

Title: AREA STRUCTURE PLANS

Date Approved: August 19, 2009

Date Last Reviewed: August 19, 2008

Date Next Review: August, 2010

Resolution Number:

Administrative Responsibility: Planning & Development Officer

PURPOSE: The purpose of this Policy is to ensure that Council's land use policies, as outlined in the Town's Strategic Plan (Vision 2020) and the Municipal Development Plan, are implemented in Area Structure Plans and Area Structure Plan amendments adopted by Council.

STATEMENT: The Council of the Town recognizes that Area Structure Plans are an important part of the planning process that provides a framework for the subsequent subdivision and development of land. This occurs in the Industrial Policy Area and the Residential Policy Area, as required. All Area Structure Plans must conform to the following guidelines to be deemed complete and to be considered for adoption by the Town of Bruderheim's Council.

DEFINITIONS

Area Concept Plan (ACP) means a statutory plan adopted by Council by bylaw to provide a framework for subsequent subdivision and development of several quarter sections of land.

Area Structure Plan (ASP) means a statutory plan adopted by Council by bylaw to provide a framework for subsequent subdivision and development of a quarter section of land or similar sized parcel.

Land Use Bylaw (LUB) means a bylaw adopted by Council to prohibit or regulate and control the use and development of land and buildings in a municipality.

Municipal Development Plan (MDP) means a statutory document adopted by Council by bylaw to establish land use planning policies for the Town of Bruderheim.

Design Report means a report prepared and stamped by a professional engineer to show how municipal services can be provided on-site to an undeveloped area of land, while also addressing impacts on adjacent lands and downstream users. The purpose of the report is to identify servicing opportunities and constraints, and the mitigations or solution proposed to deal with the constraints and other problems. A Design Report is required primarily at the Area Structure Plan stage.

Design Brief means a report prepared and stamped by a professional engineer to show how municipal services can be provided on-site to an undeveloped area of land, while also addressing impacts on adjacent lands and downstream users. The purpose of the report is to identify servicing opportunities and constraints, and the mitigations or solution proposed to deal with the constraints and other problems. A Design Brief is required primarily at the redistricting and subdivision stage to re-affirm the findings of a Design Report previously approved at the Area Structure Plan stage.

GUIDELINES

1. Scope

Area Structure Plans must conform to the requirements of the Municipal Government Act in describing:

- a. the sequence of development proposed for the area,
- b. the land uses proposed for the area, either generally or with respect to specific parts of the area,
- c. the density of population proposed for the area either generally or with respect to specific parts of the area, and
- d. the general location of major transportation routes and public utilities.

Area Structure Plans must conform to Town of Bruderheim requirements in addressing:

- a. The manner in which the proposed Plan meets the goals of the Town's Strategic Plan;
- b. The manner in which the proposed Plan conforms to the sustainability principles of the Municipal Development Plan;
- c. The manner in which the proposed Plan conforms to other sustainability principles measures or practices; and
- d. The manner in which the proposed Plan conforms to the policies of the Municipal Development Plan.

The lands that are the subject of an Area Structure Plan or amendment may be subject to other federal and provincial statutes and regulations. It is the responsibility of the developer to ensure that a development proposal complies with federal and provincial requirements.

2. When an Area Structure Plan is required

An Area Structure Plan shall be required in the following situations:

- a. Residential Policy Area: Where land proposed for redistricting or subdivision is within the Residential Policy Area of the MDP, an Area Structure Plan is required when:
 - i. the future layout of land uses has not been identified;
 - ii. a proposed subdivision or development will occur in two or more phases;
 - iii. the proposed subdivision or development area is 8 hectares (20 acres) or more in size; or,
 - iv. there is a need to coordinate with the subdivision and development planning of adjoining lands.
- b. Industrial Policy Area: Where land being proposed for redistricting or subdivision is within the Industrial Policy Area of the MDP, an Area Structure Plan is required when:
 - i. the future layout of land uses has not been identified;
 - ii. a proposed subdivision or development will occur in two or more phases;
 - iii. the proposed subdivision or development area is 8 hectares (20 acres) or more in size.

