous to development from development through the subdivision process.

Policies

- 8.1 The County shall generally take the full amount (10%) of Municipal Reserves owing as a result of subdivision, in accordance with Provincial legislation.
- 8.2 Where it is deemed that Municipal Reserve land is not necessary for the residents of the area, money-in-lieu shall be taken. The money-in-lieu shall be shared with School Divisions in accordance with agreements between the County and School Divisions, and the remainder shall be utilized to acquire and develop tracts of desirable recreation areas in the County.
- 8.3 Prior to disposing of any Municipal Reserve, Council shall review the applicability and effect of such disposition on surrounding land uses and the area's recreational potential.
- 8.4 An open space buffer of sufficient size and composition to act as a noise and visual barrier shall be required between intensive recreation use areas and other land uses.
- 8.5 Development will not occur on lands which are unsuitable for development because of environmental hazard such as flood susceptibility or steep slopes. During the subdivision process, such lands shall normally be placed within Environmental Reserves or protected via Environmental Reserve Easements, both as provided for in the Municipal Government Act, depending on whether the lands would form part of an overall park for a particular area.

- 8.6 As well, normally a minimum of 10 m of land adjacent to all lakes may be taken as Environmental Reserve during the subdivision process in order to provide access to the lakes as well as to protect the development within the subdivision from any hazard from the lake. Where Environmental Reserves do not include all the lands within a proposed plan of subdivision which are not suitable for development or which otherwise require protection from encroachment due to the potential for flooding or the potential for slope instability, these unsuitable lands shall be placed within Environmental Reserve Easements.
- 8.7 Subdivision and development for recreational purposes shall occur in accordance with the following design principles:
- (a) The density of development shall be directly related to the development capability of the land resource;
 - (b) The design shall be directly related to the site's topography vegetation, soil, and drainage characteristics. In this regard, the development proposal shall include a detailed analysis of the environmental constraints of the site and the means by which the proposal will protect and harmonize with the natural environment;
 - (c) The design shall protect wildlife habitat; and
 - (d) The design shall protect, maintain and re-establish, where necessary, cover, and maximize the quality of the natural features.

9.0 - TRANSPORTATION AND UTILITIES AND SOUR GAS

Statement of Intent

The development of transportation and utility systems can have a significant impact on land use change within the County. However, certain types of transportation and utility development are beyond the direct control of the local municipality. The intent of this objectives/policies section is to provide polices which encourage compatible, economic and efficient service and utility related development.

Objectives

- (a) To minimize any negative impacts associated with the development of linear transportation, communication, or utility facilities and services;
- (b) To ensure that necessary facilities, utilities, or services associated with land use and development are provided and in place when required;
- (c) To ensure that land use and development in the vicinity of existing or proposed transportation, communication or utility facilities/services is regulated such that it does not interfere with their operation, upgrading or future expansion.
- (d) To ensure that municipal services and utilities are provided in an economical and efficient manner and are reflective of need, environmental constraints, land use considerations and existing infrastructure.

Policies

- 9.1 The County shall encourage the location of transportation and utility lines and facilities in a manner which:
 - (a) encourages the integration of transportation routes and utility lines within defined corridors;
 - (b) discourages the creation of fragmented parcels of land between rights-of-way; and
 - (c) minimizes the impacts on recreational, historical or wildlife resource areas.
- 9.2 Where proposed transportation and utility lines and facilities may adversely affect adjacent lands or land uses, the County shall recommend or require as a condition of development of the line or facility such buffering as deemed appropriate to minimize any negative impacts.
- 9.3 The County may require future subdivision or development proposals adjacent to transportation and utility lines and facilities to provide such buffering as deemed appropriate.

