

An aerial photograph of a rural landscape. A wide, multi-lane road runs vertically through the center of the image. On either side of the road are large green fields, some of which are divided into smaller plots. There are several small ponds or wetlands scattered throughout the area. In the distance, a dense urban area is visible under a hazy sky. The overall scene depicts a transition from rural to urban development.

Central Urban Expansion Area Structure Plan

**Adopted by County of Vermilion River Bylaw 07-28
Revised by County of Vermilion River Bylaw 08-16
Consolidated Version**

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1.0 INTRODUCTION AND PLANNING PROCESS

The Central Urban Expansion Area Structure Plan, hereinafter referred to as the Central UE Plan, is a statutory planning document intended to underpin the implementation of the recently adopted Vermilion River County/City of Lloydminster Intermunicipal Development Plan (IDP) as it applies to approximately five sections of land at the extreme western edge of City of Lloydminster – see Plan Area below. It is the direct result of a collaborative decision-making framework established in the IDP combined with on-going commitment to intermunicipal planning cooperation and coordination on the part of both municipalities.

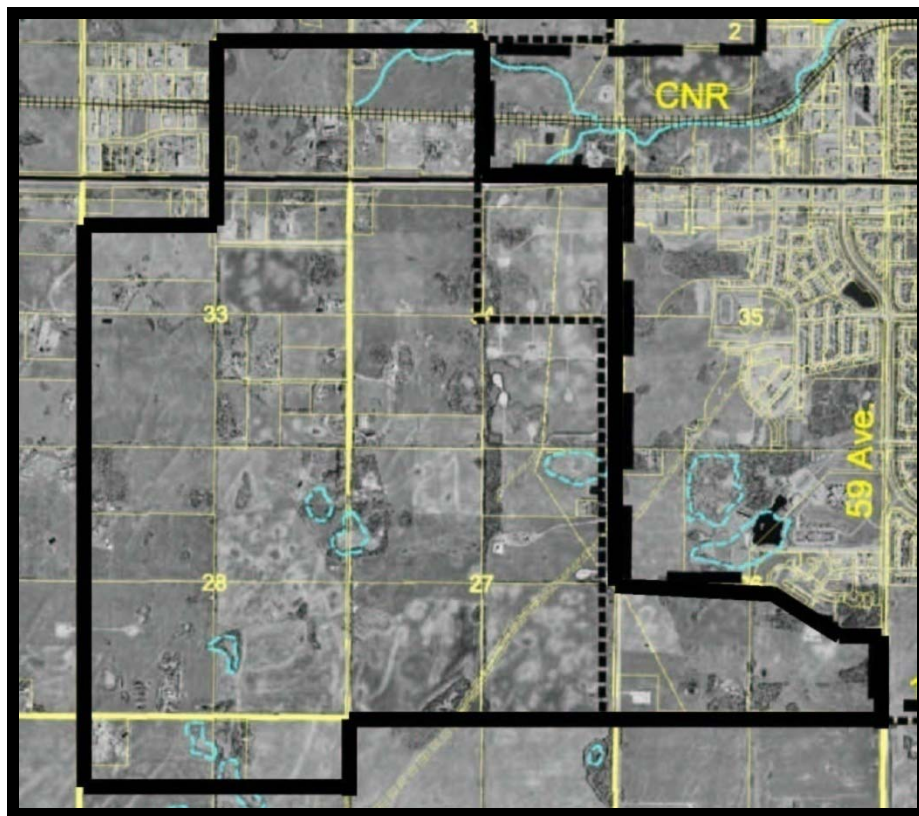


FIGURE 1 - AIR PHOTO WITH CENTRAL UE PLAN BOUNDARY SUPERIMPOSED

The planning process utilized in preparing the Central UE Plan began with a terms of reference that was, to a large extent, spelled out in the IDP itself and then further refined by the Intermunicipal Liaison Committee (ILC), who served as the Steering Committee for this project. Before developing a Draft Plan or even a Preliminary Draft Plan, the ILC's first task was overseeing the preparation of the Plan's foundation

concepts and policy direction, which included a Conceptual Urban Layout. This was presented in the form of a preliminary discussion document to ensure the Plan's fundamentals were acceptable, consistent with the broad policy framework and agreements struck in the IDP and accurately incorporate all major, requisite planning elements. The ILC felt it was important to see if they had the fundamentals nailed down before going any further in the planning process.

The Preliminary Discussion Document was approved for release by the ILC in January, 2007 and it was then explained to and reviewed by the affected landowners/stakeholders on an informal, one-on-one basis to obtain their feedback. This feedback was summarized and presented to the ILC, in-camera, once this first phase of individualized consultation was completed. Based on the direction received from the ILC at that point, a Preliminary Draft Central UE Plan was then prepared in April, 2007. Any required amendments to the Land Use Bylaw (LUB) were also considered at this point.

During May and June of 2007, the Preliminary Draft Central UE Plan was reviewed by the ILC. Based on the review that took place over that period, a Proposed Draft Central UE Plan was then presented to the ILC Steering Committee in early July 2007 for their approval. From there, the Draft Central UE Plan, with revisions, was referred to County Council for first reading in July, after which the Draft Central UE Plan was then referred to affected landowners/stakeholders within the Plan area. On September 12th, an open house was held followed by a public hearing. As a result of the October 15th municipal election, a second open house and public hearing was required and held December 6th. All comments and suggested revisions were reviewed and considered. Final revisions were made at the direction of the Councils and incorporated into the adopted document. The County of Vermilion River adopted the Central UE Plan as Bylaw No. 07-28 on January 8th, 2008 and the City endorsed it on _____.

The North & South Plans were prepared following the Central Plan. Additional provisions were included in the North & South Plans that were not included in the Central Plan. To ensure consistency among all three Plans, the Central Plan was amended when the North & South Plans were being adopted. The County gave Bylaw No. 08-16 1st reading May 13th, held a public hearing June 11th and gave 3rd reading with slight revisions June 24th, 2008 while the City endorsed them on _____.

2.0 CENTRAL UE PLAN CONTEXT/Framework

Key IDP Context and Direction Relating to Central UE Plan

The IDP established in 2006 between the County and City addressed many intermunicipal issues of great importance to both municipalities. It was the successful end result of a joint effort to not only understand the needs of each partner and to work cooperatively to forge an IDP, but to establish a durable intermunicipal decision-making framework that will underpin the implementation of the IDP's goals, policies and agreements for the lifespan of the IDP. Though the adoption of the IDP in 2006 marked the end of a specific planning process, it also marked the beginning of an on-going intermunicipal commitment to making the very most of the opportunities in the region for the benefit of the region, being 'development ready', striving for efficiencies, addressing conflict when it does arise in a timely fashion and, above all, planning for the long term.

One of the many key implementation components of the IDP was an agreement to engage in more detailed advance planning for the areas identified for urban expansion (see IDP Map D on Page 4). Thus, the IDP set the stage for preparation of the Central UE Plan as can be seen in the two IDP policies quoted below:

- 4.3d) The County and City shall jointly prepare Area Structure Plans (ASP). The ASP's will serve as a framework for future subdivision and development for areas identified on Map D in tandem with a new land use district for inclusion in the land use bylaw specifically tailored to implement the ASP's. Approval of the ASP's as well as the specifically tailored land use district shall precede subdivision unless the City and County agree to proceed with a decision on the subdivision application prior to third reading of the ASP or specifically tailored land use district that affects the application.
- 5.2d) Area Structure Plans (ASP's) shall be jointly prepared between the County and the City respecting areas of future urban growth. The ASP's shall include the areas identified in Map D. ASP's shall identify more detailed locations and standards and policies for future land uses, staging of development, road rights of way and standards, stormwater management facilities, water and sewer servicing trunk lines, major regional open space and associated pedestrian trails, powerline and pipeline corridors, management of the transition of land use from oil and gas infrastructure to urban land uses as well as other matters agreeable to both municipalities.

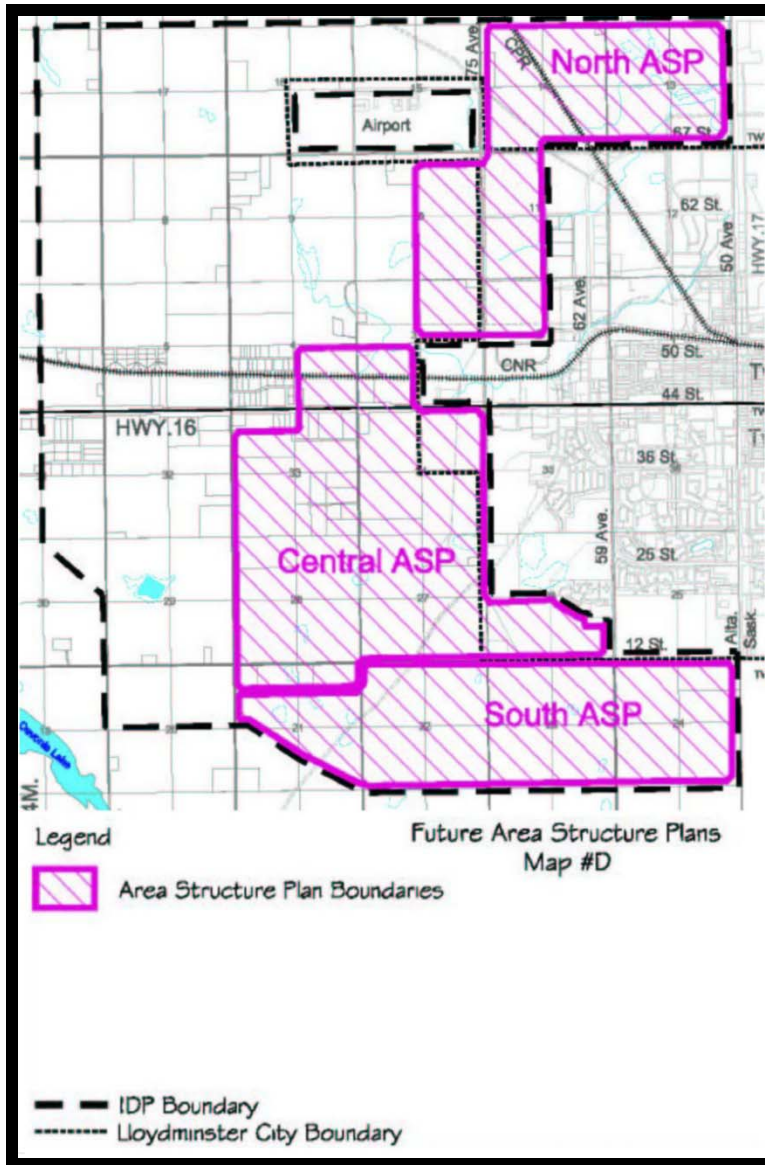


FIGURE 2 - IDP MAP D – ASPs FOR URBAN EXPANSION AREAS

It is important to recognize that although these three implementation ASP's, including the Central UE Plan, are to provide more detailed planning for the areas identified, they must be based upon and be consistent with the direction established for these areas in the IDP. The Municipal Government Act (MGA) in fact requires this under Section 638 which states that all statutory plans must be consistent with one another.

Having said this, it is worthwhile briefly reviewing the general direction provided in the IDP. As a starting point, reference is made to IDP Map A shown on Page 5.

