

# MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 1723



## SCHEDULE A

Prepared by the



*OLDMAN RIVER REGIONAL SERVICES COMMISSION*

**January 2004**

**Consolidated to Bylaw No. 1980, September 2021**

**MUNICIPAL DISTRICT OF TABER**

**BYLAW NO. 1723**

**BEING a bylaw of the Municipal District of Taber in the Province of Alberta, for the purpose of adopting Bylaw No. 1723 being the Municipal Development Plan.**

WHEREAS the Council of the Municipal District of Taber has reviewed its current municipal development plan due to its age and amendments to the Municipal Government Act, RSA 2000, Chapter M-26 and the Agricultural Operations Practices Act regarding confined feeding operations;

AND WHEREAS the purpose of proposed Bylaw No. 1723 is to provide policies to guide the long-term direction of growth for the municipality;

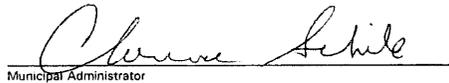
AND WHEREAS the municipality wishes to provide for orderly growth and development to occur while minimizing land use conflicts;

AND WHEREAS the municipality must adopt a municipal development plan pursuant to section 632 of the Municipal Government Act, RSA 2000, Chapter M-26 and provide for its consideration at a public hearing;

NOW THEREFORE under the authority and subject to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, the Council of the Municipal District of Taber duly assembled does hereby adopt Bylaw No. 1723 being the Municipal Development Plan. (General Municipal Plan Bylaw No. 1685 is hereby repealed upon the passage of the third and final reading of Bylaw No. 1723.)

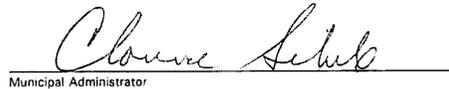
Read a first time this 10<sup>th</sup> day of June, 2003.

  
Reeve

  
Municipal Administrator

Read a second time this 12<sup>th</sup> day of August, 2003.

  
Reeve

  
Municipal Administrator

Read a third time and finally PASSED as amended this 13<sup>th</sup> day of January, 2004.

  
Reeve

  
Municipal Administrator

**Municipal District of Taber**  
**Municipal Development Plan Bylaw No. 1723 – Amendments**

<b>Bylaw No.</b>	<b>Amendment Description</b>	<b>Legal Description</b>	<b>Passed</b>
1758	Text changes regarding the keeping of animals		7-Nov-2006
1817	Text amendments to enhance and clarify the General Land Use policies addressing minimum requirements for Area Structure Plans and include provisions in the Development Criteria policies addressing development agreements		12-Oct-2010
1821	Text amendments to include policies addressing consideration of the adequacy of sewage disposal systems with respect to subdivision		12-Apr-2011
1856	Text amendments to update the definitions for rural industrial class A and rural industrial class B, add a rural industrial class C definition and add rural industrial class C to subdivision policy 5.6.22		10-Sep-2013
1951	Various text amendments to provide additional policy direction with respect to provincial land use strategies of the South Saskatchewan Regional Plan specific to efficient use of land and community development, as required in accordance with the <i>Alberta Land Stewardship Act</i>		13-Aug-2019
1980	Various amendments for consistency with adopted Intermunicipal Development Plans. Amend Map 2 – Confined Feeding Operations – to include additional lands as Confined Feeding Operations (CFO) Restricted Area for consistency with IDP Bylaw No. 1938 with Lethbridge County	NW 30-9-18 W4M SW 30-9-18 W4M	28-Sept-2021

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**MUNICIPAL DISTRICT OF TABER**  
**MUNICIPAL DEVELOPMENT PLAN**  
**BYLAW NO. 1723**

**1. INTRODUCTION**

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**1.1 PURPOSE OF THE PLAN**

Managing growth and development will become more important in the future as the competition for land increases. Different and often conflicting uses will continue to use the limited land supply. Council, through the municipal development plan and other decision-making processes, are charged with the balancing of various interests. This plan outlines Council's policies for deciding on land use and land use related issues.

The municipal development plan also serves to focus public attention on planning issues in the community. Through an active public participation process, opinions can be incorporated into the formal planning document.

A municipal development plan is intended to provide a guide for the municipality into the future. It is to provide policy in a broad area of issues. Some major areas of discussion include:

- subdivision approval criteria,
- future land uses,
- coordination of infrastructure,
- general transportation issues,
- process related to sour gas facilities,
- municipal reserve distribution,
- areas for further study and analysis,
- intermunicipal issues.

The role of municipal development plans has been broadened, in this case, to include the financial aspects and impacts of the plan policies adopted.

A municipal development plan is intended to be a flexible document and requires maintaining review and revision to remain current reflecting the needs of the community and Council.

**1.2 LEGISLATIVE REQUIREMENTS**

Plan preparation is conducted under the requirements of the Municipal Government Act, which has both specific requirements and also allows for a broad series of considerations. In particular, section 632 outlines the expected content of a plan, and section 692 outlines public involvement in the plan preparation. These sections of the Act are reproduced in Appendix A and give the M.D. Council authority to pass this plan.

### **1.3 PUBLIC PARTICIPATION**

In order to allow for public participation and to meet the requirements of the Municipal Government Act, the M.D. undertook the following steps:

- published notice that plan preparation had commenced and to contact various people with concerns and ideas to be investigated,
- published background summary and preliminary recommendations,
- held an open house to discuss preliminary recommendations,
- published revised report summary,
- conducted formal public hearing.

### **1.4 MUNICIPAL DISTRICT STRATEGIC DIRECTION**

This plan recognizes that growth and development in the future will depend on the M.D. land base. Even the industrial development experienced is largely agriculturally oriented and, therefore, land related. An overall strategic direction for the M.D. is to protect the agricultural land base and within its authority to create the conditions for farm operators to continue to produce unencumbered by non-agricultural uses.

It is in the best interest to make decisions in such a way as to protect prime agricultural land so it will continue to provide the economic drive into the long-term future. Together with protecting the land, it is also important to encourage sustainable agricultural practices.

### **1.5 MISSION STATEMENT**

The Municipal District of Taber will endeavour to exercise its municipal planning responsibilities in such a way as to balance the needs of its residents, businesses, agricultural-based family businesses including present and future investors having regard for:

- individual rights including the right to farm,
- environmental protection,
- agricultural enhancement and protection,
- sustainable business practices,
- quality of life considerations.

### **1.6 MUNICIPAL DEVELOPMENT PLAN GOALS**

In pursuit of the implementation of the various policies of this plan, Council intends to accomplish the following:

- (a) to support agricultural pursuits and encourage a wider-based agricultural industry;
- (b) to continue the understanding that agriculture is a land-based industry and that the protection of good quality land is of paramount importance;
- (c) to promote intermunicipal cooperation;
- (d) to direct, where possible, non-agricultural uses to the various hamlets in the M.D.;
- (e) to provide opportunities for the creation of a variety of housing types and locations while limiting potential conflicts with agriculture;
- (f) to recognize and protect the historic environmental and natural features of the M.D.

## 2. DEFINITIONS

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**Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and subsequent amendments.

**Agricultural land** means rural land having a Canada Land Inventory (CLI) soil classification of 1 to 6 for agricultural use.

**Agricultural land, high quality** means existing titles or proposed parcels of rural land having:

- (a) a CLI soil classification of numbers 1 through 4 inclusive (excluding 10-acre cut-offs and fragmented areas as defined) which are capable of producing crops and/or livestock by extensive farm cultivation or open grazing methods;
- (b) a CLI soil classification of number 5 or 6 (excluding 20-acre cut-offs and fragmented areas as defined) which have a minimum carrying capacity of 1 animal unit per 40 acres for open grazing purposes.

**Agricultural land, poor** means existing titles or proposed parcels of rural land which, in spite of their better soil classifications or carrying capacities, have been determined by the municipality to have a low productive capability for agriculture as:

- (a) cut-off areas (as defined) containing less than 10 acres (CLI 1 to 4) or 40 acres (CLI 5 and 6) land that cannot be logically and economically farmed or grazed separately or as part of a larger, nearby extensive operation; or
- (b) areas comprised of 40-acre or smaller lots so badly fragmented by use or ownership that the land cannot be logically used for extensive agricultural purposes; or
- (c) developed portions of abandoned or operational farmsteads that cannot be economically rehabilitated and returned to extensive agricultural use.

**Agriculture, extensive** means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 160 acres on dryland or 80 acres on irrigated land.

**Area structure plan** means a framework adopted by bylaw in accordance with the Municipal Government Act for the subdivision and development of an area of land which describes the sequence of development, land uses proposed, population density, location of major transportation routes and public utilities and other matters Council considers necessary.

**Commercial** means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises. Any on-premises manufacturing, processing or refining of materials shall be incidental to the sales operation.

**Confined feeding operation** as defined in the Agricultural Operation Practices Act.

**Dryland** means an existing title or proposed parcel which has no acreage classified by an irrigation district as “to be irrigated”.

**Environmentally significant areas** means a public park, designated historic or archaeological site, environmentally sensitive area, forest reserve or any similar facility, regardless of ownership and may be illustrated in the report, “Environmentally Significant Areas in the Oldman River Region – Municipal District of Taber” prepared by Cottonwood Consultants Ltd. for Alberta

Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

**Farmstead** means the ancillary part of an agricultural parcel developed with dwellings, buildings, structures, shelterbelts, dugouts, storage areas for farm equipment, produce and fertilizer, etc. necessary to the extensive cultivation and/or grazing use of the major portion of the title or parcel of land.

**Industrial** means the use of land and/or buildings for the purpose of manufacturing, processing, refining, storing, and/or distributing materials or products for sale or application elsewhere. Any on-premises sales shall be incidental to the operation of the industry except where permitted otherwise under a Rural Industrial Class C use which permits on-premises sales as a principal use, such as equipment, machinery and vehicles sales, rental and service.

**Intensive horticultural use** means any relatively small parcels of land and/or buildings which are employed for the commercial production and sales (on or off site) of specialty crops grown by high yield and density techniques. Examples include, but are not necessarily limited to: greenhouses, nurseries, hydroponic or market gardens, mushroom or tree farms.

**Irrigated land** means an existing title or proposed parcel that has some acreage classified by an irrigation district as “to be irrigated”.

**Lot** means:

- (a) a quarter section, or
- (b) a river lot or settlement lot shown on an official plan that is filed or lodged in a land titles office, or
- (c) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

**Parcel** means the aggregate of the one or more areas of land described in a certificate of title, or described in a certificate of title by reference to a plan filed or registered in a land titles office.

**Parcel, cut-off** means a fragmented portion of a parcel of land or lot that is separated from the major part of a parcel or lot by:

- (a) a permanent irrigation canal as defined by the irrigation district;
- (b) a permanent waterbody normally containing water throughout the year;
- (c) a railway;
- (d) a graded public roadway or highway;
- (e) an embankment or other significant physical feature which, by virtue of size, shape, location, soil quality, accessibility or combination thereof, is impractical to farm or graze, either independently or as part of a larger operation included with nearby land.

**Public/institutional** means public or quasi-public uses, areas or facilities such as, but not necessarily limited to: churches, schools, community halls, cemeteries, weigh scales, government agricultural research stations, public utility facilities and structures, designated federal, provincial or municipal parks, recreation and camping areas or other uses determined by special Development Authority ruling to be similar in nature.

**Residence, developed** means a dwelling supported on a foundation utilized for a minimum of five years as a primary or secondary farm residence which is, in the opinion of the Development

Authority, habitable, adequately serviced and is located on a parcel that has suitable legal and physical access.

**Residence, grouped country** means three or more contiguous country residential lots not including a farmstead containing a dwelling that may have been subdivided as the “first parcel out” of a quarter section or 80 acre title.

**Residence, single lot country** means a dwelling located on an existing or proposed separately titled small holding of more than 1 and less than 70 acres in a primarily rural area which is occupied or intended to be occupied by persons not actively engaged full-time in the extensive or intensive cultivation or grazing of adjacent agricultural land. Parcels for such use are determined by the approving authority to not be economically viable better agricultural land units due to parcel size, soil quality, vegetation and topography.

**Rural industrial class A** means:

- (a) a use involved in storage of agricultural produce and goods requiring proximate location to the source of the agricultural produce; or
- (b) a non-labour-intensive exterior storage use requiring a relatively large area of land but minimal on-site improvements, services and public amenities.

Examples include, but are not necessarily limited to: apiaries, grain elevators; sugar beet loading stations; potato storage warehouses; machinery, vehicle and equipment storage; water treatment plants and reservoirs; waste transfer sites; and other uses determined by the Development Authority to be similar in nature.

**Rural industrial class B** means:

- (a) a resource extractive use or use involved in on-site processing of an extractive resource;
- (b) a use involved in the processing of produce or raw materials or goods; or
- (c) a non-labour-intensive exterior storage use requiring relatively large areas of land but minimal on-site improvements, services and public amenities, which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment.

Examples include, but are not necessarily limited to: anhydrous ammonia storage; abattoirs and animal processing plants; rendering plants and incinerators; oil and gas plants; livestock sales yards; gravel/sand pits or stone quarries; asphalt plants; alfalfa dehydrating plants; seed cleaning plants; bio-gas and bio-fuels plants; food processing and chemical processing; sanitary landfill sites; sewage treatment plants or lagoons; auto wreckers; salvage yards; and other such uses determined by the Development Authority to be similar in nature.

**Rural industrial class C** means limited manufacturing, warehousing and business uses which can be compatibly located with surrounding uses and involve:

- (a) manufacturing and assembly of predominantly previously prepared materials, finished products or parts, including packaging and incidental storage of the product; or
- (b) agricultural, industrial and construction support services, including machinery, equipment and vehicle sales, rentals and service; or
- (c) a non-labour intensive interior storage or warehousing use requiring a relatively large area of land but minimal on-site improvements, which does not include retail sale of warehouse goods to the public.

Examples include, but are not necessarily limited to: bulk fuel depots, welding and fabrication shops; machine shops; trailer assembly; oilfield maintenance and instrumentation; plumbing and electrical shops; cabinetry and woodworking shops; mechanical repair; water hauling; equipment, machinery and vehicle sales, rental and service; trucking and transport service; mini-storage;

veterinary clinics; kennels; pet cemetery; pet crematorium; and other such uses determined by the Development Authority to be similar in nature.

Rural industrial class C use does not include “Highway Commercial” uses or any use listed in the Rural Highway Commercial – “RHC” land use district.

**Rural land** means all land in the Municipal District of Taber excepting that which is contained within the designated boundaries of a hamlet.

**Unsubdivided quarter section** means a single titled area containing 160 acres more or less, but excluding registered right-of-way plans for public roadways, road widenings, irrigation canals, utilities, pipelines and previous subdivisions for developed and occupied school sites, or other public or quasi-public uses.

**Use, compatible** means a development capable of existing together with or nearby another development(s), without discord or disharmony.