- c. For parcels of land generally within a range of 80 acres in size up to a full quarter section of land or more.

3. Exemptions

- a. An Area Structure Plan is not required for / when:
 - i. the policies of an adopted Area Concept Plan do not require a further Area Structure Plan;
 - ii. an Area Structure Plan or Conceptual Scheme is already in place and the proposed development is consistent with the Area Structure Plan or Conceptual Scheme;
 - iii. a natural subdivision or severed parcel, as defined by the MDP and the LUB;
 - iv. only one additional lot is created; or
 - v. the proposed subdivision would result in 10 residential lots or less, including the remnant, on the quarter section, and a Conceptual Scheme is required or has been adopted by Council.
- b. Where Council feels that that the unique or special characteristics of a parcel(s) of land do not match the above requirements, Council may waive the requirement for an area structure plan. Council must waive the requirement by motion and provide reasons to support the decision to waive the requirement.

4. Amendments

Area Structure Plan amendments to change Plan policies related but not limited to land use, land use areas, development sequencing, population densities, road networks, park and open space dedications, and provision of utilities are deemed to be major amendments.

An amendment may be deemed to be minor in nature at the discretion of the Chief Administrative Officer. A minor amendment must be for technical wording and/or mapping changes that do not change the development concept, the intent, or the policies of the Area Structure Plan.

5. Public Input

Proposed Area Structure Plans and major amendments are subject to Public Information Program requirements. Public Information Program requirements must be completed before Administration will submit the proposed Plan or amendment to Council for consideration.

Minor amendments are exempt from Public Information Program requirements.

6. Council Process and Approval

A proposed Area Structure Plan or amendment must be submitted to Council to consider proceeding to a public hearing, and to initiate advertising and public notification.

The Municipal Government Act requires Council to hold a public hearing on a proposed Area Structure Plan or amendment before proceeding with second reading of the bylaw to adopt the Area Structure Plan or amendment.

After the public hearing, Council may:

- a. Give three readings to a Bylaw to adopt the proposed Plan or amendment;
- b. Defeat the Bylaw to adopt the proposed Plan or amendment at first reading;
- c. Revise or amend the proposed Plan or amendment before giving three readings to the Bylaw, as amended; or
- d. Refer the proposed Plan or amendment back to Administration for further review and/or to consider comments and concerns presented at the public hearing.

7. Re-Application

When a Bylaw to adopt an Area Structure Plan or amendment has been defeated by Council, another application for the same or substantially the same Area Structure Plan or amendment shall not be considered within one year of the date on which the Bylaw was defeated.

If a Bylaw to adopt an Area Structure Plan or amendment has been defeated by Council, the applicant has the opportunity to address the reasons for which the Bylaw was defeated. If the applicant addresses and resolves the issues that were of concern to Council and/or the public to the satisfaction of Administration, and a new Area Structure Plan or amendment application would be substantially different from the original application, the new application may be considered by Council within one year of the date on which the original Bylaw was defeated.

8. Roles and Responsibilities

- a. The Planning & Development Officer is responsible for:
 - i. Processing of applications;
 - ii. Providing comment on the proposal from the perspective of the Town's Strategic Plan, Municipal Development Plan, and Land Use Bylaw.
 - iii. Referring applications to internal departments and external agencies;
 - iv. Receiving and summarizing comments;
 - v. Facilitating meetings between applicants and members of Administration, as required, to resolve issues;
 - vi. Preparing reports and recommendations for Council consideration.
- b. The Town's Engineering Consultant is responsible for:
 - i. Reviewing Design Briefs or Reports submitted with applications for conformity with the Town's Engineering Servicing Standards and other related standards documents, as adopted by Council from time to time.
 - ii. Providing written comment on engineering issues related to the application to the Planning & Development Officer; and
 - iii. Meeting with the Planning & Development Officer and the applicant(s), as required, to resolve engineering issues related to applications.
- c. The applicant is responsible for:
 - i. Ensuring their application contains all of the above mentioned components;
 - ii. The implementation of the PIP program as outlined in Schedule "A";
 - iii. Payment of all applicable application and notification fees.