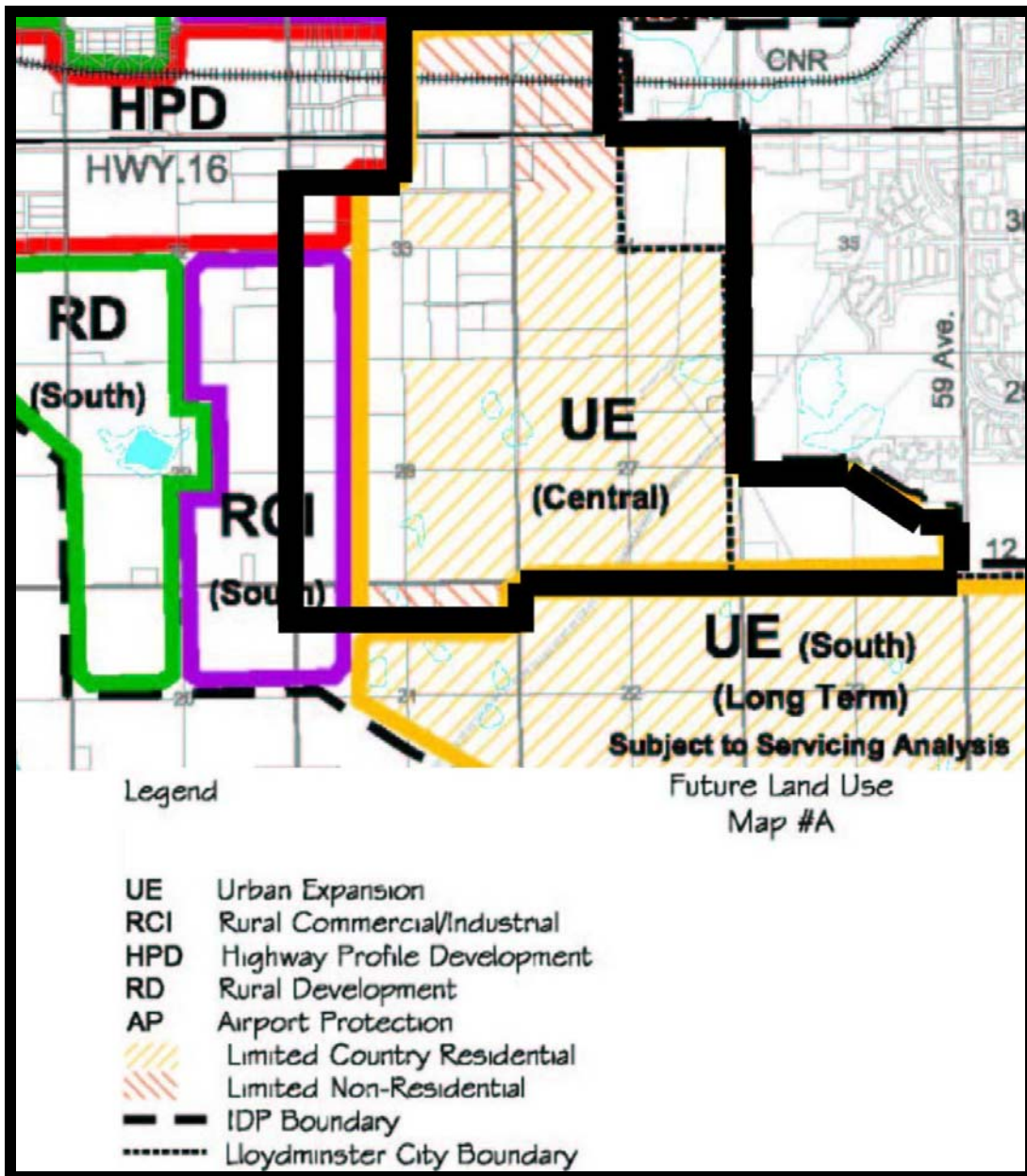


FIGURE 3 - IDP MAP A WITH CENTRAL UE PLAN BOUNDARY SUPERIMPOSED

IDP Map A determined land use within the Central UE Plan in broad terms as follows: UE - Urban Expansion Limited Country Residential dominating the internal area, UE - Urban Expansion Limited Non-Residential located at the north end, along Highway 16 and future 12th Street, RCI - Rural Commercial/Industrial along the east side of Rge Rd. 14 and a small area of HPD - Highway Profile Development in the very northwest corner. The Central UE Plan entrenches and builds upon the IDP's land use direction.

Planning for efficient transportation infrastructure well into the future was also a critical component of the IDP for both municipalities as well as Alberta Transportation. Map B of the IDP, shown below, documents the commitments and decisions that were made to plan for Highways 16 & 17, a short and long term bypass of Highway 17, a long term bypass of Highway 16 (including two major interchanges, one with Highway 17 and the other with the westward extension of 12th Street) as well as all major arterial roadways and their intersections. Alberta Transportation has supported this crucial IDP component. It is understood in this Plan that the more detailed transportation planning either currently underway or being contemplated with respect to the major roads within and adjacent to the Central UE ASP must account for oversized loads in a coordinated manner. These measures will not only provide long term benefits and cost savings in

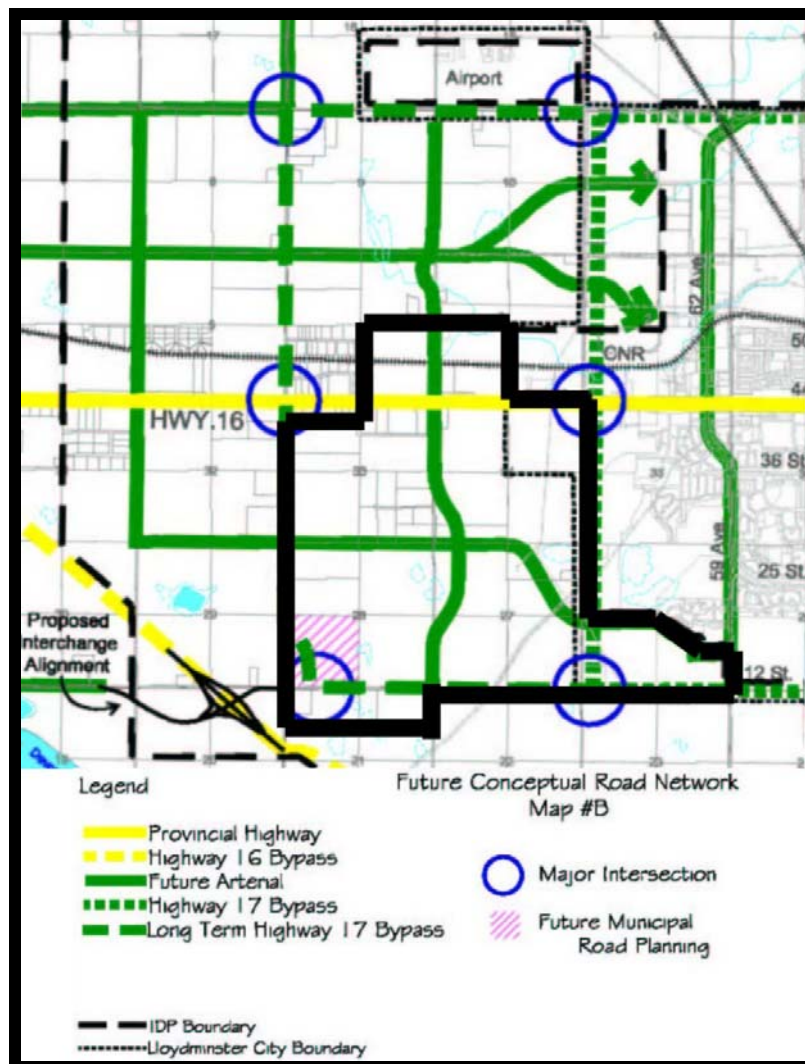


FIGURE 4 - IDP MAP B WITH CENTRAL UE PLAN BOUNDARY SUPERIMPOSED

relation to the roadway systems of the County and City but provincial highways as well. Once again, the Central UE Plan both entrenches and builds upon the IDP's accomplishments and commitments with respect to major transportation infrastructure.

Key IDP Policy Relating to Central UE Plan

The first task in developing the Central UE Plan was to ensure that the general direction provided in the IDP, as outlined above, was properly incorporated. The next step was to examine the most relevant IDP policies, outlined below, that serve to articulate and further specify the IDP's general direction discussed above.

IDP POLICIES - GENERAL

- 4.2 c) Parcels within the IDP area that are currently zoned for Business (B and B2), Industrial (M) and Country Residential (CR-1) may continue with those uses identified in the County Land Use Bylaw. New applications for subdivision and development are subject to any amendments to the land use bylaw as may arise from the implementation of this IDP.
- 4.2 f) For those Urban Expansion areas (UE) identified on Map A as "Limited Country Residential" the County shall defer all Reserve Land to the balance of the quarter section. In return, the City shall pay a fee to the County equivalent to 5% of the appraised value of the parcel to be subdivided.
- 4.2 g) County subdivision applications for all parcels in designations other than "Limited Country Residential" in the Urban Expansion (UE) as shown on Map A will be required to dedicate, defer or pay cash in lieu for the full amount of Municipal Reserve owing as required by the County on a case by case basis in the forms provided for in the Municipal Government Act.
- 4.2 h) The County and City shall require rights of way for future road networks, pipelines, power lines, trunk servicing and stormwater management as conceptually identified in this Plan, any other statutory Plan in effect and as may be recommended by the Intermunicipal Liaison Committee and as required by the County and City at the subdivision application stage. The entire parcel in title shall be subject to the right of way dedication.
- 4.3 q) Robinwood Acres will remain zoned as Country Residential One (CR-1). Additional subdivision of Robinwood Acres is possible under the provisions of the CR-1 district. As urban development expands westward, landowners will be offered the opportunity to decide whether they wish to undertake an Area Redevelopment Plan (ARP) and prepare to re-subdivide the country subdivision to urban densities or remain unchanged. This option would be available to landowners upon written request to the County to undertake an ARP. The Central ASP will further address future subdivision design for this area.

IDP POLICIES – URBAN EXPANSION (UE)

- 4.3 c) In advance of future annexation and urban development, parcels located within portions of the County Urban Expansion areas (UE) may be considered by the County for redesignation and subdivision approval to “*Limited Country Residential*” and “*Limited Non-Residential*” land uses (see Map A). The intent is to allow a limited amount of compatible development while still protecting remaining larger remnant parcels for the efficient and economical development of future urban densities and servicing. {Note that this does not apply/is not available to those portions of the west ½ of sections 28 and 33-49-1-W4M within the Urban Expansion UE (Central) area and, as such, these lands do not bear either the “*Limited Country Residential*” and “*Limited Non-Residential*” designation on Map A.}
- 4.3 e) Land that is annexed to the City within the Urban Expansion area after third reading of this Plan may be approved for development under the requirements of the City respecting statutory plans, redesignation, subdivision, development agreements and servicing standards provided this Plan is amended to designate land for urban development. The land that is annexed is still eligible for subdivision of 10% of the land for limited country residential or limited non-residential development as the case may be.
- 4.3 f) The following minimum and maximums shall be applied to applications for redesignation applications for limited country residential uses;
- i. The land to be considered for redesignation and subdivision comprises a maximum of 10% of the parcel in title subject to the application,
 - ii. Applications for subdivision of parcels greater than 16.2 hectares (40ac) may create additional parcels with a recommended minimum size of 1.62 hectares (4ac) up to 10% of the parcel in title subject to the application,
 - iii. Existing parcels between 8.1 hectares (20ac) and 16.2 hectares (40ac) may create one parcel with a recommended minimum size of 1.62 hectares (4ac),
 - iv. Existing parcels smaller than 8.1 hectares (20ac) are not eligible for further subdivision.
- 4.3 g) Except for the density allotted to parcels less than 8.1 hectares (20 ac) above, the maximum number of parcels allowed to be subdivided per parcel shall not exceed the equivalent of 1 parcel for every 16.2 hectares (40 ac.) in title. This represents the equivalent of 4 parcels per un-subdivided quarter section. Parcel sizes in the above-noted policy may be varied by the County due to physical constraints, its location or configuration relative to the County-approved ASP or other factors, but in no cases shall the area of the parcels exceed 10% of the area of the un-subdivided quarter section. Where public rights of way have reduced the potential subdivision density, the County at its discretion may allow an additional parcel to be subdivided as if the rights of way were not excepted from the area in title.