**Use, suitable** means a development which, in the opinion of the approving authority, is appropriate and in accordance with established requirements.

**Wetlands project** means the enhancement of a natural or man-made area with the intention to contain or control water levels for the purpose of attracting water fowl.

### **3. BACKGROUND INFORMATION**

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#### **3.1 LOCATION**

The M.D. of Taber is located south centrally in the province, 80 kilometres from the United States border lying between Townships 7 and 15 and Ranges 13 to 20 at the easterly end of the Oldman River Planning Region as shown on Map 1. The municipality is served by the Crowsnest CPR line in the south. Provincial highways 3, 36, 512, 513, 521, 524, 526, 845, 864, 875 and 877 traverse the district, providing a good transportation link with other major centres in the region, the province and beyond.

#### **3.2 PHYSICAL FEATURES**

The brown soils vary from clay to sandy loams of a medium texture which combine with a relatively level topography to make the area ideally suited to irrigation farming. The foundation for the present and future prosperity of the M.D. was laid in 1920 when the introduction of irrigation water changed area farming from a gamble to a reliable industry as rainfall was the principal limiting factor in crop production. The continual improvement and expansion of water supplies via the Taber, Bow River and St. Mary Irrigation District systems has paved the way to more intensive crop production techniques. The result has been the development of sugar beet and vegetable processing industries, plus livestock confinement operations which need an abundance of hay, pasture and crop by-products for feed.

#### **3.3 LOCATIONAL ADVANTAGES**

The M.D. of Taber has a number of advantages that will and have provided a strong, stable economy:

- provincial highways provide east-west access along Highway 36 and east-west access by way of Highway 3 which is a four-lane route from Taber west;
- rail service is provided by the Crowsnest CPR main line;
- an abundance of agricultural land is supplemented by irrigation systems and a climate that provides heat units required for many specialty crops;
- oil and gas reserves provide economic diversity;
- the Town of Taber provides an urban nucleus with a broad diversity of support services.

#### **3.4 POPULATION ANALYSIS**

##### **3.4.1 Past Trends**

Table 1 illustrates the gradual decrease in rural population from 1961 to 1986 when the trend then reverses and growth is experienced again.

**Table 1  
MUNICIPAL DISTRICT OF TABER  
HISTORIC POPULATION – 1961-1996**

Year	Population	Five Year Rate of Change (percent)	Average Change Per Annum (percent)
1961	7349	—	—
1966	6871	- 6.50	- 1.30
1971	6192	- 9.88	- 1.98
1976	5747	- 7.19	- 1.44
1981	5637	- 1.91	- 0.38
1986	5284	- 6.26	- 1.25
1991	5317	+ 0.62	+ 0.12
1996	5644	+ 6.15	+ 1.23
1996 *	5971 *	+12.30	+ 2.46
2000 **	6009	—	—
2001 **	6012	+ 0.68	+ 0.14

Source: Statistics Canada

\* M.D. of Taber population total including the amalgamation of Grassy Lake

\*\* Municipal Census

The M.D. of Taber has experienced a positive growth change of 1.23 percent per annum for the 1991-1996 period. These numbers compare very favourably to the provincial average, as Alberta's growth rate during that five-year period was 5.9 percent, or just under 1.2 percent annually. By comparison, Canada's overall population grew at an annual average rate of 1.1 percent annually over the same time period. If the population total for Grassy Lake was included as well, this would mean the M.D. of Taber experienced a 12.3 percent growth increase since the 1991 census. This would result in a growth rate increase of 2.46 percent per annum. However, this population increase is due to the absorption of the village into the M.D. and does not represent a true population growth increase. Since 1996 the population has continued to grow but at a slower rate.

### 3.4.2 Age Structure

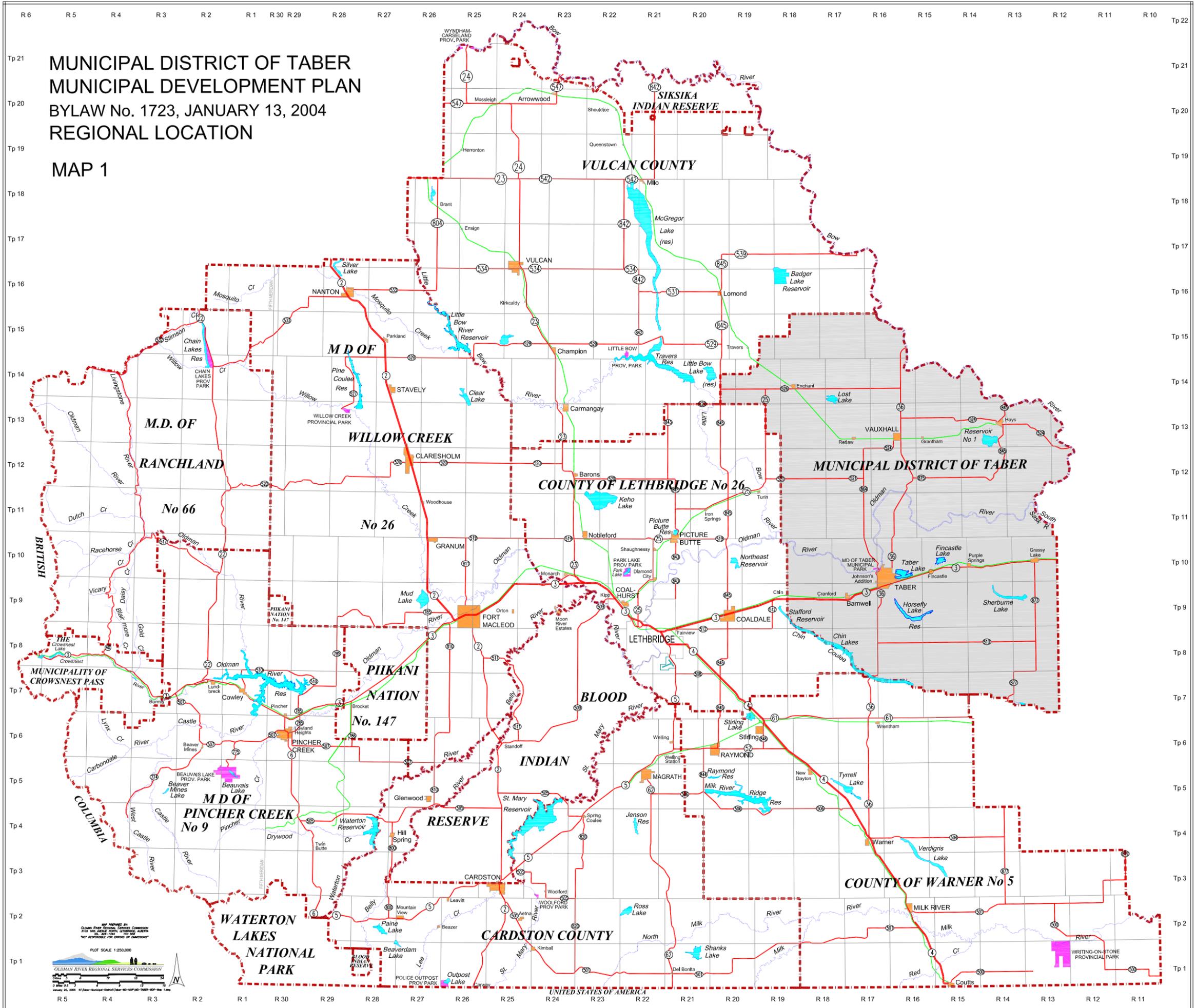
Population pyramids for the M.D. of Taber illustrated in Appendix B, Charts 1 to 4, show the distribution between the various age groups as well as between the male and female segments of the population.

### 3.4.3 Population Projections

Chart 5 in Appendix B and Table 2 below illustrates the range of results obtained from the various methods of population projections. Several different methods of population projections were used such as the arithmetic, logarithmic, share of region, the cohort survival methods, as well as annual growth rates of 0.5, 1.0 and 1.5 percent. The straight line methods (arithmetic, logarithmic) must be looked at with some degree of caution in analyzing the population projections for the M.D. of Taber. For the M.D. population excluding the former Village of Grassy Lake, the arithmetic and logarithmic projections are very close, indicating a slight declining population trend of up to approximately 5 percent over the next 20 years.

**MUNICIPAL DISTRICT OF TABER  
MUNICIPAL DEVELOPMENT PLAN  
BYLAW No. 1723, JANUARY 13, 2004  
REGIONAL LOCATION**

**MAP 1**



The former Village of Grassy Lake had shown a slight increase in population over the last 20 years. Thus, the straight line projections based on the past population trends of Grassy Lake indicate a substantial increase in the population for the village. When the two municipalities' population totals are combined and the straight line projections are calculated, the arithmetic is most likely slightly higher (about 1 percent) over the 20 years, than the projections would be if calculated separately and compared.

The results indicate that the most probably projections will be in the mid-range of numbers using the cohort survival (20 year) and the cohort survival (10 year) methods. This means that in 2001 the probable population could range from 5,986 to 6,187 persons, increasing each year until 2016 when the population could range between 5,820 and 6,794.

**Table 2**  
**MUNICIPAL DISTRICT OF TABER**  
**POPULATION PROJECTIONS**

YEAR	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (5 yr)	Cohort (10 yr)	Cohort (20 yr)	0.5 % Growth	1.0% Growth	1.5% Growth
1976	5747									
1981	5637									
1986	5284									
1991	5317									
1996	5971	5971	5971	5971	5971	5971	5971	5971	5971	5971
2001		5634	5620	5390	6449	6187	5986	6122	6276	6432
2006		5652	5635	5232	6910	6355	5923	6277	6596	6930
2011		5669	5650	5069	7420	6544	5852	6435	6932	7465
2016		5686	5664	4900	8011	6794	5820	6598	7286	8042
2021		5704	5679	4713	8665	7094	5826	6764	7657	8664

### 3.5 GENERAL LAND USE

The M.D. of Taber is an agriculturally diversified and intensively farmed district, producing a wide variety of crops and livestock. Farm operations range from large dryland grain farms and grassland leases to productive irrigated farms of various sizes producing a wide range of valuable crops.

Intensive agriculture has increased with the development of a number of confined feeding operations.

### 3.6 SUBDIVISION AND DEVELOPMENT AUTHORITY

A summary of subdivision activity is presented in Table 3. It indicates that over a period of time the creation of lots varied from a low of 5 lots in 1988 to 1989 to a high of 55 lots created in 1991 and 1992, with a total of 485 lots. The average lot creation is 35 lots per year, one less than the 1997 value of 36 lots.

Most lot creation was for country residential uses, followed by agricultural subdivisions that were largely the creation of 80-acre parcels of land.

This is an active situation and seems constant over time, making it important to have clear subdivision policies.

**Table 3**  
**MUNICIPAL DISTRICT OF TABER**  
**SUBDIVISION ACTIVITY – 10 YEAR OVERVIEW**

YEAR	No. of Applications	PROPOSED USE OF LOTS						Total Lots
		Residential	Country Residential	Agricultural	Commercial	Industrial	Misc.	
2001	18	1	15	6				22
2000	27		23	8				31
1999	29	1	28	5	1	9		44
1998	32		33	3	1	1		38
1997	27		32	3			1	36
1996*	15		44	5				49
1995/96	23		45	3				48
1994/95	25		19	6	2	2	2	31
1993/94	42	3	29	12	2	1		44
1992/93	25		19	4		1		24
1991/92	23	1	52	2				55
1990/91	23	7	27	7			1	42
1989/90	10	1	11	4				16
1988/89	7	5						5
TOTAL	326	14	382	68	6	14	4	485

\* Nine-month period April 1 to December 31, 1996.

### 3.7 ENVIRONMENTALLY SENSITIVE AREAS

In 1988, the Oldman River Regional Planning Commission conducted a series of studies into environmentally significant areas within the region. The investigation identified sites believed to be of importance nationally, provincially or regionally. Sites include natural features, hazard lands, historical resources, prehistoric resources and paleontological resources. Areas of sensitivity are mostly located in the proximity of water such as the Oldman River, Bow River, larger irrigation reservoirs and wetlands. Also of significance are the various dune areas north of Purple Springs and Grassy Lake and those areas east of Highway 36, south of Vauxhall. Maps of these areas are available in the original reports. By the nature of the studies, the possibility exists that important sites may be missed.

The M.D. has some significant resources to be aware of, with many in relatively undeveloped areas of the municipality. More details of these environmentally significant areas are published in the report, Environmentally Significant Areas in the Oldman River Region – Municipal District of Taber, prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

## **4. IDENTIFICATION OF PLAN ISSUES**

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Planning issues arise from a number of areas and should be addressed in the plan. Some issues are apparent from reviewing the planning information, while others are requirements of the Municipal Government Act and must be included if the plan is to be legally valid. Many of these factors overlap.

### **4.1 LEGISLATIVE REQUIREMENTS**

#### **4.1.1 Future Land Uses**

In this plan the major land use issues will be related to subdivision guidelines and general statements about which uses are suitable in which locations of the M.D. Other issues identified in this section also do, in part, concern land uses.

#### **4.1.2 Proposals for Future Development**

In the M.D. of Taber, development is governed by the land use bylaw. That bylaw has very firm rules for development but also allows for considerable discretion. It is intended that the discretion be exercised by the Development Authority. A municipal development plan should provide a guide on how to use the waiver provided in the land use bylaw.

#### **4.1.3 Coordinate Uses, Growth and Infrastructure with Adjacent Municipalities**

It is the intention of the Municipal Government Act to promote intermunicipal cooperation in many areas, including planning matters. Input to this policy is based on comments with the adjacent municipalities, including:

- Village of Barnwell
- Town of Taber
- Town of Vauxhall
- County of Lethbridge
- County of Warner No. 5
- County of Forty Mile No. 8
- Vulcan County
- County of Newell No. 4
- Cypress County

From these comments, the basis of cooperative actions in planning can be established as there are a number of projects which have intermunicipal impacts.

#### **4.1.4 Transportation Within the Municipality and With Adjacent Municipalities**

As the Alberta government has taken over maintenance, upgrading and control of all highways within the province, the M.D. of Taber should work with adjacent municipalities when lobbying the province and Alberta Transportation to ensure the highway network continues to function efficiently and effectively. Municipal road projects can also be coordinated between adjacent municipalities to ensure the best system is available for all rural residents.

#### **4.1.5 Municipal Services**

The M.D. Council supports a number of municipal services as discussed above. A future role of the municipality in these facilities in general can be determined.

#### **4.1.6 Sour Gas Facilities**

Sour gas facilities can have an effect on the uses in the area. Specific guidelines for development and subdivision can be considered. A municipality has no approval responsibility in the location of sour gas facilities, but can influence surrounding uses.

#### **4.1.7 Municipal Reserve**

In most cases, when municipal reserve is taken by the M.D. it is in the form of money in lieu of land. Moneys collected for municipal reserve are retained by the municipality.