- 9.4 The County shall encourage new transportation and utility rights-of-way to avoid existing country residential areas and areas designated for country residential expansion. Where such lines must locate in close proximity to country residential areas, they should be designed to be compatible with future growth.
- 9.5 The Provincial Highways shown on Map 1 as Arterial Roads shall be considered as arterial roads and developed to arterial road standards relating to width, grades, site lines and access. The Provincial Highways and other roads shown on Map 1 as Collector Roads shall be considered as collector roads and developed to collector road standards relating to width, grades, site lines and access. Service roads for Arterial and Collector Roads shall be considered to be local internal subdivision roads and developed to appropriate standards. All other roads in the County, including the Township and Range Roads (and forced roads complementing this system) which are referred to as grid roads, shall be considered either local County Roads, or local internal subdivision roads, and developed to appropriate standards.
- 9.6 All municipal infrastructure systems, such as new roads, sewage collection and water distribution systems created as a result of private development, which may include dedication to the County or subdivision, shall only be assumed by the municipality if the system has been constructed or upgraded to a standard which is acceptable to the County and which meets or exceeds all appropriate Provincial and Federal standards.
- 9.7 Direct access from private property onto Highways shall be discouraged and limited wherever possible.
- 9.8 The County shall endeavor to cooperate wherever appropriate with other municipalities and/or the provincial government with planning, development and operation of sanitary waste disposal facilities and sewage lagoons.
- 9.9 Development in proximity to sour gas facilities will abide by any and all Provincial Regulations respecting such facilities.

PLAN ADMINISTRATION

Authority of the Plan

- (a) Pursuant to the Municipal Government Act, R.S.A., 2000, as amended, this Plan shall be adopted by County of St. Paul, as the County of St. Paul Municipal Development Plan.
- (b) Subdivision, development and re-development of lands within the County of St. Paul by the municipality and general public shall be in accordance with the provisions of this Plan.
- (c) Council shall encourage the Provincial and Federal governments to have regard for the provisions of this Plan in the development and re-development of crown lands, and in the formulation and implementation of Provincial and Federal policies and programs, within the County of St. Paul.

Land Use Bylaw

When this Plan or any part thereof takes effect, the Land Use Bylaw of the County of St. Paul shall be amended, as necessary, to conform with this Plan.

Amendment

Should changing conditions necessitate an amendment to this Plan, the amendment shall be by bylaw.

In order to ensure that the original intent of the Plan is protected and that a proper evaluation of the impact of a proposed amendment on the goal, objectives and policies of the Plan may be evaluated, the following criteria shall apply to consideration of an amendment, which is not initiated by Council itself:

- (a) a formal request for amendment shall be submitted to Council;
- (b) the request shall be in the form of a written brief demonstrating the implications and conformity of the proposed amendment with the goal, intent, objectives and policies of the Plan;
- (c) during deliberation on the proposed amendment, Council may refer the request to such agencies as it considers necessary for comment; and
- (d) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

Review

The planning process is a dynamic process, subject to inevitable change. It is intended that this Plan will be subject to periodic review. Review of the Plan may be initiated in the following ways:

- (a) a complete or partial review upon amendment;
- (b) a review of this document to be conducted by the Council every three years; or
- (c) a complete or partial review whenever, due to economic, social, technical developments or environmental considerations, the Plan is considered by Council not to meet the long term goals of the County.

Monitoring

Essential to the continued effectiveness, viability and relevance of the Plan is the mechanism of monitoring. Monitoring entails the recording and appraising the significance of events, trends and decisions in relation to the Plan. Essentially, therefore, the premise is that circumstances change, and if the Plan does not change with them, it may soon become an obsolete document incapable of providing direction.

This Plan, like any other plan, is based on a set of assumptions, goals and objectives, many of which relate to the future. Over time any one or more of these may change. It is the intent of this Plan to promote the development of formalized procedures and techniques to monitor the changes in the County's land use, development and growth patterns.

This monitoring, in combination with the review and amendment processes, will form the key elements in ensuring the long term relevancy of the Plan to changing County aspirations and needs.

The County Administration shall develop a method for monitoring, evaluating and analyzing the effectiveness, viability and relevance of this Plan.

Consultation with Adjacent Municipalities

The County will encourage communication and consultation with adjacent municipalities either within or surrounding the County on all land development matters.

To that end, the County will work with all adjacent urban and rural municipalities either within or surrounding the County.

- (a) in the planning of lands adjacent to those municipalities within the County, and
- (b) in the planning of those lands adjacent to the County within the base and within those municipalities.

As well, the County will circulate applications for proposed subdivisions and for proposed major developments to adjacent municipalities for input into the decision-making process.

In particular, the County will also work with the County of Two Hills in detailed planning of the area around Lac Sante. This may take the form of an Area Structure Plan process, an informal

Outline Plan, or a simple agreement respecting either land uses and/or the provision of municipal services within an area surrounding the Lake.