- 4.3 h) “Limited Country Residential” land uses may be considered in parts of the Urban Expansion area as identified on Map A and where the proposed use meets the following performance criteria to the satisfaction of the County;
- i. Applications shall be in conformity with any Area Structure Plan in place at the time,
 - ii. Minimum lot sizes are recommended to be a minimum of 1.62 hectares (4ac),
 - iii. Servicing will be by on-site servicing,
 - iv. Applicants must provide road access to a Range Road or Township Road by means of an internal access road where multi-parcel country residential subdivision is proposed,
 - v. Subdivisions that are proposed to be located at the intersection of Range and Township Roads identified as future Highway 17 bypass, Long Term Highway 17 Bypass and Future Arterial road on Map B of this IDP shall be designed so that the subdivision does not interfere with safety of turning movements, access management or long term road widening requirements,
 - vi. Applicants must dedicate surveyed rights of way for future road networks, pipelines, power lines, trunk servicing and stormwater management as conceptually identified in this Plan.
- 4.3 i) Limited Country Residential land uses shall require a re-designation to the specifically tailored land use district referred to in Policy 4.3 (d) above (see Page 3).
- 4.3 j) Subdivision applications shall submit a design intended to be suitable for potential re-subdivision to urban-sized residential parcels. The illustration shall be a consideration by the County at the development permit stage for dwellings and landowners shall be made aware of the future potential for re-subdivision to urban densities at the development permit application stage.
- 4.3 k) Limited Non-Residential land uses may be considered in parts of the Central, North and South Urban Expansion area as identified on Map A where the proposed use meets the following performance criteria to the satisfaction of the County;
- i. The land to be considered for redesignation and subdivision comprises a maximum of 10% of the parcel in title subject to the application,
 - ii. The use is, in the opinion of the County, compatible with surrounding land uses and future conversion to urban densities and land uses.
 - iii. Servicing shall be on-site servicing,
 - iv. Road access to a Range Road or Township Road shall be by means of an internal access road in cases where a multi-parcel subdivision is proposed,
 - v. Subdivisions that are proposed to be located at the intersection of Range and Township Roads identified as future Highway 17 bypass, Long Term Highway 17 Bypass and Future Arterial road on Map B of this IDP should be designed so that the subdivision does not interfere with safety of turning movements, access management or long-term road widening requirements.
 - vi. Applicants must dedicate surveyed rights of way for future road networks, pipelines, power lines, trunk servicing and stormwater management as conceptually identified in this Plan.

- 4.3 l) Notwithstanding the IDP policies for limited non-residential uses, the County may allow existing dwellings to be subdivided in Urban Expansion areas identified as “limited non-residential areas”. In addition, existing manufactured or modular homes (as defined in the Central, North or South Urban Expansion Area Structure Plans) can remain or be replaced with a manufactured or modular home while existing single detached dwellings (as defined in the Central, North or South Urban Expansion Area Structure Plans) can remain or be replaced with a manufactured or modular home only. This residential subdivision shall be considered as part of the 10% eligible for limited non-residential uses.
- 4.3 m) Inside the areas designated UE – Urban Expansion on Map A, road rights of way required beyond 30 metres (100 ft) in total width shall be compensated by the City of Lloydminster to the County of Vermilion River at the time of County subdivision. The purchased land shall be dedicated as surveyed road right of way at the time of subdivision. Assessment and timing of land value shall be undertaken in the manner as follows:
- A market value appraisal conducted by a qualified/certified appraiser shall be supplied for the existing parcel of land as of a specified date occurring within the 35-day period following the date on which the application for subdivision approval is made;
- i. as if the use proposed for the land that is the subject of the proposed subdivision conforms with any use prescribed in a statutory plan or land use bylaw for that land, and
 - ii. on the basis of what might be expected to be realized if the land were in an unsubdivided state and sold in the open market by a willing seller to a willing buyer on the date on which the appraisal is made.
- 4.3 n) When development permit applications are being considered inside the areas designated UE – Urban Expansion on Map A, road rights of way required beyond 30 metres (100 ft) in total width shall be protected using whatever legal means/form of agreement necessary and appropriate (ranging from survey and purchase to dedication by caveat, etc.) at the time of development approval. Should the option of dedication by survey and purchase be selected, compensation for same from the City of Lloydminster to the County of Vermilion River shall occur in a manner similar to that prescribed in Policy 4.3 m) immediately above.
- 4.3 o) Subdivision applications for Limited Non-Residential land uses shall submit a design intended to be suitable for potential re-subdivision to fully serviced commercial/industrial lot sizes with a recommended minimum parcel size of 1.2 hectares (3ac). The County shall consider the feasibility of the design at the development permit stage. The County shall inform applicants for development Permit approval of the potential for future re-subdivision to urban densities and urban services.

- 4.3 p) Limited Non-Residential land uses shall, at the discretion of the County, either require a re-designation to the Industrial Development District (M) or Business (B) of the County land use bylaw or be assigned the specifically tailored land use district referred to in Policy 4.3 (d) above (see Page 3).

IDP POLICIES – RURAL COMMERCIAL/INDUSTRIAL (RCI)

- 4.3 r) Redesignation, subdivision and development applications in the westerly 400 metres of the west ½ of section 28-49-1-W4M and westerly 400 metres of the SW 33-49-1-W4M shall be governed by policies of the Rural Commercial/ Industrial (RCI) designation of this Plan.
- 4.4 a) Unless otherwise noted in this Plan, applications for subdivision and designation from the Urban Vicinity Development A district in the Rural Commercial/Industrial (RCI) area will require redesignation in accordance with the Industrial District (M) or Business District (B) of the land use bylaw as may be amended from time to time in accordance with this Plan.
- 4.4 b) The intent of the RCI designation is to provide for the orderly development of rural industrial and compatible commercial uses.
- 4.4 c) The RCI designation is considered to be exempt from future annexation by the City of Lloydminster for the life of the IDP. This policy shall be reviewed every 6 years.

IDP POLICIES – HIGHWAY PROFILE DEVELOPMENT (HPD)

- 4.5 a) Unless otherwise noted in this Plan, land use and subdivision in the Highway Profile Development (HPD) area shall be in accordance with the existing Business (B) and Industrial (M) land uses of the land use bylaw as amended from time to time in accordance with this Plan.
- 4.5 b) The intent of the Highway Profile Development area (HPD) area designation is to provide for the orderly development of rural industrial and compatible commercial uses that will have a high visibility profile along a National highway.
- 4.5 c) The HPD area designation is considered to be exempt from future annexation by the City of Lloydminster for the life of the IDP. This policy shall be reviewed every 6 years.
- 4.5 d) The HPD area is intended to be serviced with on-site water and sewer servicing with the potential for piped water and sewer.

IDP POLICIES - TRANSPORTATION

- 4.8 a) The Future Conceptual Road Network shown as Map B shows the ultimate stage of arterial road development at the end of the planning horizon. All subdivision and development permit applications shall be in accordance with this Map and the IDP provisions. Detailed alignments of future road rights of way may vary

due to topography and drainage patterns. These will be identified during more detailed area structure plans, conceptual schemes and subdivision applications.

- 4.8 b) In advance of any intermunicipal roadway planning, all subdivision applications within the County shall dedicate sufficient road widening to provide for a 46 metre (150ft) right of way along future Highway 17 bypass, the Long Term Highway 17 Bypass and all Future Arterial road as shown on Map B.
- 4.8 c) Subdivisions that are proposed to be located at the intersection of Range and Township Roads identified as future Highway 17 Bypass, Long Term Highway 17 Bypass and Future Arterial road on Map B of this IDP should be designed so that the subdivision does not interfere with long-term road widening requirements.
- 4.8 d) The 75th Avenue corridor is an important road for fast and convenient north/south access as the City expands westward. Therefore, the City will ensure that access onto 75th Ave is limited to a maximum of two intersections per quarter section.
- 4.8 e) Applicants for subdivision should plan for joint access among multiple parcels wherever possible.

With the foregoing IDP context and framework in mind, the purpose and scope of the Central UE Plan are briefly discussed in Section 3.0.

3.0 CENTRAL UE PLAN PURPOSE, SCOPE AND APPLICATION

It is worth reiterating here that while the Central UE Plan builds upon the IDP, it is also to be used in tandem with the IDP as well as the respective municipal development plans and land use bylaws. Furthermore, even though reference has been made to selected IDP policy in Section 2.0 of this Plan to provide context and to set the stage for the Central UE Plan, it is important to stress that the IDP in its entirety should be referenced as it applies to the lands inside the Central UE Plan.

In the simplest terms, the Central UE Plan is essentially a guide for the transition of a rural-urban or “rurban” area over the course of at least a generation. Upheld by the intermunicipal cooperation that forged the IDP, it sets out land use concepts/policies and a decision-making framework to achieve the smooth transformation of a rural landscape to an urban one; the conversion of comparatively undeveloped land into the newest neighbourhoods of a growing city. Though the majority of the Central UE Plan is devoted to the transition from rural to urban over time, it also serves to accommodate, at the same time, a variety of rural commercial/industrial and highway-related development at the Plan’s outer (western) edge, along Range Road No. 14.

For local residents, the Central UE Plan gives a sense of direction, one upon which they can rely while making decisions regarding their own actions and property. For developers and business groups, it is a guide to the type and location of development that will generally be considered acceptable. For investors, it shows development readiness and the resulting speed of processing, clarity of vision, and certainty of approval if there is compliance with the Plan’s provisions.

Finally, for outside decision-makers such as senior governments and funding agencies, the Central UE Plan clearly indicates a commitment to long term intermunicipal planning which can help secure financial resources to assist in providing the supporting infrastructure. The Plan also shows outside approving authorities that where the municipalities have jurisdiction, they will adhere to sound planning principles. Where they do not have jurisdiction, they are keen to work cooperatively with their partners to serve mutual and interdependent interests.

In light of the foregoing, the provisions that follow in Section 4.0 form the basis of land use, subdivision and development planning for the Central UE Plan area. They build upon and refine the general direction and land use designations provided for these lands within the IDP, serve as the basis for a new land use district for inclusion in the Land Use Bylaw (LUB) and establish a sound framework for future decisions on land use, subdivision and development permit applications.

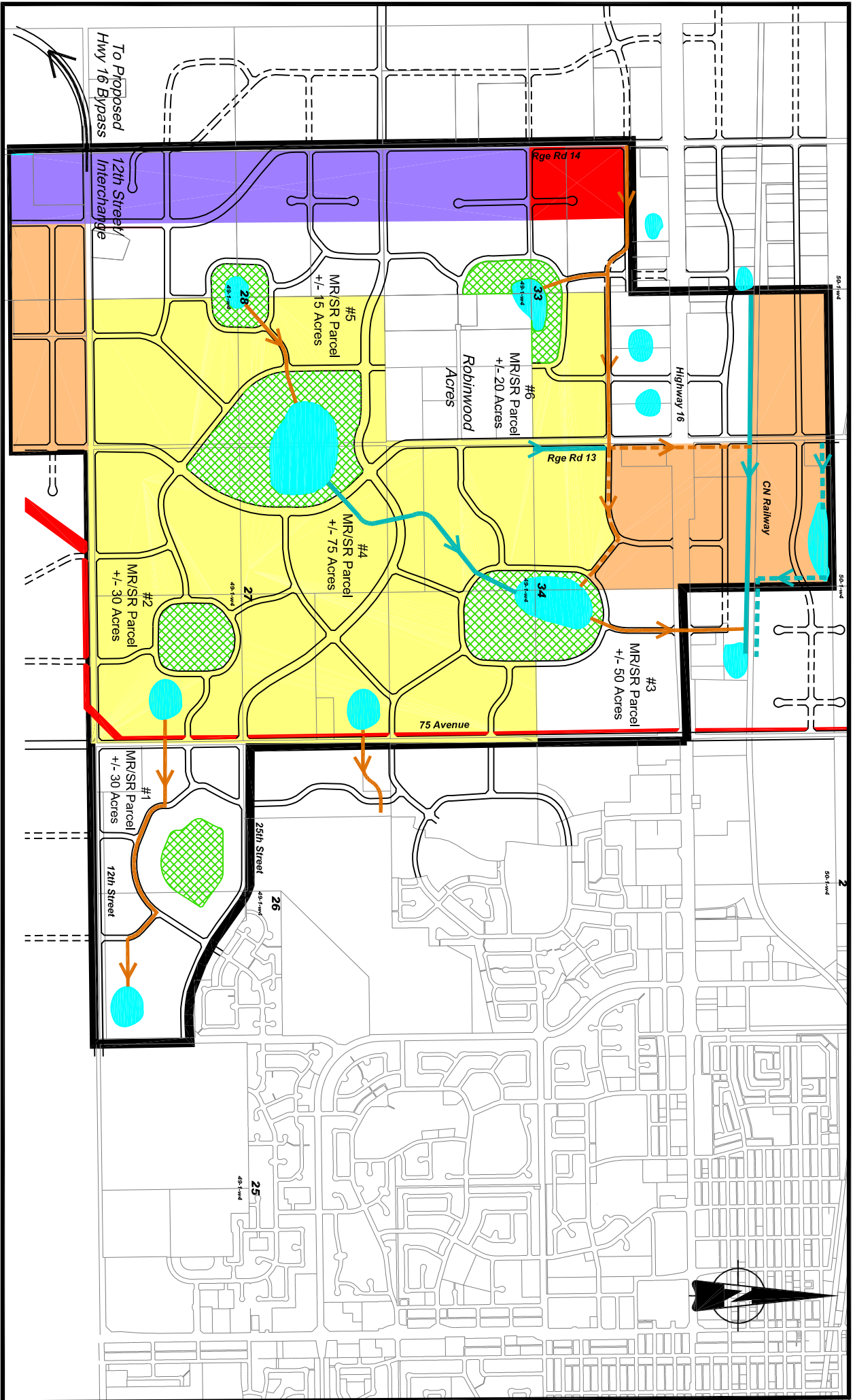
4.0 FUTURE LAND USE, SUBDIVISION AND DEVELOPMENT