### **4.2 SUBDIVISION AND DEVELOPMENT**

#### **4.2.1 Subdivision Criteria**

The municipal development plan has been the vehicle for implementing subdivision policies since around 1983. These criteria are used frequently for the decisions regarding subdivision and must reflect the current issues in the M.D. of Taber.

#### **4.2.2 Development Criteria**

Criteria will assist the implementation of the land use bylaw as previously discussed.

### **4.3 ENVIRONMENTAL CONSIDERATIONS**

Environmental protection is accomplished through steps by each level of government as well as the public at large. The powers available to the M.D. are limited, however, they include:

- land use criteria near environmentally sensitive areas,
- input into recycling programs,
- the operation of M.D. facilities.

### **4.4 HAMLET AND LOCALITY CONCERNS**

In a rural municipality, hamlets are community centers and can often provide residential accommodation, schools, churches and commercial services. The Municipal District of Taber contains five designated hamlets (Enchant, Grassy Lake, Hays, Johnson's Addition and Purple Springs) and two localities (Retlaw and Grantham). Enchant, Grassy Lake and Hays are served with municipally-treated water and sanitary sewer plants which allow for a larger density of population and future growth potential. Johnson's Addition and Purple Springs, in contrast, have acreage-style residential development with water wells or cisterns and septic fields.

The hamlets and localities should be supported by policies that encourage growth if practical and minimize conflicts with the surrounding land uses.

### **4.5 INTERMUNICIPAL CONCERNS (Fringe Areas)**

Three urban jurisdictions exist within the M.D. (Taber, Vauxhall and Barnwell). Six rural municipalities surround the M.D. (County of Warner No. 5, Lethbridge County, Vulcan County, County of Newell, Cypress County and County of Forty Mile No. 8). The M.D. has adopted Intermunicipal Development Plans with all three urban jurisdictions, as well as all of the adjacent rural municipalities. The Intermunicipal Development Plans address land use and planning matters within the agreed upon intermunicipal development planning areas and include policy for consideration of intermunicipal concerns and interests.

## **5. MUNICIPAL DEVELOPMENT PLAN POLICIES**

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Throughout the preparation of this plan there have been a number of identified problems and opportunities. The following municipal development plan policies are prepared and address those issues that are under the authority of a local authority and can be included in a statutory plan. These policies are to be applied to municipal decisions by approval authorities and other decision makers.

### **5.1 FUTURE LAND USES AND DEVELOPMENTS**

Land use controls are contained in the M.D. of Taber Land Use Bylaw. This bylaw gives development authorities and appeal bodies considerable discretion in the application of standards. The plan policies can give direction to the use of the discretionary powers and ensure sufficient information is available to make a decision.

#### **OBJECTIVES**

- (a) To ensure that the various approval authorities have sufficient information to consider proposals.
- (b) To provide basic standards that must be met when making applications for redesignations, developments, or subdivisions.
- (c) To promote consistency of decision making by ensuring decisions are made within a framework of policies.

#### **POLICIES**

##### ***General Land Use***

- 5.1.1** In any situation that an area structure plan is required, that plan should address the following areas of information:
- (a) site plans and drawings – professional plan preparation is preferable and will typically be required for any proposal involving the creation of 4 or more residential lots, commercial development, industrial development, or any other development which may be deemed to have a significant impact;
  - (b) soils analysis – soil stability and its ability to accept a septic system are most important, although applicants may be requested to provide other data. These studies are to be prepared by an engineer;
  - (c) identification of other hazards or environmentally sensitive areas – including historic and other resources demonstrated in Appendix C;
  - (d) sewer system – the system type will be based on the availability of municipal services or in areas where municipal services are not available, the soil and site characteristics and will be to the satisfaction of the approval authority. Connection to municipal services will be required where such services are available, or can be made available in the opinion of the approval authority. Where municipal services are not available or cannot be made available:
    - (i) the use of holding tanks as a means for septic disposal is generally discouraged except for non-residential uses, where in the opinion of the approval authority, no other viable option exists and the volume of effluent produced by the proposed development is limited;

- (ii) the use of a communal sewage treatment system may be considered and/or required, at the discretion of the approval authority, for multi-lot development, subject to the following:
  - a. Communal sewage treatment systems are to be privately owned, operated, and maintained. Where a communal sewage treatment system is proposed and/or required, the developer must demonstrate to the satisfaction of the approval authority the mechanism for and viability of private ownership, operation and on-going maintenance, to ensure that the M.D. of Taber will not be responsible for the system;
- (e) domestic water – these systems will be to the satisfaction of the approval authority;
- (f) roadways and access points – including the standards for construction;
  - (i) a trip generation assessment should be provided with all area structure plan applications regardless of the intensity or density of development. The assessment is intended to document the projected number of trips and the potential impact on the existing road network, which will be used to assist the approval authority in determining whether a Traffic Impact Assessment (TIA) is required. The applicant may subsequently be required to submit recommendations prepared by a professional engineer regarding the trip generation assessment and the need for a TIA;
  - (ii) a Traffic Impact Assessment, prepared by a professional engineer, may be required at the discretion of the approval authority based on the scale and location of the proposed development, existing and projected traffic volumes, and/or road classifications;
- (g) other utilities and services – including comments from the appropriate supplier;
- (h) contour and surface drainage control – which is required to demonstrate the protection of water bodies and adjacent parcels and is to be prepared by a professional engineer and may be required to account for the 1-100 year storm event:
  - (i) it is the applicant's responsibility for ensuring that the proposed design will comply with Alberta Environment requirements, if applicable;
  - (ii) applicants may be required to obtain approval of stormwater management plans from Alberta Environment, if applicable, prior to finalizing a subdivision;
- (i) development concept – some developments may have a theme or core concept;
- (j) applicant's interest – i.e. authorized agent, subject of an agreement or relative;
- (k) subdivision considerations – that may be found in the land use bylaw such as lot sizes;
- (l) provision of municipal and/or environmental reserve – which will be in accordance with this plan and may include use of environmental easements;
- (m) staging of development – and may include phasing of services;
- (n) development specifications – including special standards such as setbacks and minimum dwelling size;
- (o) landscaping and appearance – particularly if it includes municipal reserve land;
- (p) architectural controls – information regarding special standards for details such as fences or landscaping are needed as well as the expectation for M.D. involvement;

- (q) public input – and developers are encouraged to contact neighbours and others to discuss the proposal;
- (r) population density – as required under the Municipal Government Act;
- (s) compatibility with adjacent uses – discussion of how the proposed development will affect adjacent uses;
- (t) any other information as the Subdivision and Development Authority may consider necessary;
- (u) keeping of animals such as horses;
- (v) notification to lot owners that they are living in an agricultural area and will be subject to the odors, noises and traffic that is entailed.
- (w) any other information as may be specified in an applicable Intermunicipal Development Plan.

**5.1.1.A** The M.D. of Taber may establish guidance, educational, and informational material with respect to Intermunicipal Development Plans, the Municipal Development Plan, including section 5.1.1 specifying the minimum requirements for an area structure plan application, Area Structure Plans, provisions of the Land Use Bylaw, as well as other municipal and provincial land use policies and plans to help build awareness of land use planning and related matters within the municipality.

**5.1.1.B** Applicants are encouraged to employ the services of a professional consultant (e.g., engineers, planners, architects, surveyors) when preparing an area structure plan to help ensure that the minimum informational requirements are complete and based upon accepted planning principles;

- (a) an applicant may be required to submit a professionally prepared area structure plan for any proposal involving the creation of 4 or more residential lots, industrial development, commercial development, or any other development which may be deemed to have a significant impact.

**5.1.2** Area structure plans may be a requirement of all applications for redesignation or subdivisions that would result in:

- (a) the creation of more than two contiguous lots (if for country residential use this would not include a farmstead containing a dwelling that was subdivided as the first parcel from a quarter section or 80 acre title); and/or
- (b) the designation of public road allowance; and/or
- (c) being located adjacent to an environmentally sensitive area; or
- (d) if the Subdivision and Development Authority or Council require an area structure plan; or
- (e) as may be required in accordance with an applicable Intermunicipal Development Plan.

**5.1.3** If more than six lots will result within one quarter section due to a subdivision, at the time of either redesignation or subdivision a certified report shall be prepared in accordance with the “Report Requirements under Section 23 of the Water Act for Subdivision Development” as produced by Alberta Environment, September 1999. The costs of preparation, evaluation, interpretation, and/or distribution of the said report shall be borne by the applicant and the results shall be forwarded to the Regional Director for the Water Act for interpretation, evaluation and comment. At its sole discretion, the municipality may charge additional fees to ensure that any

certified report is referred to the appropriate authorities for evaluation and interpretation pursuant to section 61 of the Municipal Government Act. Upon the preparation and subsequent adoption of a water management plan within the municipality, this policy shall be reviewed and modified if necessary.

- 5.1.4** The Subdivision and Development Authority or Council may substitute a “conceptual scheme” as provided for in section 653(1)(4.4) of the Municipal Government Act. Conceptual schemes, after circulation, may be adopted by resolution.
- 5.1.5** An area structure plan or conceptual scheme should be circulated to those agencies outlined in section 5 of the Subdivision and Development Regulation and the results of the circulation must be considered.
- 5.1.6** In the M.D. of Taber, agricultural uses and associated uses will be the primary land use, recognizing other uses may be allowed if the approval authority determines the non-agricultural or related use will have no adverse effect on agriculture. This concept will be applied when approval authorities are using any discretionary or waiver authority.
- 5.1.7** Any information requirements of this section apply, regardless of the use of land proposed.
- 5.1.8** In conjunction with policies contained in section 5.2, the M.D. of Taber will encourage country residential uses to locate within close proximity to urban areas as agricultural endeavours experience some restrictions in these areas currently, unless otherwise specified in an applicable Intermunicipal Development Plan.
- 5.1.9** When locating development and subdivisions, an effort should be made to ensure, where possible, the lowest productive land is used.
- 5.1.10** The process for land use bylaw amendments, including the redesignation of a parcel of land, shall include:
- (a) the applicant providing sufficient information for council to evaluate whether or not the proposed uses are suitable for the proposed uses, development or subdivision — this may include the information requirements outlined for an area structure plan;
  - (b) the application being circulated to the persons required under the Act and, when applicable:
    - Chinook Health Region,
    - Alberta Transportation
    - Alberta Agriculture, Food and Rural Development,
    - Alberta Environment,
    - relevant irrigation district,
    - other authorities or persons considered necessary by council.
  - (c) an area structure plan if requested as part of the information requirements, the public hearings required for each may be held at the same time in accordance with the Act;
  - (d) the provision of a certified report under Policy 5.1.3 if applicable.

- 5.1.11** The applicable approval authority shall take into consideration a minimum distance separation calculation from a confined feeding operation using the Alberta Operations Practices Act Standards and Administration Regulation when deciding upon redesignation applications, subdivision applications and development applications.

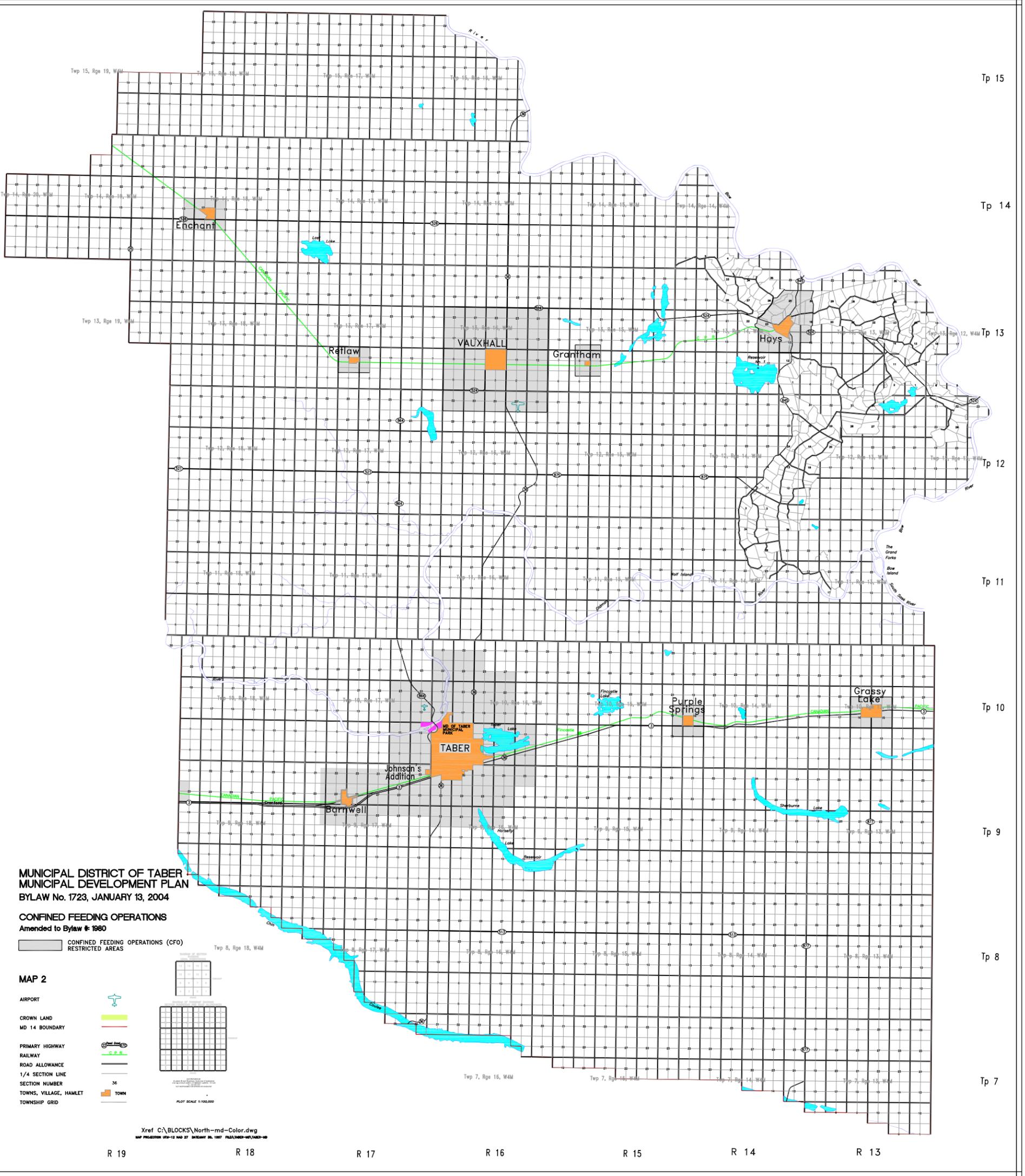
### ***Extensive Agriculture Use***

- 5.1.12** Given that agriculture is the predominant land use and economic generator within the M.D. of Taber, current residents and new residents should be aware they may experience odours, dust, noise, traffic and sounds generated by agricultural operations.

### ***Confined Feeding Operations***

The following municipal development plan policies related to confined feeding operations are adopted for the purpose of:

- providing the Natural Resources Conservation Board (NRCB) requirements that the council of the M.D. of Taber wish to have considered when applications for CFOs are evaluated for approval;
  - providing guidelines for the municipality when providing comments to the NRCB regarding applications for CFOs.
- 5.1.13** Confined feeding operations should be discouraged in the areas shown in Map 2 as “Restricted” and as reviewed by council from time to time.
- 5.1.14** The following development setbacks are to be applied:
- (a) 45.7 metres (150 ft.) of the centre line of any public roadway which is not designated as provincial highway;
  - (b) 53.3 metres (175 ft.) of the centre line of any road designated as a level 3 or 4 provincial highway;
  - (c) 71.6 metres (235 ft.) of the centre line or 41.1 metres (135 ft.) from the right-of-way boundary, whichever is greater, of roads designated as level 1 or 2 provincial highways;
  - (d) 30 metres (98 ft.) from a side or rear property line.
- 5.1.15** The Natural Resources Conservation Board (NRCB) in its approval review should also consider:
- (a) the proximity of the operation to open bodies of water and the topography of the surrounding lands in order to minimize any negative impacts to drinking water supplies;
  - (b) the cumulative effect of a new approval on any area near other existing confined feeding operations;
  - (c) environmentally sensitive areas shown in the report, *Municipal District of Taber Environmentally Sensitive Areas in the Oldman River Region*;
  - (d) give notice to adjacent landowners even in the case of applications for registration or authorization.



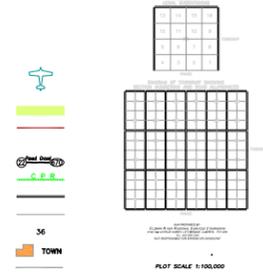
**MUNICIPAL DISTRICT OF TABER  
MUNICIPAL DEVELOPMENT PLAN  
BYLAW No. 1723, JANUARY 13, 2004**

**CONFINED FEEDING OPERATIONS  
Amended to Bylaw # 1980**

CONFINED FEEDING OPERATIONS (CFO)  
RESTRICTED AREAS

**MAP 2**

- AIRPORT
- CROWN LAND
- MD 14 BOUNDARY
- PRIMARY HIGHWAY
- RAILWAY
- ROAD ALLOWANCE
- 1/4 SECTION LINE
- SECTION NUMBER
- TOWNS, VILLAGE, HAMLET
- TOWNSHIP GRID



Xref C:\BLOCKS\North-md-Color.dwg  
MAP PROJECTION UTM-12 NAD 83 DATUM: NAD 83 FILE: TABER-MD-TABER-10

R 19                      R 18                      R 17                      R 16                      R 15                      R 14                      R 13

Tp 15  
Tp 14  
Tp 13  
Tp 12  
Tp 11  
Tp 10  
Tp 9  
Tp 8  
Tp 7

### **Reclamation and Redevelopment**

- 5.1.16 Reclamation and re-use of brownfield sites and other previously developed industrial and commercial sites no longer in use is encouraged to promote efficient use of land, protect agricultural land conversion, and reduce health and environmental risks.
- 5.1.17 Developers of solar and wind and other alternative energy projects should be required to provide reclamation plans as part of development proposals to demonstrate responsibility for reclamation, ensure protection of agricultural lands into the future, and minimize potential environmental risks.

## **5.2 COORDINATION WITH ADJACENT MUNICIPALITIES, IRRIGATION DISTRICTS, PROVINCIAL DEPARTMENTS AND OTHER AGENCIES**

It is important to have municipalities work together to promote efficiency in as many areas as possible. In addition, irrigation districts are active in the rural area. It is not intended to increase the complexity of decision making, but rather to open channels of communication to take advantage of any opportunities that may be available.

### **OBJECTIVES**

- (a) To encourage cooperation in planning issues between municipalities.
- (b) To allow municipalities to take advantage of mutual opportunities to maximize efficient use of transportation systems, infrastructures and other mutual interests.
- (c) To ensure municipal decisions are coordinated with the various irrigation districts in the M.D.

### **POLICIES**

- 5.2.1 Intermunicipal development plans should be prepared and adopted for each urban area within the M.D. of Taber.
- 5.2.2 Adjacent rural municipalities and irrigation districts will be consulted with respect to any major secondary road improvement programs and implementation of major road limitations.
- 5.2.3 The M.D. should continue to meet with each irrigation district on an annual basis to coordinate activities.
- 5.2.4 Where possible, the M.D. should encourage both the modernization of the irrigation system and the increase in irrigation acreage.
- 5.2.5 Consultation with neighbouring municipalities, irrigation districts, provincial departments, school districts, health regions, and other agencies as applicable regarding associated planning matters, including water supply, drainage, setbacks from sensitive lands, and other environmental and historical resource considerations, is encouraged in advance of consideration of land use decisions.
- 5.2.6 The M.D. of Taber will endeavour to build partnerships and collaborative relationships with neighbouring municipalities to promote and coordinate shared regional interests, where deemed appropriate, including support of mutually beneficial service

arrangements and matters of planning interest, opportunities and concern which transcend municipal boundaries.

- 5.2.7** Coordination of intermunicipal programs relating to physical, social and economic development of the area will generally be addressed through the Intermunicipal Collaborative Framework requirements and through separate agreements as deemed necessary.

### **5.3 MUNICIPAL SERVICES**

Municipal services include all aspects of services that the M.D. offers to its residents. Many of these services account for the bulk of the municipal budget.

#### **OBJECTIVES**

- (a) To provide a basis for evaluating the services provided to the public.
- (b) To give guidelines for the provision of services at the time of development.

#### **POLICIES**

- 5.3.1** At the time of development, the provision of municipal services will normally be at the expense of the developer.
- 5.3.2** At the time of subdivision or development, the approval authority should consider the use of development agreements to ensure the installation or paying for the installation of all services, including roads. A development agreement may be registered on the title of the property to ensure the agreement is binding on the land.
- 5.3.3** Where possible, water and sewer systems will be owned and operated by community associations and built to a municipal standard.

### **5.4 SOUR GAS FACILITIES**

Municipalities have no jurisdiction in the location of most oil field development as they are exempt from the planning legislation pursuant to the following section of the Municipal Government Act.

*“618(1) This Part and the regulations and bylaws under this Part do not apply when a development or a subdivision is effected only for the purpose of*

- (a) a highway or road,*
- (b) a well or battery within the meaning of the Oil and Gas Conservation Act, or*
- (c) a pipeline or an installation or structure incidental to the operation of a pipeline.”*

The Municipal Government Act does recognize that these uses can create special planning concerns and requires they be addressed in a municipal development plan.

#### **OBJECTIVES**

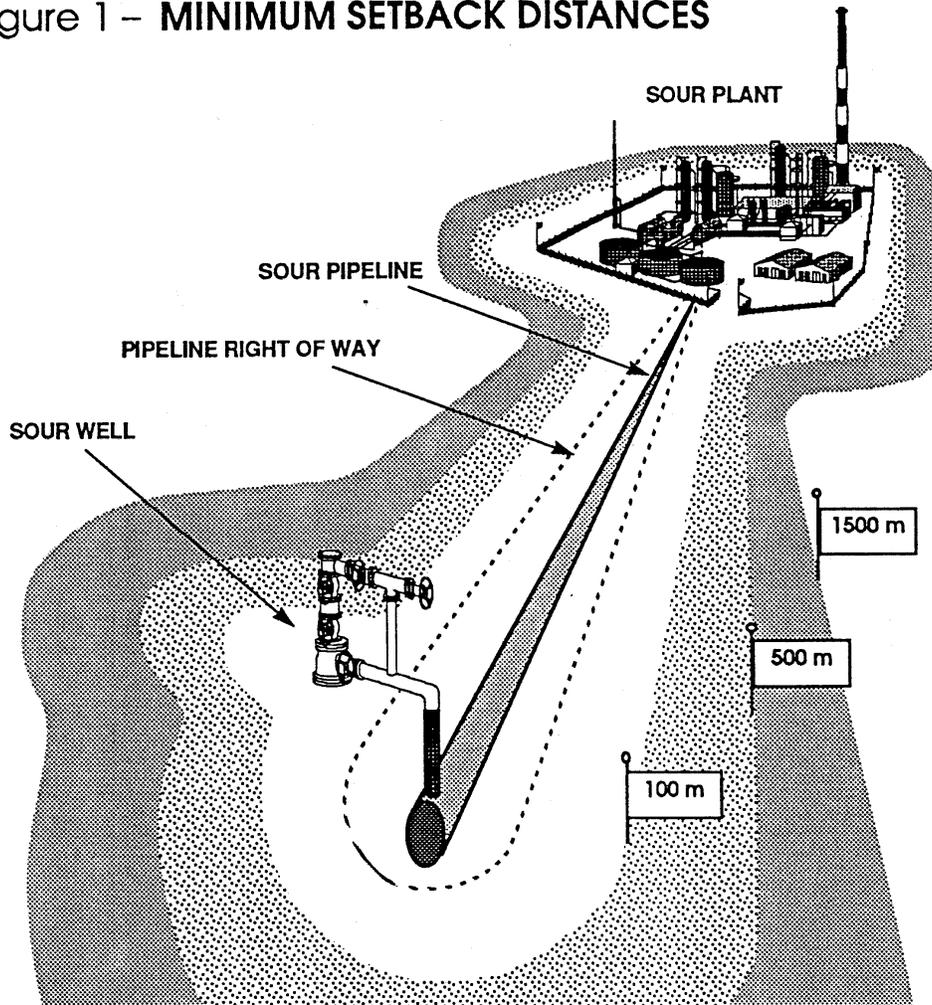
- (a) To meet the requirements of the Municipal Government Act and the Provincial Land Use Policies.

- (b) To provide guidelines for uses that are located in close proximity to sour gas facilities in order to protect persons from adverse impacts.

**POLICIES**

- 5.4.1** The M.D. of Taber will circulate all applications made to either Council or the Subdivision and Development Authority to the Alberta Energy and Utilities Board when they are located within critical areas as shown on Map 3.
- 5.4.2** All comments received on the referral will be considered by the Council or Subdivision and Development Authority.

Figure 1 – MINIMUM SETBACK DISTANCES



LEVEL OF SOUR FACILITY (Well, Pipeline or Plant)	MINIMUM SETBACK DISTANCES (ERCB Interim Directives ID 81-3, ID 87-2, IL 88-9 and Amendment)	DEFINITIONS:
1	100 metres (except for pipelines which have a right of way setback)	Individual Dwelling – permanently occupied by a resident
2	100 metres - Individual dwellings - Unrestricted country development 500 metres - Urban centre or public facility	Unrestricted Country Development – dwellings situated outside an urban centre and having more than eight permanent dwellings per quarter section
3	100 metres - Individual dwellings 500 metres - Unrestricted country development 1500 metres - Urban centre or public facility	Urban Centre – a city, town, new town, village, summer village, or hamlet with not less than 50 separate buildings
4	As specified by the ERCB – but not less than level 3	Public Facility – a public building such as a hospital, rural school or a major recreational facility and includes any other development the ERCB may designate as a public facility based on the complexity of evacuation

Figure 1



- 5.4.3** In development and subdivision, setbacks shown in Figure 1 will be implemented. This information is provided by the Energy Resources Conservation Board (ERCB) and should these standards be revised, the new standards shall apply.

## **5.5 MUNICIPAL RESERVE**

The Municipal Government Act allows for the taking of municipal reserve at the time of subdivision under certain circumstances. When that requirement is satisfied by a payment, the Act allows that a portion may be given to the school district in the area.

### **OBJECTIVES**

- (a) To provide guidelines for the division of municipal reserve.
- (b) To confirm the policies for municipal reserve collection at the time of subdivision.

### **POLICIES**

- 5.5.1** That municipal reserve will be provided in accordance with section 663 of the Municipal Government Act.
- 5.5.2** When the reserve requirement is to be satisfied as money in place of land, the rate of payment will be established by Council for the purpose of section 667(1)(b) of the Municipal Government Act.
- 5.5.3** The M.D. of Taber will receive and hold all municipal reserve funds paid and, should a school district in the future require land for a school, an agreement for M.D. assistance will be discussed at that time.
- 5.5.4** Environmental Reserve will not normally be provided at the time of subdivision but, in accordance with section 664(3) of the Municipal Government Act, environmental easements may be considered.

## **5.6 SUBDIVISION CRITERIA**

The following policies will be used by both the Subdivision and Development Authority, as well as the Subdivision and Development Appeal Board in the consideration of subdivision approval.

### **OBJECTIVES**

- (a) To provide policy for subdivision decisions which is a major method for the implementation of this plan.
- (b) To allow for subdivision to occur for a variety of uses in such a way as to also protect agricultural land.

### **POLICIES**

#### ***General***

- 5.6.1** In all cases, minimum health standards shall be met.
- 5.6.2** Measurable standards outlined in the land use bylaw shall also be met when considering subdivision applications unless waived by the approval authority.

- 5.6.3** Comments received from the circulation process may be placed on an approval as a condition of approval.
- 5.6.4** If the approval authority determines that a subdivision application:
- does not meet the land use bylaw, or
  - would benefit from a public hearing,
- it may request that Council consider a land use bylaw amendment.
- 5.6.5** Surveyor's sketches will be required as a condition of approval in all applications where structures are located on the site.
- 5.6.6** All uses shall contain at least one acre of developable land.
- 5.6.6.1** Where municipal sewer service is not available or cannot be made available, the type of private sewage disposal system serving the development will be a consideration of subdivision approval.
- (a) The use of a holding tank, an open discharge system, or lagoon may result in refusal of a subdivision application for residential purposes, as these methods of private sewage management systems are not generally considered sustainable.
  - (b) For non-residential uses, the method of private sewage management system will be evaluated on an individual basis, based on consideration of the Municipal Development Plan policies and the type and location of development. The use of a holding tank, an open discharge system, or lagoon for non-residential uses is generally discouraged except, where in the opinion of the approval authority, no other viable option exists and the volume of effluent produced by the proposed development is limited.

***Agricultural***

- 5.6.7** The subdivision of agricultural land for extensive agricultural use shall be restricted to minimum lot sizes of:
- (a) 80 acres on irrigated land having no registered exceptions from the title;
  - (b) 70 acres on irrigated land having registered exceptions from the title;
  - (c) 160 acres on dryland having no registered exceptions from the title; or
  - (d) 140 acres on dryland having registered exceptions from the title.
- 5.6.8** When determining the minimum lot area for any subdivision, consideration may be given to a proposed consolidation of a substandard lot with an adjoining lot to create an agricultural lot which will comply with the parcel size policies of this plan.