The first question to address in a transitional plan such as this is toward what are we transitioning? In the future, what will this comparatively undeveloped area look like, conceptually, in general terms? Once the major urban planning elements within the Central UE Plan are determined, we then know what to “plan around” as this area transforms over time. It is important and will be very helpful to know in the interim period what major planning elements to account for not only to protect these elements in terms of future planning but, equally important, to facilitate land use, subdivision and development decisions that will need to be made over the transition period.

Conceptual Urban Layout

Figure 5 following this page, entitled **Conceptual Urban Layout**, incorporates not only the groundwork that has already been laid in the IDP in terms of general direction and policy, but also the major urban planning elements and associated specifications that need to be planned for given that the majority of the Central UE Plan, as the title implies, is intended for future urban expansion. Beyond the IDP’s general direction and refining policy, the Conceptual Urban Layout is also based on and incorporates the following factors/elements:

- Storm water management based ultimately on urban densities (reflecting the latest available engineering analysis) with provision for both major storm sewers and storm channels connecting existing and future storm ponds; {Note: the stormwater/wetland management proposed in this Plan will need to be considered within an overall stormwater/wetland management plan undertaken jointly by the County, City and provincial government(s)}
- Population densities similar to those that currently exist in Lloydminster;
- Residential neighbourhoods planned around a central amenity (most often storm ponds) which becomes the focal point for other public lands and/or facilities such as schools;
- One larger, regional-scale amenity focus for the entire Central UE Plan area surrounding what will be the largest storm pond (and is already a significant wetland area);
- A neighbourhood, major collector road network that achieves efficient connection, with appropriate intersection spacing, to the Plan’s major arteries and allows for good inter-neighbourhood connectivity within the Plan area as well as in relation to the surrounding area and existing community of Lloydminster. {Note: the accommodation of oversize loads will need to be the subject of more detailed transportation planning};



CONCEPTUAL URBAN LAYOUT (Showing Major Planning Elements)

- LIMITED COUNTRY RESIDENTIAL
- LIMITED NON-RESIDENTIAL
- LIMITED URBAN EXPANSION
- HIGHWAY PROFILE DEVELOPMENT

LEGEND

- STORM POND
- HUSKY PIPELINE RIGHT-OF-WAY
- AREA STRUCTURE PLAN BOUNDARY
- AREAS WITHIN IN WHICH MR/SR IS TO BE LOCATED
- IN THE APPROXIMATE AMOUNTS INDICATED
- STORM WATER SEWER *
- STORM WATER CHANNEL *
- * DASHED LINE INDICATES OPTION IS UNDER STUDY

- Back access service roads and/or short cul-de-sacs are provided within the Non-Residential UE, RCI and HPD areas not only to ensure appropriate access management in relation to the Plan's major arteries but to facilitate connectivity for the industrial/commercial uses that already exist or will be located along these roads as the Central UE Plan area develops.

As the centre piece of the Central UE Plan, it is important to understand how the Conceptual Urban Layout is to be used. In implementing the Central UE Plan, what practical effect does it have? When considering land use, subdivision and development applications subject to it, how theoretical is the Conceptual Urban Layout?

The answer to these questions is best put as follows: as a conceptual layout, it is fairly definitive. To elaborate, examine the Conceptual Urban Layout as it relates to the East ½ of 34-49-1-W4M, as an example. From the Layout, we will know that at an urban density, a storm pond will be needed and be located, generally, where it is already low/wet. It will need to receive and discharge stormwater either through storm channels or sewers. Around this pond feature, the urban neighbourhood will be built surrounding Municipal/School Reserve uses, likely integrated with other residential uses, bounded by a ring road. We will know the general location of the arterial roads providing neighbourhood egress/access. The number of access points to 75th Avenue (also serving as the Highway 17 Bypass) will be controlled/limited and located generally where there are shown on the Layout. In this sense, then, the Conceptual Urban Layout is definitive.

Is the Layout intended to provide exact locations, sizes, specifications, and so forth? No; but, it certainly serves to guide further, more detailed planning and engineering as the area converts to urban densities. Equally important, it will serve to identify the major elements around which interim uses/subdivision/development must be planned including the unserviced acreage subdivision for which many of the Urban Expansion properties are eligible under the IDP. Given the primary purpose of the Central UE Plan, as outlined in Section 3.0 above, it is essential that the major urban planning elements identified on the Conceptual Urban layout are known and considered so that interim uses, subdivision and development can occur without jeopardized longer term conversion to urban densities.

As noted on Page 15, the Conceptual Urban Layout builds neighbourhoods around amenity features such as storm ponds, parks and/or school uses. It is important to note that the acreage amounts of Municipal Reserve/School Reserve indicated on the Layout represent, in the aggregate, the full 10% of MR/SR owing for all of the Central Urban Expansion land designated as “Limited Country Residential”. As IDP Policy 4.2 f) requires, part of which is quoted in Section 2.0 above, the MR/SR owing for the Central UE Limited Country Residential is being held in trust by the County for the City since the City will be responsible for providing land for park and school use as the UE lands urbanize. Both the IDP and this Plan assume the current arrangements the City has with the school districts will continue into the future.

Based on the foregoing, the following policies apply:

- Policy 4.1 The Conceptual Urban Layout shall be taken into account and adhered to, and the Major Planning Elements shown therein, will be protected and/or accommodated in all decisions made concerning land use, subdivision and development within the Central UE Plan.
- Policy 4.2 Both the City and County support a large number of community recreational structures and facilities with both operation and capital needs. Thus, the full 10% reserve allowable under Section 666(2) of the Municipal Government Act will be taken to ensure the recreational and operational needs of the area are met. Reserves will be taken for the entire parcel that is the subject of the application at the time of subdivision in accordance with the relevant policies of the IDP.
- Policy 4.3 Environmental reserves will be taken according to Section 664 of the Municipal Government Act either in the form of a lot (ownership transferred to the municipality) or as an environmental reserve easement (private ownership is retained). The County or City, as the case may be, may require any owner/developer to provide hazard land as environmental reserve as part of a subdivision application. Where the County or City wish to ensure public access to a water body, environmental reserve in the form of a lot will be taken. All environmental reserve is to remain in its natural state except as permitted in accordance with Part 17, Division 9 of the Municipal Government Act. In some instances, conservation easements may be considered in place of environmental reserves as provided for in the section 22 of the Environmental Enhancement and Protection Act.
- Policy 4.4 The County and City shall refer to “FireSmart: Protecting Your Community from Wildfire” in their efforts to minimize the risk of wildfire within the Central UE Plan area.

Policy 4.5 With respect to Robinwood Acres (SW 33-49-1-W4M), the Central UE ASP serves to identify the major planning components surrounding Robinwood Acres so that these are known to the landowners should they decide to participate in the eventual urbanization of the area and embark upon an area redevelopment plan in accordance with relevant IDP policy and the provisions of the MGA.

Infrastructure

As alluded to earlier, the Conceptual Urban Layout, in reference to infrastructure, is not intended to provide exact locations, sizes, specifications, and so forth. However, it is important to note that the Layout is underpinned by conceptual-level servicing analysis and can, therefore, be relied upon to guide decisions regarding interim uses, subdivision and development. As areas within the Central UE Plan actually undergo urbanization, more detailed, site-specific planning and engineering undertaken at the time may result in slight alterations in the location and specifications of the major planning elements identified. Nevertheless, it is imperative that interim uses, subdivision and development do not compromise the major planning/servicing elements identified on the Layout as urbanization occurs and services need to be extended into the Central UE area.

The Conceptual Urban Layout only indicates major stormwater elements and does not indicate anything in relation to major municipal sanitary sewer and water distribution trunks. This is simply because these facilities generally follow major arterial roads. The Conceptual Urban Layout and the policies of the IDP and this Plan will ensure sufficient road width is provided to accommodate these services.

As far as roads are concerned, the Conceptual Urban Layout incorporates all of the major arterial roads identified on Map B of the IDP as well as all other major roads ultimately required to efficiently connect one neighbourhood with the next and connect all of the neighbourhoods with appropriate intersection spacing to the surrounding area and existing community of Lloydminster. The Layout also shows major roads and some stormwater facilities projecting outside of the Central UE Plan area, indicated with dashed lines. This is simply to show logical connections with or extensions of these roads and facilities. Strictly speaking, however, they are shown for information or reference only.

The extension or phasing of urban services, which can only be described in very general terms in this Plan, would occur as follows in relation to the “quadrants” shown in the Conceptual Urban Layout: northeast, southeast, northwest, southwest. Determining the timing of servicing extension is not an exact science by any means. In reality, services will be extended outward from the City depending on demand, population, existing and projected lot inventory, landowner/developer willingness municipal resource capacity, senior government funding at the time, and so on.

Though not specified graphically on the Conceptual Urban Layout, stormwater management ponds can be empty fields and linear rights of way in dry periods and in wet years, become detention ponds and drainages channels. These facilities, while serving a vital engineering function, also represent significant opportunities for passive recreation and open space. By incorporating informal parks and playfields ahead of urban development and by reserving trails to run beside engineered and natural drainage rights of way, a significant open space, amenity and recreational legacy can be designed and constructed as development proceeds.

Policy 4.6 With respect to infrastructure specifically, the Conceptual Urban Layout shall be taken into account and adhered to, and the Major Planning Elements shown therein, will be protected and/or accommodated in all decisions made concerning land use, subdivision and development within the Central UE Plan.

Policy 4.7 Further to Policy 4.6, the authorities making decisions concerning these applications shall consult all relevant engineering/technical reports applicable to the Central UE Plan area including those that may be required as part of an application or have been commissioned by the County or City individually or jointly, as the case may be.

Policy 4.8 In accordance with IDP Policy 4.9 c), subdivision and development permit applications shall conform with the Stormwater Management Guidelines for the Province of Alberta 1999, prepared by Alberta Environment as well as existing stormwater management studies for the area. There shall be no change between pre and post-development off-site flows except where the application conforms to an approved stormwater management Plan approved in conjunction with the City and County.

Policy 4.9 In accordance with IDP Policy 5.2 h), the City and County shall prepare a joint master stormwater/wetland management plan for the ASP area within the context of an overall stormwater/wetland management plan for the drainage basin undertaken jointly by the County, City and

provincial government(s). The IDP Liaison Committee shall approve the terms of reference for the Plan. The standards in the stormwater/wetland management plan shall be applied to future subdivision and development in the ASP area. The City and County will jointly apply for funding to implement regional stormwater/wetland management projects arising from the Plan.