***Residential Single Lot***

- 5.6.9** Subdivision of a developed lot or farmstead may be approved if:
- (a) the parcel is limited in size to that area necessary to include an existing habitable farm residence, shelter belts, ancillary farm buildings, structures, private access roads and land which cannot be economically rehabilitated and returned to extensive agriculture use to a maximum of 3 acres;
  - (b) the residual agricultural lot shall contain a minimum of 70 acres;
  - (c) a waiver of the 3 acre maximum parcel size may be considered to allow inclusion of any improvements; and

- (d) the minimum distance separation from an existing or approved confined feeding operation can be met.

**5.6.10** Vacant lot subdivisions are not permitted, with the exception of 5.6.11.

**5.6.11** Subdivision of an undeveloped or developed cut-off parcel may be approved if:

- (a) the proposed lot is separated from the residual lot by:
  - a registered exception from the title,
  - a feature that creates a significant physical barrier to use of both sides as a unit;
- (b) the proposed lot has legal access;
- (c) the results of a minimum distance separation calculation shall be considered.

***Single Lot Resubdivision***

**5.6.12** Parcels of less than 80 acres and greater than 1 acre that were in existence prior to the passage of this plan may have one additional subdivision approved if:

- (a) there is a developed dwelling,
- (b) legal access,
- (c) 3-acre maximum parcel size,
- (d) the confined feeding operation minimum distance separation calculation can be met.
- (b) in the opinion of the approving authority, it will not have a detrimental impact on agriculture or the recreational use capability of a river valley, waterbody, public park or special scenic area.

***Existing Parcels***

**5.6.13** The enlargement, reduction or realignment of an existing separate parcel may be approved provided that:

- (a) the additional lands required are to accommodate existing or related improvements; or
- (b) the proposal is to rectify or rationalize existing titles, occupancy, cultivation or settlement patterns; and
- (c) no additional parcels are created over and above those presently in existence; and
- (d) the proposed new lot and the proposed residual lot will continue to have direct legal and physical access to a public roadway, adequate development setbacks, and a suitable building site; and
- (e) the size, location and configuration of the proposed lot will not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities.

***Residential Multi-Lot***

**5.6.14** No subdivision shall occur for grouped country residential use unless the property is redesignated using the process outlined in 5.1.10.

**5.6.15** Land considered to be high quality agricultural land shall not be subdivided for grouped country residential use. Poor agricultural land may be considered for subdivision for grouped country residential uses.

- 5.6.16** The Council of the M.D. of Taber wishes to encourage grouped country residential uses in closer proximity to urban areas as an attempt to limit the impact of residential development on agricultural uses.
- 5.6.17** For the purpose of subdivision of parcels into grouped country residential use, parcels of 40 acres or less may be considered fragmented agricultural land and may be subdivided if the proposal meets the requirements of this plan.
- 5.6.18** A minimum lot size of 2 acres or greater of developable land is required if the proposed lot is to have a septic system for sewage disposal.
- 5.6.19** In accordance with policy 5.1.2, area structure plans may be required.

***Intensive Agricultural Operations***

- 5.6.20** Subdivision of a confined feeding operation shall not be allowed.
- 5.6.21** Subdivision for an existing intensive horticultural use may be approved on rural land if:
- (a) the lot encompasses the improvements and does not exceed 10 acres; and
  - (b) the residual agricultural lot contains not less than 70 acres.

***Industrial and Commercial***

- 5.6.22** Subdivision for grouped or isolated rural industrial uses (either industrial class A, industrial class B, or industrial class C) shall, wherever possible, be located on poor agricultural land unless, in the opinion of the approving authority, such parcels:
- (a) are not reasonably available;
  - (b) would create land use conflicts;
  - (c) would conflict with other municipal development plan objectives and policies.
- 5.6.23** No subdivision shall occur for grouped industrial or commercial uses unless the property is redesignated using the process outlined in part 5.1.10.

**5.7 DEVELOPMENT CRITERIA**

It is important to ensure quality development will be accomplished. This can, in part, be accomplished by following the area structure plan or conceptual scheme processes at the time of redesignation or subdivision. It will be the responsibility of the developer to demonstrate in the submitted plans that a high quality of proposed development will occur. This section will discuss some minimum standards to be adhered to.

**OBJECTIVES**

- (a) To ensure all developments in the M.D. of Taber are of a high quality.
- (b) To provide applicants with a basis upon which to prepare development plans.

**POLICIES**

- 5.7.1** With the exception of grouped country residential uses, development should occur on parcels of not less than 1 acre of developable land.

- 5.7.2** The keeping of animals will be addressed in an area structure plan for all grouped country residential subdivisions approved after October, 2006.
- 5.7.3** Soils tests may be required to ensure a development is suitable for the site. The provision of soils analysis and stability tests are of most importance, although other geotechnical information may be requested.
- 5.7.4** The costs of development are to be borne by the developer. The obligation for provision or upgrade of infrastructure to serve new subdivision and development will be at the developer's expense and may require the developer to enter into an agreement with the M.D. of Taber pursuant to the Municipal Government Act. As part of the agreement, the developer may be required to provide security in the form of an irrevocable letter of credit or other security as deemed acceptable to the M.D. of Taber. The security may be held for a period of time deemed sufficient by the M.D. of Taber to ensure that improvements are completed and any costs to correct deficiencies in infrastructure planning, design or construction are adequately covered. In determining the costs of development, the applicant will be required to submit an estimate prepared by a qualified professional engineer for review and acceptance by the M.D. of Taber.

## **5.8 ENVIRONMENTAL CONSIDERATIONS**

The M.D. of Taber has some unique areas that are of local, provincial and national importance and are identified in a report prepared in 1988 by the Oldman River Regional Planning Commission. Environmental protection should be a partnership between levels of government, interest groups and the public with the following policies outlining the M.D.'s commitment.

### **OBJECTIVES**

- (a) To promote environmental protection within the methods available to a local municipal government.
- (b) To ensure public awareness of activities within environmentally sensitive areas.

### **POLICIES**

- 5.8.1** All applications for subdivision that lie within the areas shown on Maps 1 to 4 in Appendix C should be referred for comment to:
- Alberta Environment and Parks,
  - Alberta Culture and Tourism Historic Resources Management Branch,
  - relevant environmental groups.
- 5.8.2** Where appropriate, at the time of subdivision the approval authority should make use of environmental easements as provided for in section 664(2) of the Municipal Government Act to protect areas identified as significant. If land is suspected to have environmental significance, the applicant may be required to provide further studies identifying the important aspects of the land.
- 5.8.3** If possible, the approval authority should obtain lands identified as significant using environmental reserve or municipal reserve.

- 5.8.4** Map 2 in Appendix C indicates areas of potential hazard lands. In these areas or in other areas where hazard lands are identified such as past coal mining, no development or subdivision should occur until the relevant approval authority is satisfied the development can proceed safely. In assessing the nature of the hazard, the authority may request data and recommendations be prepared by an appropriate professional.
- 5.8.5** Wetlands projects can have an impact on surrounding lands and should be subject to the development permit process. The land use bylaw should be amended to make these projects discretionary uses and have the Development Authority make the decision.
- 5.8.6** Measures to minimize risks to health, public safety and loss to property from potential hazards such as flooding, erosion, subsidence, etc., will continue to be managed through the regulations of the Land Use Bylaw and other applicable municipal bylaws.
- 5.8.7** Proponents of subdivision and development are responsible for reviewing and considering the provincial wetlands inventory, as applicable, and ensuring compliance with related provincial policies regarding development in proximity of wetlands, such as the Alberta Wetland Policy.
- 5.8.8** On land that may contain historic resources, developers are expected to consider such resources in the planning stages of any proposed subdivision or development and obtain any necessary clearances and approvals in accordance with the *Historical Resources Act*.

## **5.9 HAMLETS AND LOCALITIES**

Some hamlets have more development potential than others, however, development should be encouraged in all hamlets as an alternative to placing non-agricultural uses into agricultural areas.

### **OBJECTIVES**

- (a) To make conditions positive for hamlet growth in the future.
- (b) To provide a flexible series of guidelines for hamlets that would accommodate a variety of uses.

### **POLICIES**

- 5.9.1** The Hamlets of Enchant, Grassy Lake and Hays should have area structure plans prepared. These plans would amount to municipal development plans for each hamlet and review growth and development, future land areas and other issues.
- 5.9.2** Council should review the existing land use designations in the Hamlets of Johnson's Addition, Purple Springs and the Localities of Retlaw and Grantham to identify restrictive policies. The use of direct control districts can allow for flexible decision making.
- 5.9.3** Where possible, Council should support the Locality of Retlaw in its effort to promote its historical nature.

- 5.9.4** Residential, commercial, and industrial development is encouraged in hamlets as appropriate, to promote efficient use of infrastructure, strengthen hamlet growth, and help minimize conversion of agricultural land to non-agricultural uses.
- 5.9.5** The M.D. of Taber will continue to enable variety in housing types and densities (e.g., single-detached dwellings, multi-unit dwellings, manufactured and modular homes) through allowances in the Land Use Bylaw as appropriate.

## **6. IMPLEMENTATION**

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The M.D. of Taber Municipal Development Plan contains policies that are similar to existing policies and others that will require additional processes and commitments of Council and other approval authorities. Policy areas that need further implementation include the following.

### **6.1 INFORMATION REQUIREMENTS AND AREA STRUCTURE PLANS**

The plan allows staff to request a broad range of information from an applicant. It is intended to balance the need for information to make the decision with the cost and effort to produce the data. This balance may be the result of discussion with staff, applicant, involved agencies and the relevant approval authority.

### **6.2 MUNICIPAL AND AGENCY COOPERATION**

The M.D. of Taber has a good record of cooperation with other agencies and municipalities. To continue this, the M.D. should ensure meetings or contacts are scheduled into the decision process.

### **6.3 WAIVER OF POLICIES**

It is important to have consistent decisions made over time, however, because policies don't anticipate each circumstance, decision-making authorities need the ability to allow for periodic waivers.

In respect to policies in this plan, a decision authority may approve an application even though the proposed development, subdivision or redesignation does not comply with the municipal development plan if, in its opinion, the proposal would not:

- unduly interfere with the amenities of the neighbourhood, or
- materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

### **6.4 ADDITIONAL STUDIES**

Area structure plans are recommended for the Hamlets of Enchant and Grassy Lake.

### **6.5 BUDGET CONSIDERATIONS**

This plan does not propose any major capital projects and, therefore, will not have a major impact in budget considerations. Plan policies will require some extra staff time in terms of circulating applications and projects to agencies and adjacent municipalities.

### **6.6 MONITORING AND AMENDMENT**

A major review of the Municipal Development Plan should occur in five years from the date of adoption. Until the major review, it is important to make changes when necessary so the plan will reflect the current situation. Frequent amendments may be needed and must be done through the procedures outlined in the Municipal Government Act.

## **7. CONCLUSIONS**

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This plan has been reviewed by Council and the public and will provide a decision-making framework for the foreseeable future. It is important to use these policies regularly and in a consistent method. When changes are needed, they should be made regularly.

This plan will allow for some economic diversity, while protecting the agricultural land base for generations to come.

APPENDIX A

**Excerpts from the Municipal Government Act**

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## EXCERPTS FROM THE MUNICIPAL GOVERNMENT ACT

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### Municipal Development Plans

**Municipal  
development  
plan**

**632(1)** A council of a municipality with a population of 3500 or more must, by bylaw, adopt a municipal development plan.

**(2)** A council of a municipality with a population of less than 3500 may adopt a municipal development plan.

**(3)** A municipal development plan

- (a) must address
  - (i) the future land use within the municipality,
  - (ii) the manner of and the proposals for future development in the municipality,
  - (iii) the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,
  - (iv) the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
  - (v) the provision of municipal services and facilities either generally or specifically,
- (b) may address
  - (i) proposals for the financing and programming of municipal infrastructure,
  - (ii) the co-ordination of municipal programs relating to the physical, social and economic development of the municipality,
  - (iii) environmental matters within the municipality,
  - (iv) the financial resources of the municipality,
  - (v) the economic development of the municipality, and
  - (vi) any other matter relating to the physical, social or economic development of the municipality,
- (c) may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies,
- (d) must contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities, and

- (e) must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities.
- (f) must contain policies respecting the protection of agricultural operations.

RSA 2000 cM-26 s632; RSA 2000 c21 (supp) s4

**Planning  
bylaws**

**692(1)** Before giving second reading to

- (a) a proposed bylaw to adopt an intermunicipal development plan,
- (b) a proposed bylaw to adopt a municipal development plan,
- (c) a proposed bylaw to adopt an area structure plan,
- (d) a proposed bylaw to adopt an area redevelopment plan,
- (e) a proposed land use bylaw, or
- (f) a proposed bylaw amending a statutory plan or land use bylaw referred to in clauses (a) to (e),

a council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606.

**(2)** Notwithstanding subsection (1), if a proposed development relates to more than one proposed bylaw referred to in subsection (1), the council may hold a single public hearing.

**(3)** Notwithstanding subsection (1), in the case of a public hearing for a proposed bylaw adopting or amending an intermunicipal development plan,

- (a) councils may hold a joint public hearing to which section 184 does not apply, and
- (b) municipalities may act jointly to satisfy the advertising requirements of section 606.

**(4)** In the case of an amendment to a land use bylaw to change the district designation of a parcel of land, the municipality must, in addition to the requirements of subsection (1),

- (a) include in the notice described in section 606(2)
  - (i) the municipal address, if any, and the legal address of the parcel of land, and
  - (ii) a map showing the location of the parcel of land,
- (b) give written notice containing the information described in clause (a) and in section 606(6) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
- (c) give a written notice containing the information described in clause (a) and in section 606(6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.

**(5)** If the land referred to in subsection (4)(c) is in another municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

**(6)** Notwithstanding subsection (1), a bylaw referred to in subsection (1) may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance.

**(7)** In this section,

- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
  - (i) land that would be contiguous if not for a highway, road, river or stream, and
  - (ii) any other land identified in the land use bylaw as adjacent land for the purpose of notifications under this section;
- (b) “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.

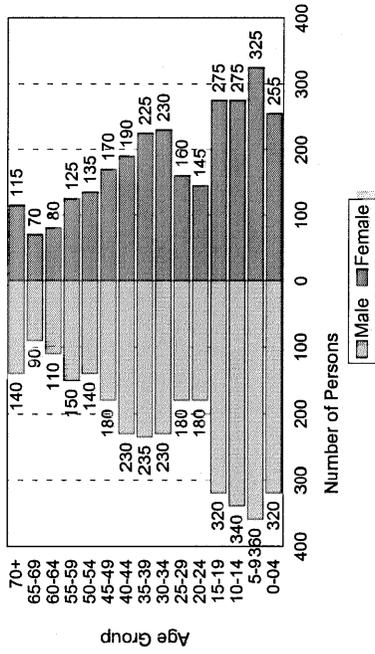
APPENDIX B

**Population Information**

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### CHART 1 - MD of Taber

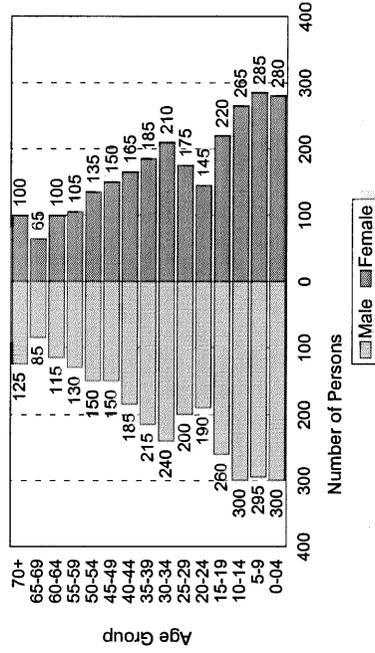
#### 1996 Population Structure



Source: Statistics Canada

### CHART 2 - MD of Taber

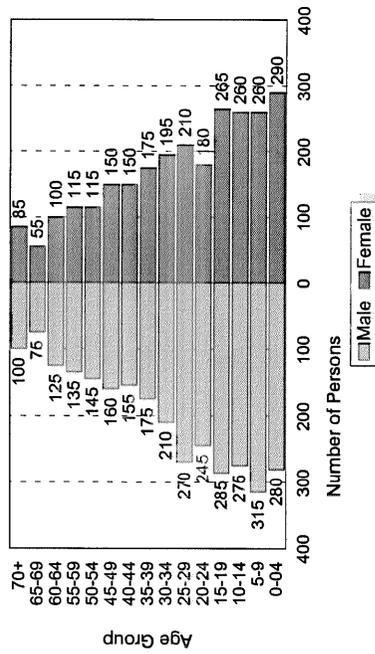
#### 1991 Population Structure



Source: Statistics Canada

### CHART 3 - MD of Taber

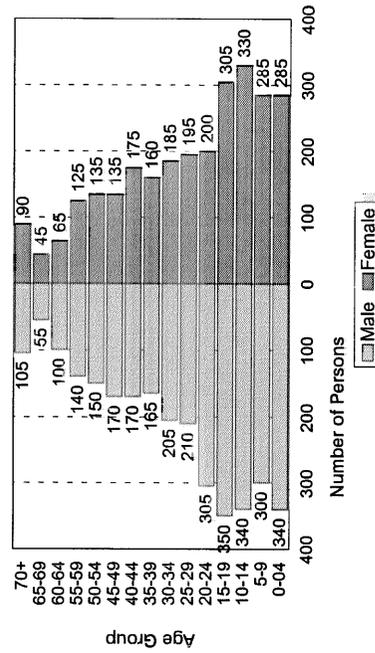
#### 1986 Population Structure



Source: Statistics Canada

### CHART 4 - MD of Taber

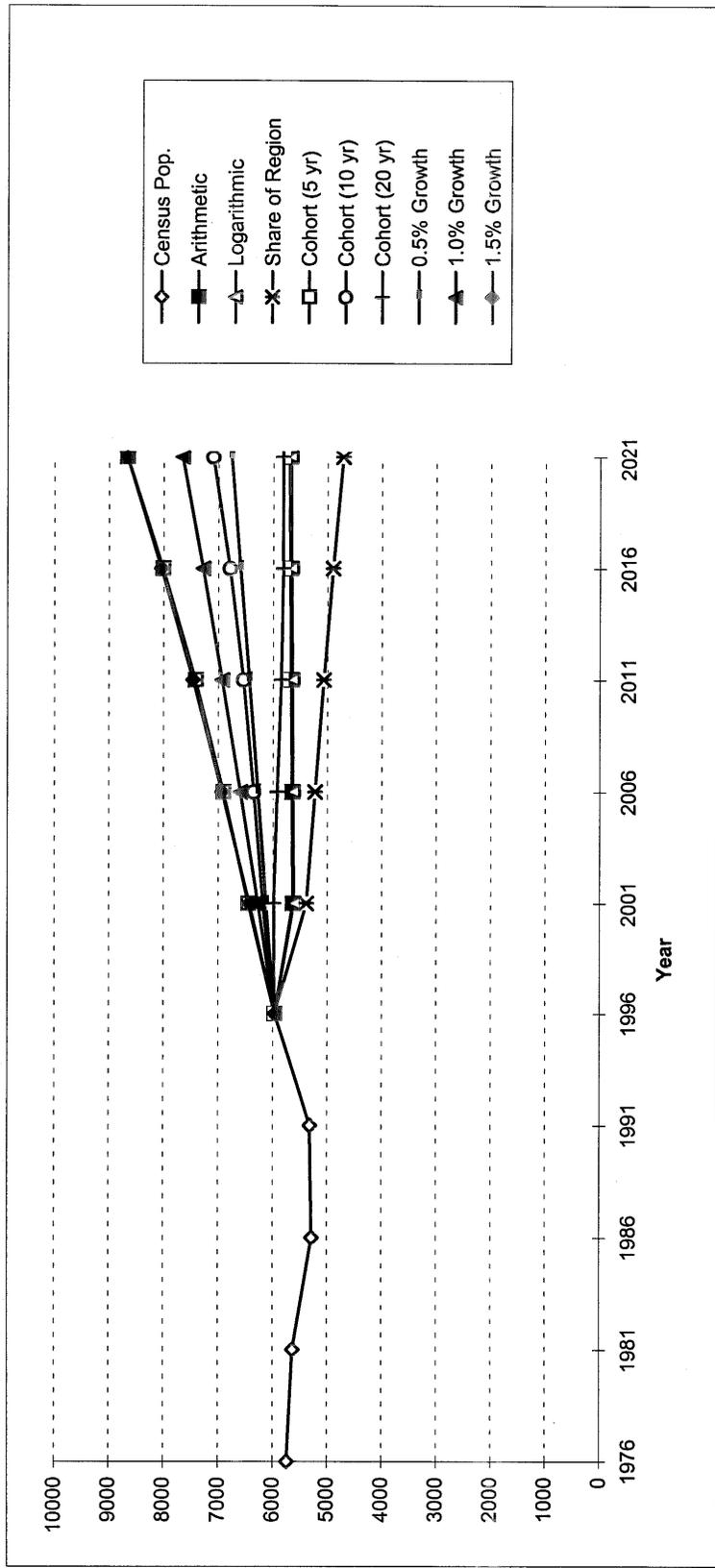
#### 1981 Population Structure



Source: Statistics Canada

# Chart 5 - M.D. OF TABER POPULATION PROJECTIONS

Year	Census Pop.	Arithmetic	Logarithmic	Share of Region	Cohort (5 yr)	Cohort (10 yr)	Cohort (20 yr)	0.5% Growth	1.0% Growth	1.5% Growth
1976	5747									
1981	5637									
1986	5284									
1991	5317									
1996	5971	5971	5971	5971	5971	5971	5971	5971	5971	5971
2001	5634	5620	5390	6449	6187	5986	6122	6276	6432	6432
2006	5652	5635	5232	6910	6355	5923	6277	6596	6930	6930
2011	5669	5650	5069	7420	6544	5852	6435	6932	7465	7465
2016	5686	5664	4900	8011	6794	5820	6598	7286	8042	8042
2021	5704	5679	4713	8665	7094	5826	6764	7657	8664	8664



\* The 1996 population total includes the Village of Grassy Lake

**NOTE:** The following maps have been reproduced from the report:

Environmentally Significant Areas in the Oldman River Region – Municipal District of Taber, prepared by Cottonwood Consultants Ltd. for Alberta Forestry, Lands and Wildlife, Edmonton, Alberta, and Oldman River Regional Planning Commission, Lethbridge, Alberta, 1988.

Interested persons are encouraged to review the original report.

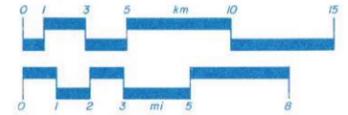
APPENDIX C

## **Environmentally Significant Areas Maps**

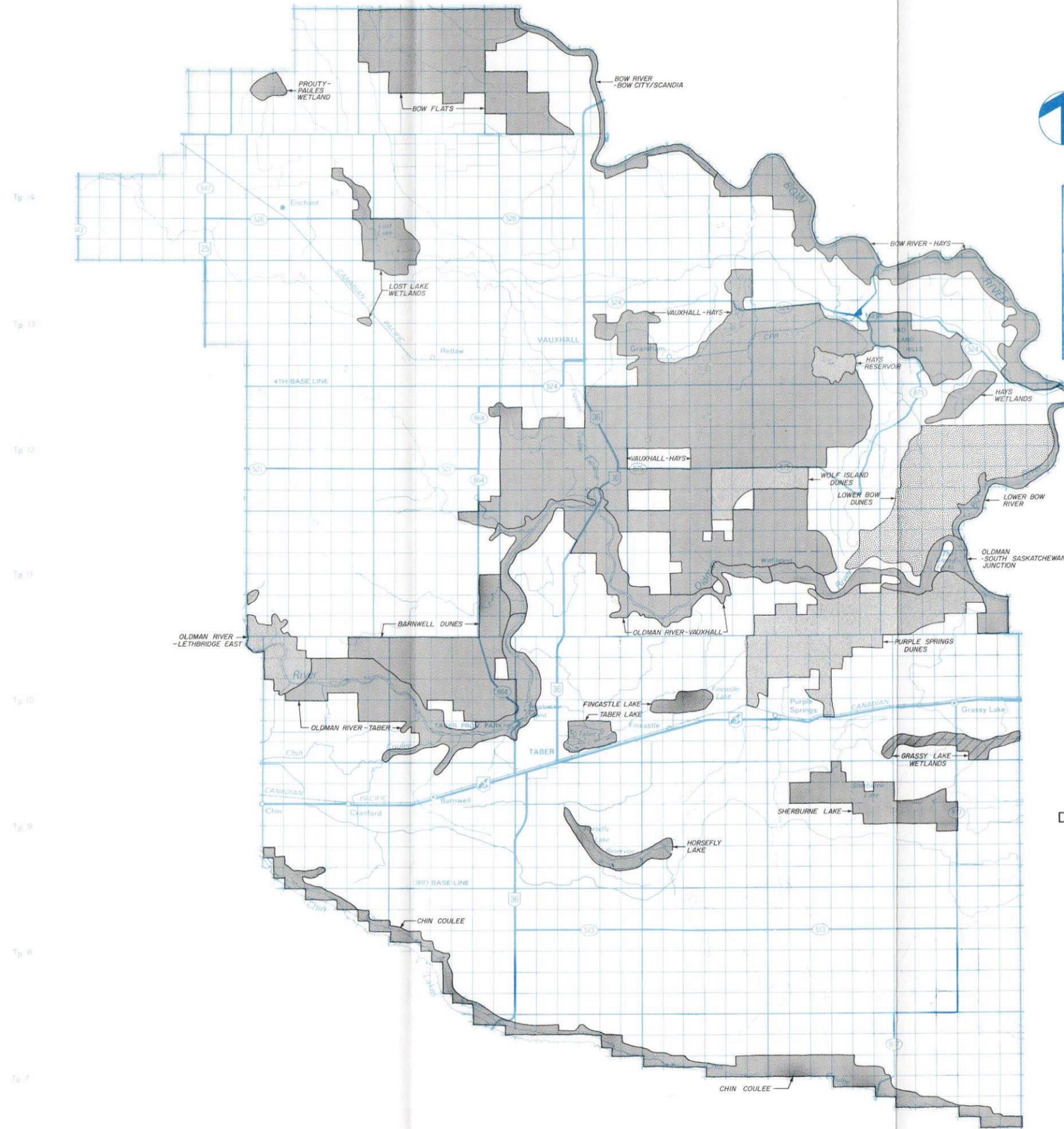
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# M.D. OF TABER

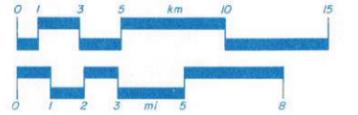


## ENVIRONMENTALLY SIGNIFICANT AREAS

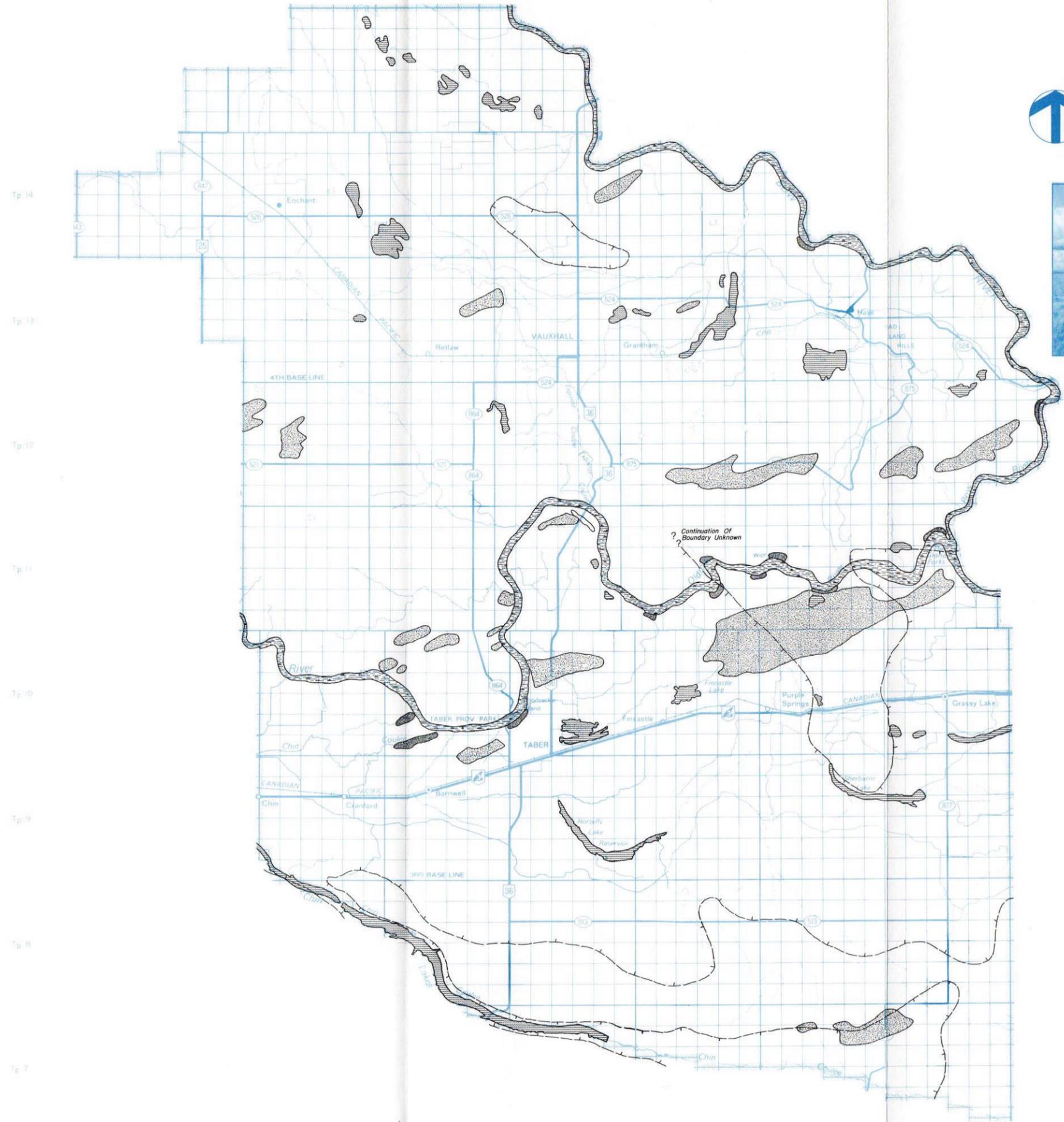


- NATURAL**
- Nationally Significant Sites
  - Provincially Significant Sites
  - Regionally Significant Sites
  - Discontinuous Significant Sites