Policy 4.10 Further to and in tandem with the preparation and adoption of a master stormwater/wetland management plan as it affects the Central UE Plan area, the County and City will ensure that any required protocols and procedures are put in place to make certain that the provisions of the adopted stormwater/wetland management plan are referred and adhered to.

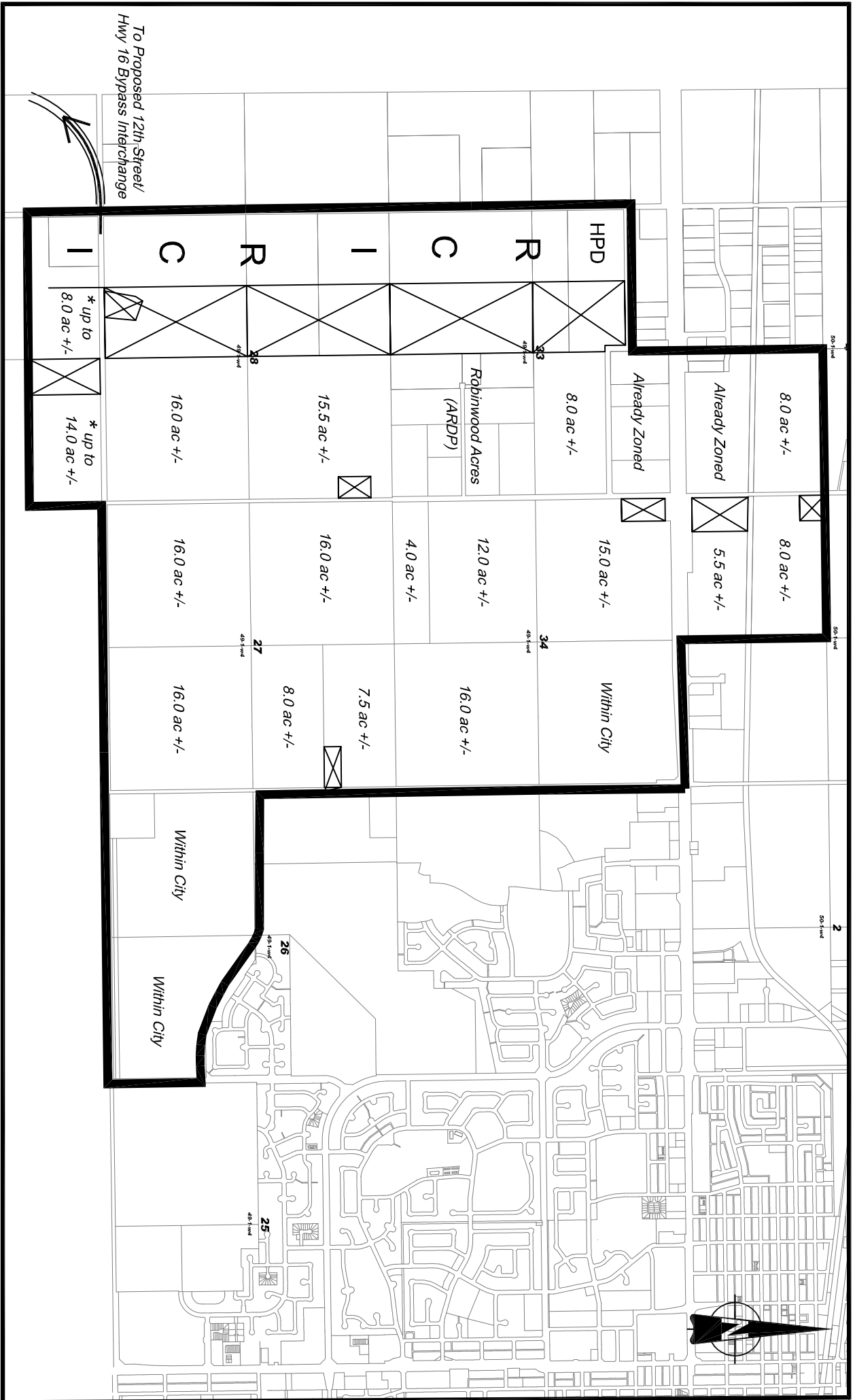
Policy 4.11 In accordance with IDP Policy 5.2 g), The County and the City shall make representation to the Province to fund a joint master transportation plan outlining the detailed standards and alignments for future arterial road development and any municipal servicing rights of way to be located within the road rights of way. The terms of reference shall include the review of Highway 16 and 17 turning movements, acceleration, deceleration lanes and median width. In addition, the Plan shall address the Highway 16 Realignment respecting access at the intersection of Range Road 14 and Twp Road 494 (12 Street), the alteration of existing County roads due to the construction of the Highway 16 Realignment, accommodation of oversize loads and any other matters the Intermunicipal Liaison Committee deems necessary.

UE – Urban Expansion Areas

At the outset of this subsection, given the primary purpose of the Central UE Plan, it is prudent to establish a direct policy link between the IDP and this Plan. In accordance with Section 638 of the MGA and for the purposes of Policy 5.18 in Section 5.0 of this Plan, the following policy formalizes the connection.

Policy 4.12 All applicable policies in Section 4.3 of the IDP, by virtue of this Policy, are formally incorporated and form part of the Central UE Plan.

One of the most important commitments made in the IDP, and one of the key transitional elements the Central UE Plan must facilitate, relates to accommodating the 10% subdivision eligibility within the areas designated either Limited Country Residential or Non-Residential Urban Expansion on Map A of the IDP. Figure 6, on the next page, shows the Central UE Plan area and the lands designated UE within eligible



To Proposed 12th Street/
Hwy 16 Bypass Interchange

* up to
8.0 ac +/-

* up to
14.0 ac +/-

* UE Designation spans Central and South UE planning/ ASP areas. Option exists to exercise all or a portion of 10% subdivision eligibility within either the Central UE or South UE planning/ ASP areas. Whatever 10% subdivision eligibility is exercised in one planning/ ASP area will be forfeited in the other planning/ ASP area.

**EXISTING TITLES WITHIN
CENTRAL URBAN EXPANSION AREA ASP
(EITHER DESIGNATED LIMITED CR OR NON - RES)
ELIGIBLE FOR 10% SUBDIVISION**

NOTE
Amounts shown are estimates. Actual amounts eligible for subdivision will be based on area in each existing Certificate of Title.

for 10% subdivision. Of course, no landowner is compelled to subdivide up to 10% of their UE land but they may exercise their right to do so in accordance with this Plan.

Further to Policy 4.12, to assist in the application of Policy 4.12 and to uphold one of the primary objectives the Central UE Plan itself, the following Policies 4.13 – 4.16 are intended to establish the criteria by which the subdivision of the UE lands eligible for 10% subdivision will be guided.

Policy 4.13 No subdivision shall be approved that, in the opinion of the respective subdivision authorities, in close consultation with the Intermunicipal Liaison Committee, compromises the Conceptual Urban Layout, any of the major planning/servicing elements identified therein or in any way jeopardizes the efficient and economical future extension of urban or rural services to the subject land or any adjacent lands.

Policy 4.14 Further to policy 4.13, the respective subdivision authorities, in close consultation with the Intermunicipal Liaison Committee, while not prescribing the precise location(s) of the proposed subdivision(s) permitted under Policy 4.12, shall ensure, to the fullest extent possible, that either the proposed subdivision(s) are located and configured such that they will ultimately have no appreciable effect on urbanization and the extension of urban or rural services within the area, or can be readily absorbed into an urban development pattern and density.

Providing for 10% subdivision eligibility while maintaining the integrity of the Central UE Plan would be greatly facilitated through the use of conceptual schemes, a planning instrument now frequently used in Alberta's planning system. The value of having this additional site-specific level of planning accompany the interim UE 10% eligible subdivision applications showing how the area would/could be ultimately subdivided at an urban density cannot be overstated. The conceptual scheme would reveal where future, more street-level urban elements would go (e.g. local crescent road or cul-de-sac) so that the interim parcels could be designed and the development on them occur such that there would be limited or no interference with ultimate conversion to urban density. This would not only be of great benefit to the City but the owners of the parcels as well.

Policy 4.15 Upon receipt of a subdivision application, the Intermunicipal Liaison Committee shall, in accordance with Section 4(5)(h) of the MGA Subdivision and Development Regulation, require that a conceptual scheme, prepared by a qualified person (e.g. Registered Professional Planner), be submitted in support of a proposed subdivision to uphold the intent and facilitate the application of Policies 4.12-4.14. The conceptual scheme required by the ILC must examine/address/demonstrate but not be limited to examining/addressing/ demonstrating the following:

- (a) general terrain;
- (b) soil characteristics;
- (c) soils capability to provide drainage and absorb sewage effluent;
- (d) potential for flooding, erosion or slumping of the land;
- (e) stormwater/wetland management;
- (f) adequacy of the proposed building sites;
- (g) proposed public road access;
- (h) availability of a water supply that is adequate for drinking and for the intended use of the parcel(s);
- (i) proximity to existing utilities;
- (j) proposed means of buffering in relation to adjacent lands;
- (k) all existing and historic oil/gas facilities and measures to mitigate any associated impacts;
- (l) provision/availability of emergency services;
- (m) identification and form of environmental reserve and/or conservation easement pursuant to Policy 4.3;
- (n) how the configuration, dimensions, spacing and location of the proposed parcel(s) complies with or does not interfere with any element of the Conceptual Urban Layout;
- (o) how anticipated development within the proposed parcel(s) is to be sited to avoid interference with subdivision/development at urban densities; and,
- (p) any other matters the ILC consider necessary.

Policy 4.16 Once the 10% subdivision eligibility has been allotted, no further subdivision of the UE land remaining shall be allowed, subject to Policy 5.16.

RCI – Rural Commercial/Industrial & HPD – Highway Profile Development Areas

The areas designated RCI and HPD along the outer, western edge of the Central UE Plan allow the County to establish a long-term commercial/industrial assessment base along Range Road 14. These designations were assigned to the most westerly 400 metres of the quarters involved in trade, so to speak, for the inability to exercise any subdivision on the eastern half of these quarters within the UE designation. A broad land use mix will provide options for businesses that require large land holdings but may or may not

have the need for piped water or sewer. A variety of lot sizes can be subdivided to suit market needs. The design of the road network on the Conceptual Urban Layout in relation to Range No. 14, which is also to serve as the Long Term Bypass of Highway No. 17, is intended to ensure safe and efficient access management for this important and strategic route.

Policy 4.17 Rural commercial/industrial and highway-related uses shall be developed in accordance with acceptable design standards and not be allowed to become unsightly and/or fall into a state of disrepair.

Policy 4.18 The design, siting, external finish and architectural appearance of all land, buildings, including any accessory building or structure, and signs, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of adjacent parcels.

Policy 4.19 Further to Policies 4.17 and 4.18, the County will consider an overlay district for inclusion in their Land Use Bylaw as part of the implementation of this Policy. Any landscaping or buffering measures incorporated into the County's Land Use Bylaw are intended to apply to applications for subdivision and development for land uses along this stretch of Range Rd. 14 within the Central UE Plan.

Policy 4.20 If an application involves explosives or radioactive material, the Development or Subdivision Authority, as the case may be, shall:

- (a) consider the effects of the storage and/or transport of explosives or radioactive material proposed in an application (e.g. the implications of the development setbacks specified in the Quantity-Distance tables of the Explosives Regulations or the provisions of the Transportation of Dangerous Goods Act) on the other existing and proposed use(s) located or proposed to be located on the subject parcel as well as adjacent parcels;
- (b) at their discretion, prior to deciding upon the application before them, provide public notice, through means and to whom they consider necessary, that a decision regarding an application involving the storage and/or transport of explosives or radioactive material is to be made, that an opportunity will be afforded to any person notified to make representation on the application and that the representations made shall be taken into account when final consideration is given to the said application; and,

- (c) based on the circumstances of the application before them, and at their sole discretion, either grant their approval, provided the application otherwise complies with this Plan or any conceptual scheme in effect, the Municipal Development Plan and the Land Use Bylaw, subject to the applicant complying with all applicable provincial and federal as well as any other municipal regulations related to explosives or radioactive material (and submitting proof of same – e.g. a license or certificate, as specified by the Development or Subdivision Authority, that they have complied), or withhold their approval until such time as the applicant demonstrates, to their satisfaction, compliance with all applicable provincial and federal as well as any other municipal regulations related to explosives or radioactive material.

Policy 4.21 When the opportunity arises as part of a subdivision or development permit application within the areas designated UE – Urban Expansion, and when considered warranted and appropriate by the ILC in their review of the application, road rights of way required up to and including 30 metres (100 ft) in total width should be protected without compensation using whatever legal means/form of agreement necessary and appropriate (ranging from survey and transfer to dedication by caveat, etc.) at the time of subdivision or development permit approval, as the case may be.

5.0 IMPLEMENTATION

Section 5.0 is for the purpose of ensuring that the provisions of the Central UE Plan are well articulated, clearly understood by all interested/affected parties and fully adhered to in decisions rendered pursuant to the Plan.

- Policy 5.1 The County and City shall ensure that all future land use, subdivision, development, amendment and servicing decisions made regarding lands within the Central UE Plan comply with the provisions (including Figures) contained in the Central UE Plan.
- Policy 5.2 The County and City shall pursue whatever actions are deemed appropriate or necessary to secure compliance with the provisions of the Central UE Plan.
- Policy 5.3 Owners/developers may be required to enter into an agreement with the County or City as a condition of an approved subdivision or development permit application pursuant to the Municipal Government Act.
- Policy 5.4 The County or City may require caveats, performance bonds, letters of credit, restrictive covenants or any other available mechanisms to secure performance of any requirement stipulated in the provisions of the Central UE Plan.

It is important that the integrity and function of Highway No. 16 is upheld by the Central UE Plan. If it does, Alberta Transportation (the road authority for Highway No. 16) is then in a position to endorse this Plan for the purposes of Sections 14-16 of the Municipal Government Act Subdivision and Development Regulation. This important objective is satisfied by the Central UE Plan in the following ways.

- Policy 5.5 The Central UE Plan recognizes the need to not jeopardize the integrity and function of Highway No. 16. To serve this important, shared objective, the Conceptual Urban Layout shows intersection spacing with Highway No. 16 and utilizes back access service roads and/or short cul-de-sacs in relation to Highway No. 16.
- Policy 5.6 While the Central UE Plan provides for additional subdivision and development, the level of activity and anticipated parcel densities are expected to remain comparatively low in comparison to the high standard of the roads within the Plan area. All of this should translate into marginal additional demand on Highway No. 16 from within the Central UE Plan. Although it seems unlikely, it must be recognized, however, that future subdivision and development within the Central UE Plan area may possibly trigger the need for a Traffic Impact

Assessment (TIA) and construction of identified improvements to standards approved by and at no cost to Alberta Transportation.

Policy 5.7 As far as traffic noise from Highway No. 16 is concerned, the subdivision and development existing and contemplated on most the lands in the Central UE Plan area adjacent to highway No. 16 is arguably not traffic noise sensitive – ie: non-residential urban expansion, equipment storage, agricultural operations, and so forth. Notwithstanding, owner(s)/developer(s) as well as the subdivision and development authorities need to be mindful of the noise from Highway No. 16 when proposing/deciding upon future subdivision/development applications with respect to the lands adjacent. Attenuating traffic noise should be considered and addressed to the extent required.

Policy 5.8 The County and City fully support Alberta Transportation in preparing a functional plan for the intersection of Range Road 14 and Twp Road 494 (12th Street extension) as it relates to the future Hwy 16 Realignment interchange to be located 400m directly to the west.

Until legislation is changed to allow municipalities to determine approval and placement of oil and gas infrastructure within municipal boundaries, the Central UE Plan relies on policies that request Provincial authorities and the specific oil companies to work with the County and City to establish well development protocols that allow the timely and safe conversion to more intense land uses as the urban landscape expands outward.

Policy 5.9 The County and City have limited capacity to control the development and life span of oil wells in the Central UE Plan. As a result, the future ability of the County and City to approve contiguous and orderly development is significantly affected by the presence of existing and future oil leases. Therefore, the County and City will work with oil and gas interests and landowners to identify well-site development and production schedules that coordinate with land use designations within the Central UE Plan. In working with oil and gas interests and landowners, the County and City will strongly recommend that the following siting/development principles be followed:

- (a) wells should be clustered whenever possible;
- (b) flow lining to a common location for multiple wells should be utilized whenever possible;
- (c) clustered well sites should be located whenever possible next to public utility lots, storm water lakes and future municipal reserves (parks);

- (d) road accesses to clustered wells should be combined wherever possible and access routes utilized should be made to fit existing and identified future roadways whenever possible;
- (e) as the lands surrounding well/battery sites urbanize, the operating conditions of well/battery sites should be adjusted as follows:
 - i) flow lining to battery site outside the urbanized/urbanizing area should be utilized,
 - ii) fluids should be hauled, tanks should be vacuumed/cleaned and servicing/maintenance should take place during regular daytime hours,
 - iii) storage tank temperature should be kept at a level such that associated impacts, particularly odour, are minimized to the fullest extent possible,
 - iv) portable generators should not be used to provide power, and
 - v) every effort needs to be made using whatever measures required to minimize odours, noise, dust, vibration and any other negative impacts.

Enhanced Subdivision Application Requirements

Given the sensitivity and complexity that will often surround decisions concerning land use and subdivision within the Central UE Plan, and in light of the fact that applications are being considered in a joint planning context, it is especially important that sufficient information is available to those making decisions pursuant to the Central UE Plan so that applications can be properly assessed and evaluated and informed decisions made. The following policies apply to subdivision applications received in relation to land within the Central UE Plan.

Policy 5.10 Further to the MGA's Subdivision and Development Regulation, and in addition to any existing requirements in the municipal development plans or land use bylaws of the respective municipalities, applicants for subdivision within the Central UE Plan shall be required by the respective subdivision authorities to provide, at a minimum, the following prior to accepting the subdivision application as complete:

- (a) an application form completed in its entirety providing accurate information regarding the proposed uses of the land, the physical characteristics of the land, the reasons for subdivision, and so forth.

- (b) a well-drawn, easily interpretable sketch of the proposed subdivision, preferably prepared by an Alberta Land Surveyor, must accompany the application clearly indicating the following:
 - i) the location, dimensions and boundaries of each new lot to be created and the distance from the existing lot boundaries;
 - ii) the location of existing buildings and their distances from existing and proposed boundaries;
 - iii) the type of building (i.e. house, garage, shed, barn, etc.) and dimensions of existing buildings;
 - iv) the size and location of any natural features such as sloughs, creeks, low/wet areas, treed areas, etc. and their distance from proposed boundaries;
 - v) the location and distance from existing and proposed man made features such as oil and gas facilities, water wells, sewage disposal systems; and,
 - vi) the location of all existing and proposed roadways/ approaches.

Policy 5.11

In addition to Policy 5.10, applicants for subdivision within the Central UE Plan may be required by the respective subdivision authorities, in consultation with the ILC, to provide information or address any or all of the following prior to accepting the subdivision application as complete:

- (a) general terrain;
- (b) soil characteristics;
- (c) soils capability to provide drainage and absorb sewage effluent;
- (d) potential for flooding, erosion or slumping of the land;
- (e) stormwater/wetland management;
- (f) adequacy of the proposed building sites;
- (g) proposed public road access;
- (h) availability of a water supply that is adequate for drinking and for the intended use of the parcel(s);
- (i) proximity to existing utilities;
- (j) proposed means of buffering in relation to adjacent lands;
- (k) all existing and historic oil/gas facilities and measures to mitigate any associated impacts;
- (l) provision/availability of emergency services;
- (m) identification and form of environmental reserve and/or conservation easement pursuant to Policy 4.3;
- (n) how the configuration, dimensions, spacing and location of the proposed parcel(s) complies with or does not interfere with any element of the Conceptual Urban Layout;
- (o) how anticipated development within the proposed parcel(s) is to be sited to avoid interference with subdivision/development at urban densities; and,
- (p) any other matters the ILC consider necessary.

Policy 5.12 Similar to Policy 4.15, the requirements outlined in Policy 5.11 above may be required in the form of a conceptual scheme, prepared by a qualified person (e.g. Registered Professional Planner).

Decision Making Protocols and Procedures

Policy 5.13 The protocols and procedures that have been established for the ILC Technical and ILC Steering Committee, as amended from time to time, will be adhered in the administration and application of the Central UE Plan. Either the ILC Steering or Technical Committee may request more information in relation to any application or matter brought before it in order to render an informed decision or recommendation.

Policy 5.14 Further to Policies 5.10 and 5.12 above, the County and City shall consider requiring that all subdivision applications received within the Central UE Plan, or in certain areas of the Plan (e.g. UE designated lands), be referred to the ILC Steering and/or Technical Committee prior to being accepted by the respective subdivision authorities as a completed application.

Policy 5.15 The Dispute Resolution/Mediation Procedures contained under Section 5.5 of the IDP will be utilized to resolve conflicts that arise in relation to the administration, implementation and application of the Central UE Plan.

Discretion and Variance

No Plan can foresee every eventuality or possible situation. Thus, the careful exercise of discretion and variance represents an important tool in addressing the dynamics and circumstances of situations that arise while maintaining the integrity of the Central UE Plan.

Policy 5.16 The exercise of discretion and variance related to any matter or decision rendered with respect to the Central UE Plan shall be guided by the following principles:

- (a) The exercise of variance or discretion in deciding an application must be both reasonable and defensible within the letter and spirit of the Central UE Plan as well as widely accepted planning principles.

- (b) If a requirement or provision of this Plan is to be deviated from, it is essential that those exercising the discretion or deciding upon variance clearly understand the rationale behind the requirement or provision they are being asked to vary.
- (c) Discretion and variance shall only be considered if it can be demonstrated that the discretion or variance being considered will, at a minimum, not jeopardize the Central UE Plan's goals, objectives, Conceptual Urban Layout and policies and, at best, better serve them.
- (d) Any variance or discretion exercised shall be fully documented so that the reasons and rationale for the variance or discretion exercised are accurately recorded and clearly understood.

Central UE Area Structure Plan Land Use District

Any required amendments to the County's Land Use Bylaw to implement the Central UE Plan are to run in tandem with the adoption of the Plan. The IDP requires and, therefore, the Central UE Plan will assign a specifically tailored use district to the UE designated lands within the Plan area to facilitate Plan implementation.

Policy 5.17 The Central UE Plan shall be used in tandem with the provisions of the respective municipal land use bylaws in rendering decisions with respect to use, subdivision and development.

Policy 5.18 Further to IDP Policies 4.3 d), i) and p), the Central UE Plan will essentially form the basis of a specifically tailored land use district applicable to the UE designated lands on IDP Map A intended to achieve a seamless connection between the Central UE Plan and the County's LUB - a template "CUEASP - Central Urban Expansion Area Structure Plan District" for inclusion in the County's LUB is attached as Appendix A forming part of this Plan.

Policy 5.19 The following land uses are considered to be appropriate as **permitted** uses for the purposes of the **UE Limited Country Residential** designated lands within the Central UE Plan and Policy 5.18. These permitted uses also apply to the easterly 400 m of SW 28, NW 28, SW 33 and NW 33 south of Spruce Hill Road, all within 49-1-W4M: _

- (a) All uses and development lawfully in existence on parcels existing at the time this land use district was assigned and came into effect;
- (b) Agricultural operation;
- (c) Specialty agriculture;
- (d) Buildings and uses accessory to agricultural operations and specialty agriculture;

- (e) Single detached dwelling;
- (f) Modular home on a permanent foundation;
- (g) Modular home;
- (h) Manufactured home, single-wide;
- (i) Manufactured home, double-wide;
- (j) Accessory uses and buildings;
- (k) Public park and recreational area;
- (l) Public utility; and,
- (m) Public utility building.