# M.D. OF TABER

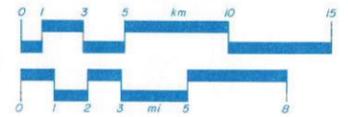


**ENVIRONMENTALLY SIGNIFICANT AREAS**

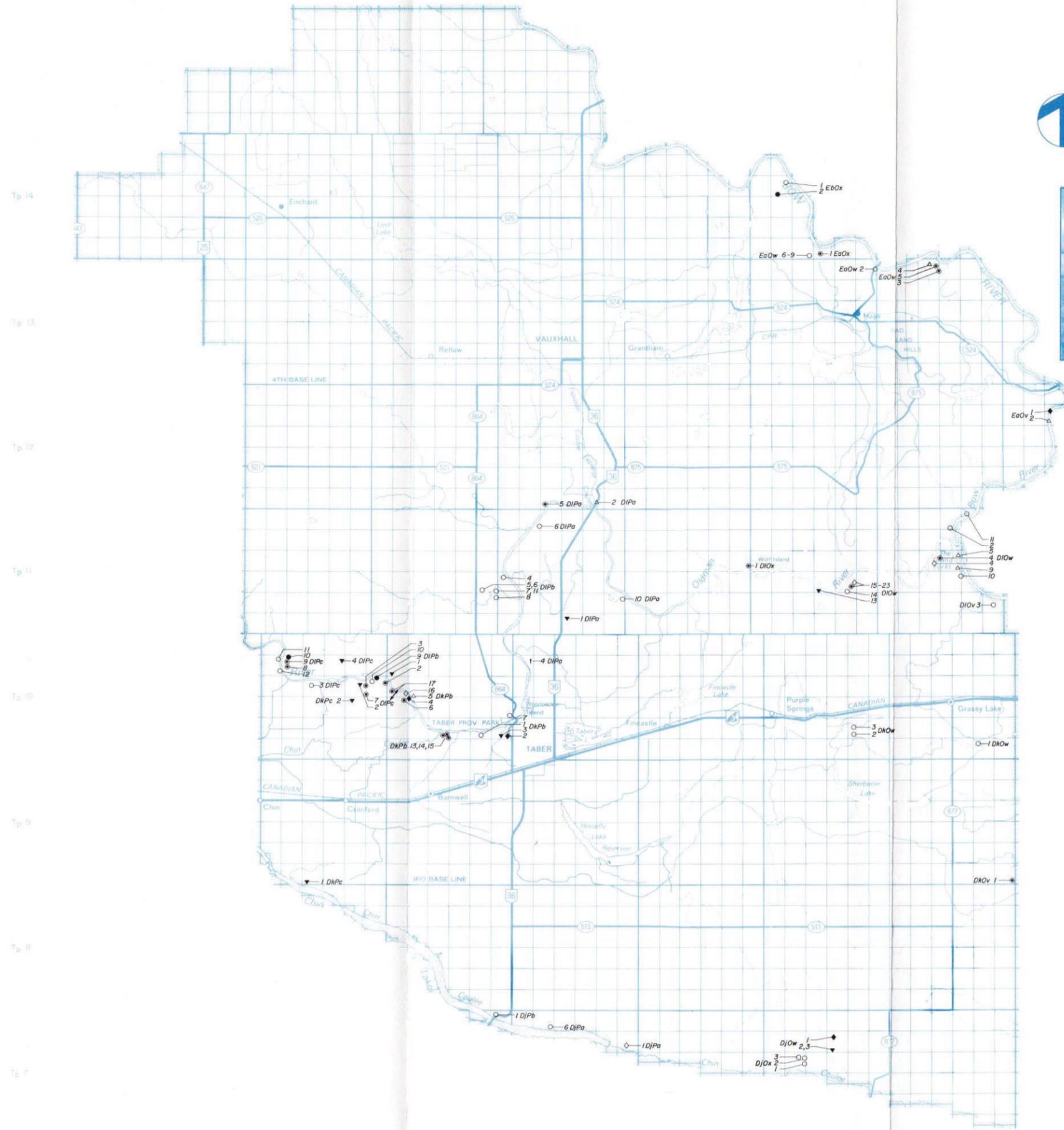


- HAZARD AREAS**
- Aeolian Sand
  - Floodplains
  - Permanent Wetlands
  - Unstable Slope Potential
  - Area Of Artesian Flow

# M.D. OF TABER



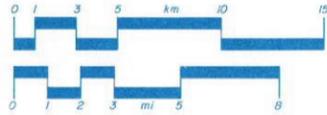
**ENVIRONMENTALLY SIGNIFICANT AREAS**



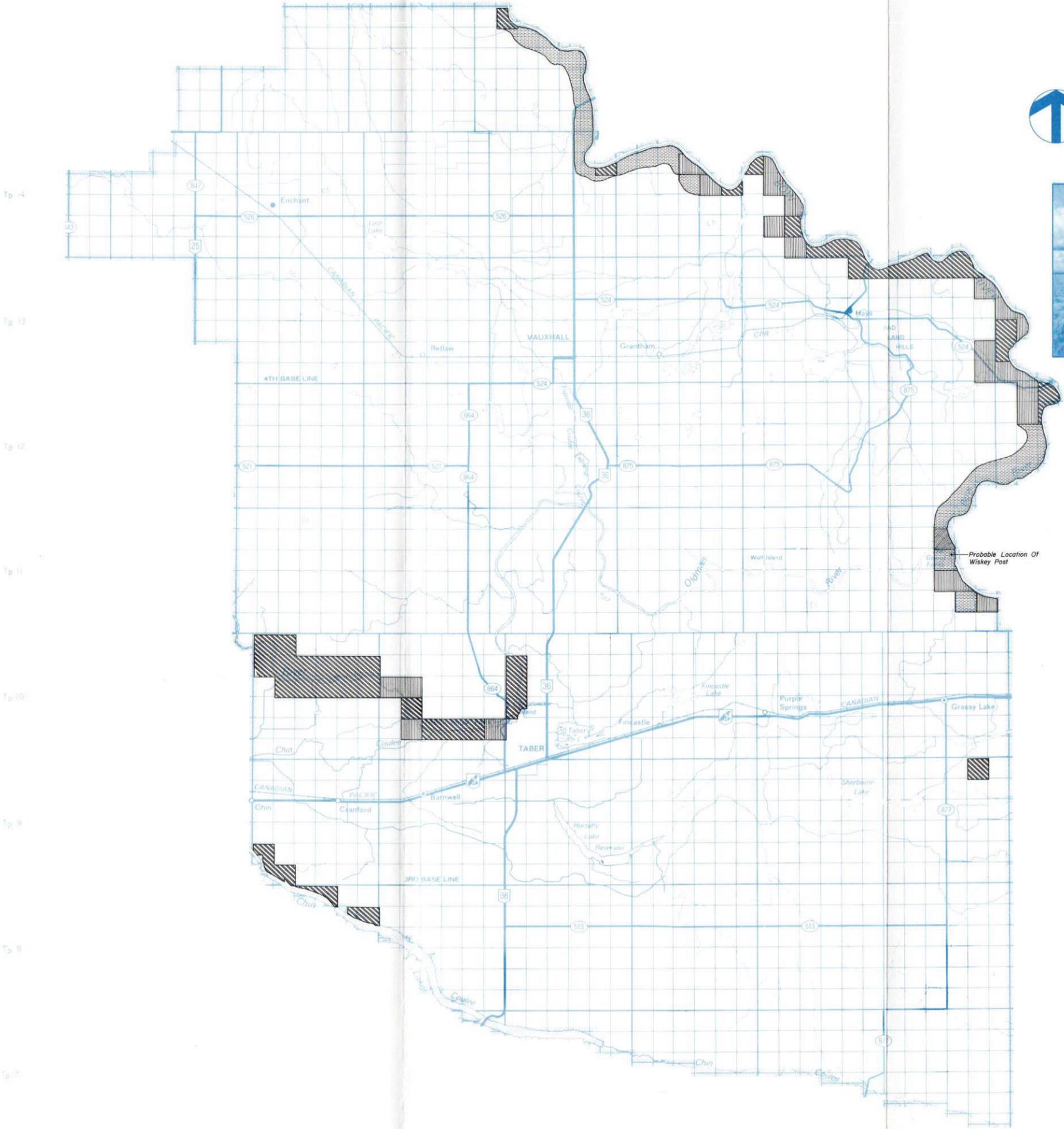
**PREHISTORIC SITES**

- Bison Kills ◆
- Cairns ●
- Cairns/Tipi Rings ○
- Drive Lanes →
- Effigy ◇
- Burials †
- Surface Camps ▼
- Terrace Camps △
- Tipi Rings ○

# M.D. OF TABER



## ENVIRONMENTALLY SIGNIFICANT AREAS



### PALEONTOLOGICAL SENSITIVITY ZONES

- High
- Medium
- Low
- Probable

### HISTORIC Whiskey Posts

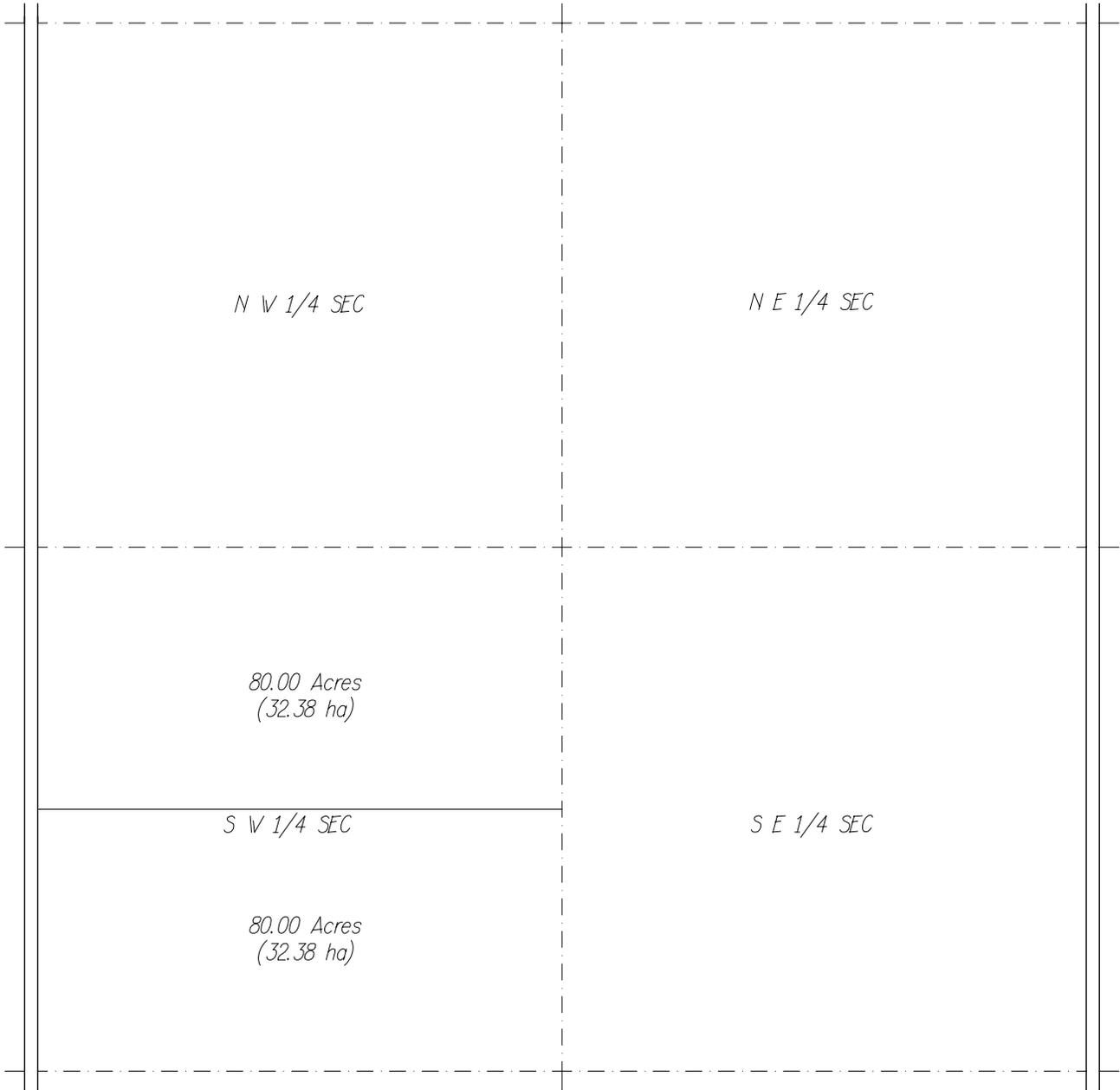
Tp 14  
Tp 13  
Tp 12  
Tp 11  
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R 18 R 17 R 16 R 15 R 14 R 13