Policy 5.20 The following land uses are considered to be appropriate as **discretionary** uses for the purposes of the **UE Limited Country Residential** designated lands within the Central UE Plan and Policy 5.18. These discretionary uses also apply to the easterly 400 m of SW 28, NW 28, SW 33 & NW 33 south of Spruce Hill Rd., all in 49-1-W4M:

- (a) Owner-operator heavy vehicle and equipment storage/parking;
- (b) Extensive recreation;
- (c) Intensive recreation;
- (d) Public use;
- (e) Bed and breakfast operation;
- (g) Home occupation; and,
- (h) Those uses which, in the opinion of the Subdivision or Development Authority, in consultation with the Intermunicipal Liaison Committee, are similar to the permitted or discretionary uses and do not compromise the Conceptual Urban Layout or the extension of urban or rural services within the area and/or can be readily absorbed into an urban development pattern and density

Policy 5.21 For land that has been subdivided under the **10% subdivision eligibility** provisions of the IDP and the Central Area UE ASP, the following land uses are considered to be appropriate as **permitted** uses for the purposes of the **UE Limited Country Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) All uses and development lawfully in existence on parcels existing at the time this land use district was assigned and came into effect;
- (b) Single detached dwelling;
- (c) Modular home on a permanent foundation;
- (d) Modular home;
- (e) Manufactured home, single-wide;
- (f) Manufactured home, double-wide;
- (g) Accessory uses and buildings;
- (h) Public utility; and,
- (i) Public utility building.

Policy 5.22 For land that has been subdivided under the **10% subdivision eligibility** provisions of the IDP and the Central Area UE ASP, the following land uses are considered to be appropriate as **discretionary** uses for the purposes of the **UE Limited Country Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) Bed and breakfast operation;
- (b) Home occupation; and,
- (c) Those uses which, in the opinion of the Subdivision or Development Authority, in consultation with the Intermunicipal Liaison Committee, are similar to the permitted or discretionary uses and do not compromise the Conceptual Urban Layout or the extension of urban or rural services within the area and/or can be readily absorbed into an urban development pattern and density.

Policy 5.23 The following land uses are considered to be appropriate as **permitted** uses for the purposes of the **UE Non-Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) All uses and development lawfully in existence on parcels existing at the time this land use district was assigned and came into effect;
- (b) Agricultural operation;
- (c) Specialty agriculture;
- (d) Buildings and uses accessory to agricultural operations and specialty agriculture;
- (e) Accessory uses and buildings;
- (f) Public utility; and,
- (g) Public utility building.

Policy 5.24 The following land uses are considered to be appropriate as **discretionary** uses for the purposes of the **UE Non-Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) Owner-operator heavy vehicle and equipment storage/parking;
- (b) Extensive recreation;
- (c) Intensive recreation;
- (d) Public use;
- (e) Bed and breakfast operation;
- (f) Home occupation; and,
- (g) Those uses which, in the opinion of the Subdivision or Development Authority, in consultation with the Intermunicipal Liaison Committee, are similar to the permitted or discretionary uses and do not compromise the Conceptual Urban Layout or the extension of urban or rural services within the area and/or can be readily absorbed into an urban development pattern and density.

Policy 5.25 For land that has been subdivided under the **10% subdivision eligibility** provisions of the IDP and the Central Area UE ASP, the following land uses are considered to be appropriate as **permitted** uses for the purposes of the **UE Non-Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) All uses and development lawfully in existence at the time this land use district was assigned and came into effect;
- (b) Agricultural operation;
- (c) Specialty agriculture;
- (d) Buildings and uses accessory to agricultural operations and specialty agriculture;
- (e) Public utility;
- (f) Public utility building;
- (g) Extensive recreation;
- (h) Automobile, truck and recreational vehicle sales/leasing, not including auto-wrecking or salvaging;
- (i) Recreation vehicle storage;
- (j) Commercial storage;
- (k) Veterinary service;
- (l) Agricultural supply and equipment sales;
- (m) Contractor service, minor;
- (n) Recycling drop-off; and,
- (o) Travel information centre.

Policy 5.26 For land that has been subdivided under the **10% subdivision eligibility** provisions of the IDP and the Central Area UE ASP, the following land uses are considered to be appropriate as **discretionary** uses for the purposes of the **UE Non-Residential** designated lands within the Central UE Plan and Policy 5.18:

- (a) Intensive recreation;
- (b) Accessory uses and buildings;
- (c) Contractor service, major;
- (d) Recycling depot;
- (e) Repair service establishment;
- (f) Second hand store;
- (g) Industrial office;
- (h) Agricultural service facility;
- (i) Natural resource service/storage operations, not including salvaging;
- (j) Sale/distribution of chemical and allied products, fertilizer or animal by-product;
- (k) Packaging or assembly of goods or materials, not including salvaging;
- (l) Warehousing, storage, receiving or distributing facilities;
- (m) Grain elevator; and,

- (n) Those uses which, in the opinion of the Subdivision or Development Authority, in consultation with the Intermunicipal Liaison Committee, are similar to the permitted or discretionary uses and do not compromise the Conceptual Urban Layout or the extension of urban or rural services within the area and/or can be readily absorbed into an urban development pattern and density.

Policy 5.27

In the absence of more site-specific requirements contained in a conceptual scheme pursuant to Policies 4.15 or 5.12, and in addition to those required in accordance Policy 4.12, the following minimum site and development provisions shall apply in the case of **UE Limited Country Residential** designated lands within the Central UE Plan and for the purposes of Policy 5.18:

- (a) Minimum site area - for the purposes of Policies 5.21 and 5.22, the minimum site area shall be in accordance with Policy 4.3 h) of the IDP. Minimum site area for all other uses and developments shall be at the discretion of the Development Authority who shall consider the provisions of this Policy.
- (b) Minimum front yard - the minimum front yard distance shall be 10.7 m from the front yard property line adjacent to an internal subdivision road and 30.0 m from the property line adjoining any other road.
- (c) Minimum side yard - the minimum side yard distance shall be 10% of parcel width to a maximum of 15.0 m, except where the side yard is adjacent to an internal subdivision road in which case it will be a minimum of 10.7 m and a minimum of 30.0 m from any other road.
- (d) Minimum rear yard - 7.6 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 30.0 m.
- (e) Maximum building height - The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:
 - i) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.

- ii) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
 - iii) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of fire fighting equipment and personnel.
- (f) For the purposes of Policies 5.20(a), the following provisions shall apply:
- i) no heavy vehicles or equipment shall be stored or parked on-site other than those owned and operated by the resident landowner including any family members of the resident landowner also resident on-site.
 - ii) all heavy vehicles or equipment stored/parked on-site shall be stored-parked outside and in a neat and orderly fashion.
 - iii) the development authority, at their discretion and to their satisfaction, may require that an area used for the outside storage/parking of heavy vehicles and equipment be screened from view.
- (g) Design, Character and Appearance of Buildings - the design, siting, external finish, architectural appearance and landscaping generally, of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent buildings, and adequate protection afforded to the amenities of adjacent properties. As a condition of a development permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.
- (h) For the purposes of Policies 5.19 and 5.21, and in accordance with the County's Land Use Bylaw, no more than one dwelling shall be allowed per lot.
- (i) For the purposes of Policies 5.21 and 5.22, and in accordance with the County's Land Use Bylaw, no fur-bearing animals, fowl
- (j) The minimum site area for the easterly 400 m of SW 28, NW 28, SW 33 & NW 33 south of Spruce Hill Rd., all in 49-1-W4M, is equal to the area of these properties as of the adoption of the Central UE Plan since these lands cannot be subdivided pursuant to IDP Policy 4.3 c).

Policy 5.28

In the absence of more site-specific requirements contained in a conceptual scheme pursuant to Policies 4.15 or 5.12, and in addition to those required in accordance Policy 4.12, the following minimum site and development provisions shall apply in the case of **UE Non-Residential** designated lands within the Central UE Plan and for the purposes of Policy 5.18:

- (a) Minimum site area - the minimum site area shall be as determined by the Subdivision or Development Authority, as the case may be, who shall consider Policy 4.12 of this Plan (with specific reference to Policy 4.3 o) of the IDP) as well as the remaining provisions of this Policy.
- (b) Minimum front yard - the minimum front yard distance shall be 15.0 m from the front yard property line adjacent to an internal subdivision road and 41.0 m from the property line adjoining any other road.
- (c) Minimum side yard - the minimum side yard distance shall be 6.0 m except for a corner parcel where the side yard requirement shall be at least 15.0 m for a side yard bounded by an internal road and 41.0 m bounded by any other road.
- (d) Minimum rear yard - 7.6 m, except where the rear yard is adjacent to a road other than an internal subdivision road in which case the minimum distance shall be 41.0 m.
- (e) Maximum building height - The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:
 - i) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.
 - ii) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
 - iii) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of fire fighting equipment and personnel.

- (f) For the purposes of Policies 5.24(a), the following provisions shall apply:
 - i) no heavy vehicles or equipment shall be stored or parked on-site other than those owned and operated by the resident landowner including any family members of the resident landowner also resident on-site.
 - ii) all heavy vehicles or equipment stored/parked on-site shall be stored-parked outside and in a neat and orderly fashion.
 - iii) the development authority, at their discretion and to their satisfaction, may require that an area used for the outside storage/parking of heavy vehicles and equipment be screened from view.
- (g) Design, Character and Appearance of Buildings - the design, siting, external finish, architectural appearance and landscaping generally, of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent buildings, and adequate protection afforded to the amenities of adjacent properties. As a condition of a development permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.
- (h) Uses/Subdivision/Development Involving Explosives or Radioactive Material - if an application involves explosives or radioactive material in any way, the Development or Subdivision Authority shall, based on the circumstances of the application and, at their discretion, in consultation with the ILC, either grant their approval subject to the applicant complying with all applicable provincial and federal as well as any other municipal regulations related to explosives or radioactive material (and submitting proof of same, as specified by the Development or Subdivision Authority, that they have complied), or withhold their approval until such time as the applicant demonstrates, to their satisfaction, compliance with all applicable provincial and federal as well as any other municipal regulations related to explosives or radioactive material.
- (i) No activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the use, enjoyment or value of neighbouring properties by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.

- (j) To determine if the subject land is suitable for and can physically support/sustain the proposed use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The Development Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.
- (k) To the level of detail determined by the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed use, subdivision and/or development, including intended hours of operation, so that their applications can be thoroughly evaluated in accordance with this land use district.
- (l) In support of an application within this land use district, the Development Authority may undertake, or require that the applicant undertake in a manner satisfactory to them, a polling of the adjacent properties to assist in the comprehensive evaluation of the application.
- (m) Upon receipt of a completed application, the Development Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed building or other improvement (e.g. sewage disposal system, water well, etc.) that is the subject of the application.
- (n) The Development Authority may:
 - i) as a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County;
 - ii) as a condition of approval, require financial guarantees, in a form and an amount acceptable to the County, from the applicant to secure performance of any of the conditions of the approval;
 - iii) revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, disposal of sewage and road access, or any of them; and/or,

- iv) revoke an approval in the case where an applicant fails to provide satisfactory proof that all applicable provincial and federal as well as any other municipal regulations related to explosives or radioactive material have been complied with.
- (o) In the case of new construction, the Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer upon completion of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit, Policy 5.28 and any other relevant provisions of the Bylaw.
- (p) The Development Authority may stipulate the times of the day or week during which an approved use or development may operate as well as the length of time its approval remains in effect.
- (q) As a condition of approval, the Development Authority may require that an approved use or development be screened from public thoroughfares and adjacent residential uses by a solid wall, fence or other means in a manner and to a height satisfactory to them.
- (r) The Development Authority may issue a temporary development permit where the Development Authority is of the opinion that the proposed use is of a temporary nature.
- (s) If at any time, in the opinion of Development Authority, any of the provisions of this Policy have not been complied with, the Development Authority may utilize the enforcement mechanisms available under the Municipal Government Act.

Statutory Plan Consistency

Section 638 of the MGA requires that all statutory plans be consistent with each other.

Policy 5.29 It is intended that the Central UE Plan, its concepts and policies are used in concert with and serve to refine the relevant provisions of the IDP and the respective municipal development plans of the County and City. Any amendments to the respective municipal development plans

required as a result of the adoption of the Central UE Plan will be undertaken by the respective municipalities.

Amending/Reviewing the Central UE Plan

Amendments to the Central UE Plan might be required over its lifespan given the dynamics and circumstances of situations that may arise. Once again, in considering an amendment, it is important to maintain the integrity of the Central UE Plan.

Policy 5.30 Amending the Central UE Plan shall be guided by the following principles:

- (a) The amendment must be both reasonable and defensible within the letter and spirit of the Central UE Plan as well as widely accepted planning principles.
- (b) If a requirement or provision of this Plan is to be amended, it is essential that the rationale behind the original requirement or provision is clearly understood.
- (c) Amendments to the Central UE Plan shall only be considered if it can be demonstrated that the discretion or variance being considered will, at a minimum, not jeopardize the Central UE Plan's goals, objectives, Conceptual Urban Layout and policies and, at best, better serve them.

Policy 5.31 Should a decision require or amount to a major deviation from or relaxation/variation of the provisions of the Central UE Plan, an amendment to this Plan shall be required. Decisions that would result in or amount to a minor deviation from or relaxation/variation of the provisions of this Plan may be considered without an amendment to this Plan, pursuant to Policy 5.16, where the owner/developer can demonstrate to the satisfaction of the County or City that the deviation, relaxation or variation does not substantively alter the intent, force or effect of the provisions of this Plan.

Policy 5.32 Should repeated applications to amend the Central UE Plan be made, the County and City may jointly undertake an overall review of this Plan instead of continuing to entertain individual, isolated amendment applications so that the implications of the revisions to this Plan can be considered and evaluated, at a minimum, in the context of the entire Plan area and, if warranted, beyond this Plan area.

Policy 5.33 The ILC will monitor the Central UE Plan on an on-going basis which may result in the County and City considering a review of the Plan within five years (by 2012).

SECTION 6.3.13-1.A. CUEASP-CENTRAL URBAN EXPANSION AREA STRUCTURE PLAN DISTRICT

(1) General Purpose of District

This land use district is intended specifically to provide for land use(s), subdivision(s) and development(s) in accordance with and as specified in the Central Urban Expansion Area Structure Plan, being Bylaw No. 07-28, and any amendments thereto.

Section 6.3.13-1.A., in tandem with the statutory plan(s) on which it is based, provides the ways and means necessary to ensure that the future use, subdivision and development of the subject lands occurs in a planned manner and that the processing of subsequent subdivision and development permit applications can be carried out with efficiency and clarity.

(2) Definitions

For the purposes of this land use district, and notwithstanding any provisions to the contrary elsewhere in the County's Land Use Bylaw, the following definitions shall apply:

"AGRICULTURAL OPERATION " - means an agricultural operation as defined in the Agricultural Operation Practices Act;

"AGRICULTURAL SERVICE FACILITY" - means a use which provides non-industrial, agriculturally oriented services to the rural community. Without restricting the generality of the foregoing, this shall include the retailing, servicing and/or repairing of agricultural implements and goods such as farm machinery, grain elevators and fertilizer but does not involve salvaging;

"CAMGROUND" - means a development for the purpose of providing short term accommodation for recreational vehicles or tents. A campground is not to be construed as development for the purpose of accommodating long term or permanent occupancy. Related facilities that are accessory to and support the campground, such as an administrative office, laundromat, picnic area and playground may be included on-site.

"COMMERCIAL STORAGE" - means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature. This use does not include outdoor storage;

“CONFINED FEEDING OPERATION” – means a confined feeding operation as defined in the Agricultural Operation Practices Act;

“CONTRACTOR SERVICE, MAJOR” - means premises used for the provision of building and road construction services including landscaping, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a construction nature which require on-site storage and warehouse space but does not involve salvaging. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor services use only;

“CONTRACTOR SERVICE, MINOR” - means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities, no salvaging or fleet storage of more than four vehicles;

"DWELLING UNIT" - means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms. A dwelling unit does not include more than one room which, due to its design, plumbing, equipment, and furnishings, may be used as a kitchen. This use does not include a recreation vehicle or a room in a hotel or a motel;

"EXTENSIVE RECREATION" - means uses which locate in the rural area to take advantage of natural physical features and to provide for non-facility oriented recreational activities such as trail riding, snowmobiling, hiking, skiing, rustic camping and similar uses;

"INTENSIVE RECREATION" - means facility-oriented recreational land uses. Without restricting the generality of the foregoing, this shall include serviced campgrounds, picnic grounds, lodges, parks, riding stables, archery and golf courses;

"LIVESTOCK" - means cattle, swine, poultry, sheep, goats, horses, wild game and similar animals raised for commercial purposes;

“MANUFACTURED HOME” - means a transportable, single or multiple section single detached dwelling unit conforming to CAN/CSA Z240 MH Series certified standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions;

"MANUFACTURED HOME, DOUBLE-WIDE" - means a building that is manufactured in two parts with each of the two parts being moved from one point to another individually and put together on parcel to form a single unit and which provides completely self-contained, year-round residential accommodation. A double-wide manufactured home, which may or may not be equipped with wheels for transport, may be located on a site by placing it on its wheels, if so equipped, or on blocks, jacks, or some other temporary or permanent foundation permissible under the Canadian Standards Association publication "Z240.10.1-94 Site Preparation, Foundation and Anchorage of Mobile Homes". The steel underframe or chassis, which is fastened perpendicularly to the floor joists of the double-wide manufactured home, is required for structural support and is therefore an integral and permanent part of the double-wide manufactured home. As such, once the siting of the double-wide manufactured home is completed, the steel underframe or chassis, that may have been in place and used for transport to the site, cannot be removed. A double-wide manufactured home herein defined does not include, as defined elsewhere in this Bylaw, a single detached dwelling, modular home, modular home on a perimeter foundation, single-wide manufactured home, a holiday trailer or recreational vehicle;

"MANUFACTURED HOME, SINGLE-WIDE" - means a building that is manufactured to be moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation. A single-wide manufactured home, which may or may not be equipped with wheels for transport, may be located on a site by placing it on its wheels, if so equipped, or on blocks, jacks, or some other temporary or permanent foundation permissible under the Canadian Standards Association publication "Z240.10.1-94 Site Preparation, Foundation and Anchorage of Mobile Homes". The steel underframe or chassis, which is fastened perpendicularly to the floor joists of the single-wide manufactured home, is required for structural support and is therefore an integral and permanent part of the single-wide manufactured home. As such, once the siting of the single-wide manufactured home is completed, the steel underframe or chassis, that may have been in place and used for transport to the site, cannot be removed. A single-wide manufactured home herein defined does not include, as elsewhere defined in this Bylaw, a single detached dwelling, modular home, modular home on a perimeter foundation, double-wide manufactured home, a holiday trailer or recreational vehicle;

"MODULAR HOME" - means a residential building which is prefabricated or factory built with load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the parcel in sections, which may be stacked side-by-side or vertically. The modular home, which may or may not be equipped with running gear and wheels and/or a steel underframe or chassis for transporting the modular home sections to the site, may be located on a site by placing it on its wheels, if so equipped, or on blocks, jacks, or some other temporary or permanent foundation permissible under the Canadian Standards Association

publication “Z240.10.1-94 Site Preparation, Foundation and Anchorage of Mobile Homes”. A modular home herein defined does not include, as defined elsewhere in this Bylaw, a single detached dwelling, modular home on a perimeter foundation, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

"MODULAR HOME ON A PERIMETER FOUNDATION" - means a dwelling which is prefabricated or factory built, with eaves a minimum of 30.4 cm (12.0 in) deep and load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the parcel in sections, which may be stacked side-by-side or vertically. The modular home must be placed on a perimeter foundation and the running gear and wheels and/or a steel underframe or chassis that may have been in place and used to transport the modular home sections to the site must be removed. The resulting modular home must have a ratio of width vs. depth (or depth vs. width) of less than 3:1. A modular home on a perimeter foundation herein defined does not include, as defined elsewhere in this Bylaw, a single detached dwelling, modular home, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

"OUTDOOR STORAGE" - means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be place outside of a building but does not involve salvaging. Typical uses include but are not limited to pipe yards or vehicle or heavy equipment storage compounds.

"OWNER-OPERATOR HEAVY VEHICLE AND EQUIPMENT STORAGE/PARKING" - means the outdoor on-site storage/parking of heavy vehicles (e.g. tractor-trailer unit, flatbed, grain truck, tanker, and so forth) and equipment (e.g. back/track hoe, grader, earth-moving equipment, and so forth) owned and operated by a resident landowner including any family members of the resident landowner also resident on-site.

"RECREATION VEHICLE STORAGE" - means the use of a building and/or site primarily for the storage of vehicles such as travel trailers, motorhomes, slide-in campers, chassis-mounted campers and tent trailers but does not include manufactured homes;

"RECYCLING DEPOT" - means development used for the buying, collection, sorting, and temporary storage of bottles, cans, beverage containers and similar household goods for reuse where all storage is contained within an enclosed building. This does not include recycling drop-off centres;

“RECYCLING DROP-OFF” - means a development used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, newspapers, plastics, paper, metal and similar household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. This does not include recycling depots;

"REPAIR SERVICE ESTABLISHMENT" - means a development used primarily for the repair, refinishing or reconditioning of consumer goods such as, but not limited to, electronic equipment, office equipment, household appliances, clothing and footwear, bicycles, etc. The repaired, refinished or reconditioned consumer goods, as referred to above, may be sold on the premises but the retail sales component must be clearly secondary to the primary use. Automobiles or any other motorized vehicles such as, but not limited to, trucks, recreational vehicles or buses are not included in the definition of consumer goods described above;

"SCREENING" - means, without restricting the generality of the following, a row of trees, shrubs, earth berm or fencing that provides visual screening and separation and/or noise attenuation between parcels and/or between parcels and roadways. The term buffer has the same meaning;

“SINGLE DETACHED DWELLING” - means a dwelling intended for occupancy by one household which is constructed upon on a permanent foundation and/or basement but does not include, as elsewhere defined in this Bylaw, a modular home, modular home on a perimeter foundation or a single or double-wide manufactured home of any kind whether standing on wheels or supported by blocks, jacks or any other temporary or permanent foundation;

"SECOND HAND STORE" - means a retail store whose merchandise may include previously owned goods offered for sale or for sale on a consignment basis to the general public. This use includes antique stores;

"SPECIALTY AGRICULTURE" - means a commercial agricultural operation, other than a confined feeding operation, which requires smaller tracts of land due to the intensive nature of the operation. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, mushroom farms, market gardens and apiaries;

"WAREHOUSE" - means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes; and,

“VETERINARY SERVICE” - means development used for the care and treatment of animals where the service primarily involves in-patient care and major medical procedures involving hospitalization for periods of time. This use includes animal hospitals, animal shelters, and animal crematoriums.

(3) Uses

As prescribed in accordance with Section 6.3.13-1.A.(1) above.

(4) Application Provisions

As prescribed in accordance with Section 6.3.13-1.A.(1) above.

(5) Subdivision, Site and Development Provisions

As prescribed in accordance with Section 6.3.13-1.A.(1) above.

(6) All Other Provisions

Unless contrary to any provisions of this land use district or the Central Urban Expansion Area Structure Plan to which this district is tied, or if this land use district or the Central Urban Expansion Area Structure Plan to which this district is tied already specifies provisions, in which case, this land use district and the Central Urban Expansion Area Structure Plan to which this district is tied shall prevail, all other provisions in the Land Use Bylaw shall apply.