APPENDIX D

**Illustrations of Subdivision Policies**

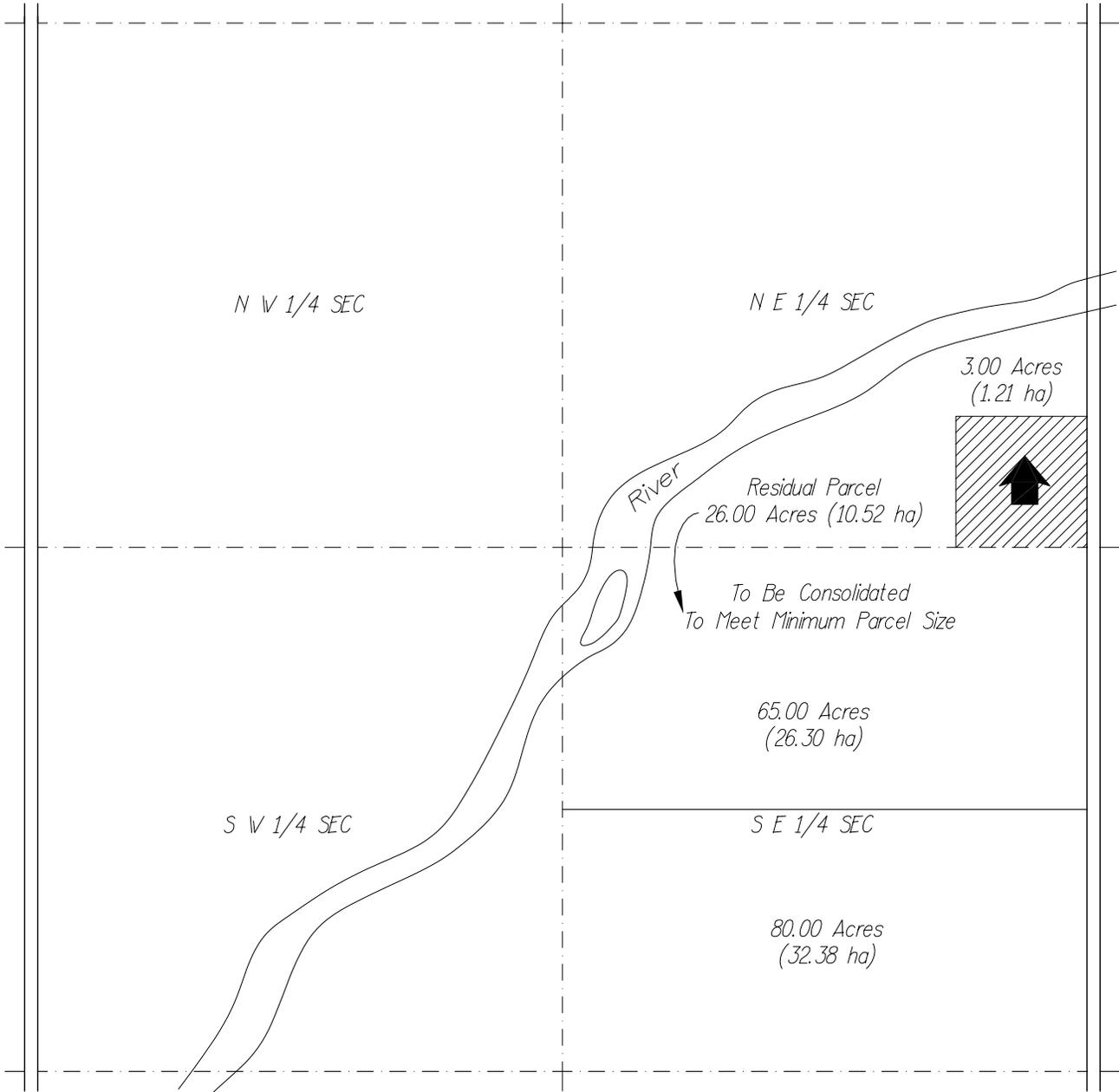
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MINIMUM EXTENSIVE AGRICULTURAL PARCEL SIZE - POLICY 5.6.7

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

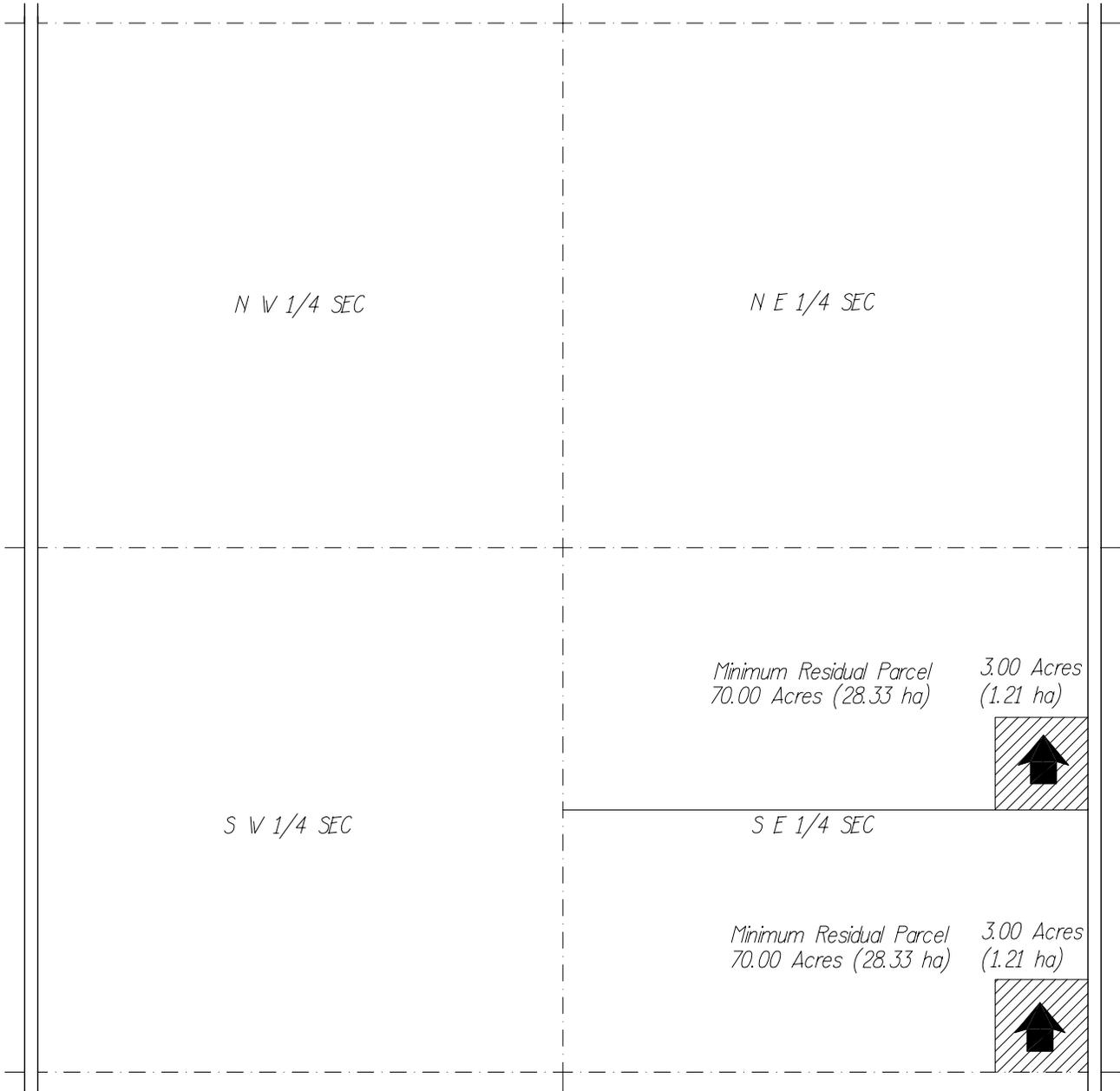




CONSOLIDATION WITH ADJACENT PARCEL  
TO MEET MINIMUM PARCEL SIZE - POLICY 5.6.8

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

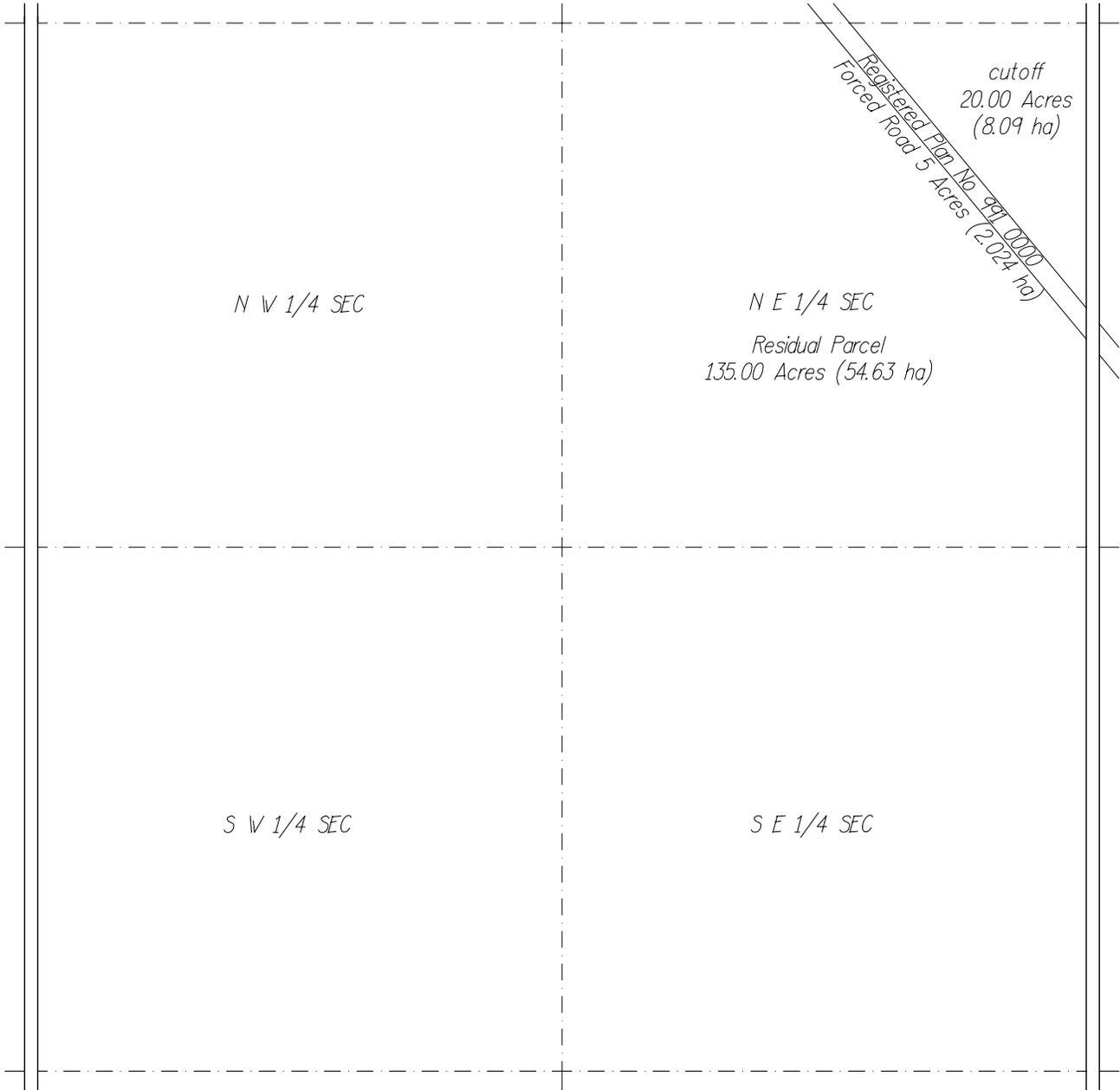




DEVELOPED DWELLINGS ON PARCEL(S) FROM  
80 ACRE PARCEL - POLICY 5.6.9

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

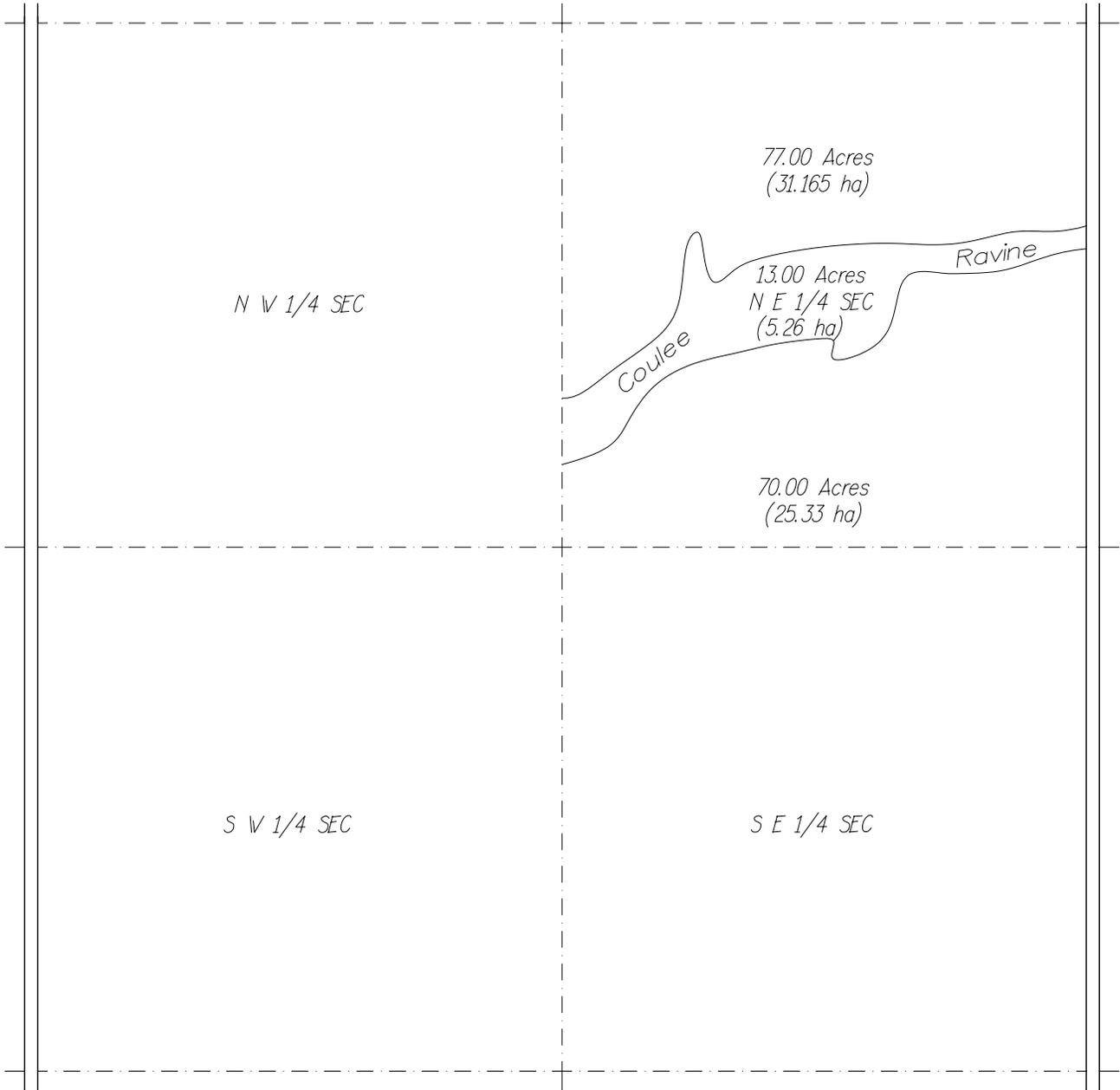




CUTOFF PARCEL - REGISTERED EXCEPTION - POLICY 5.6.11

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

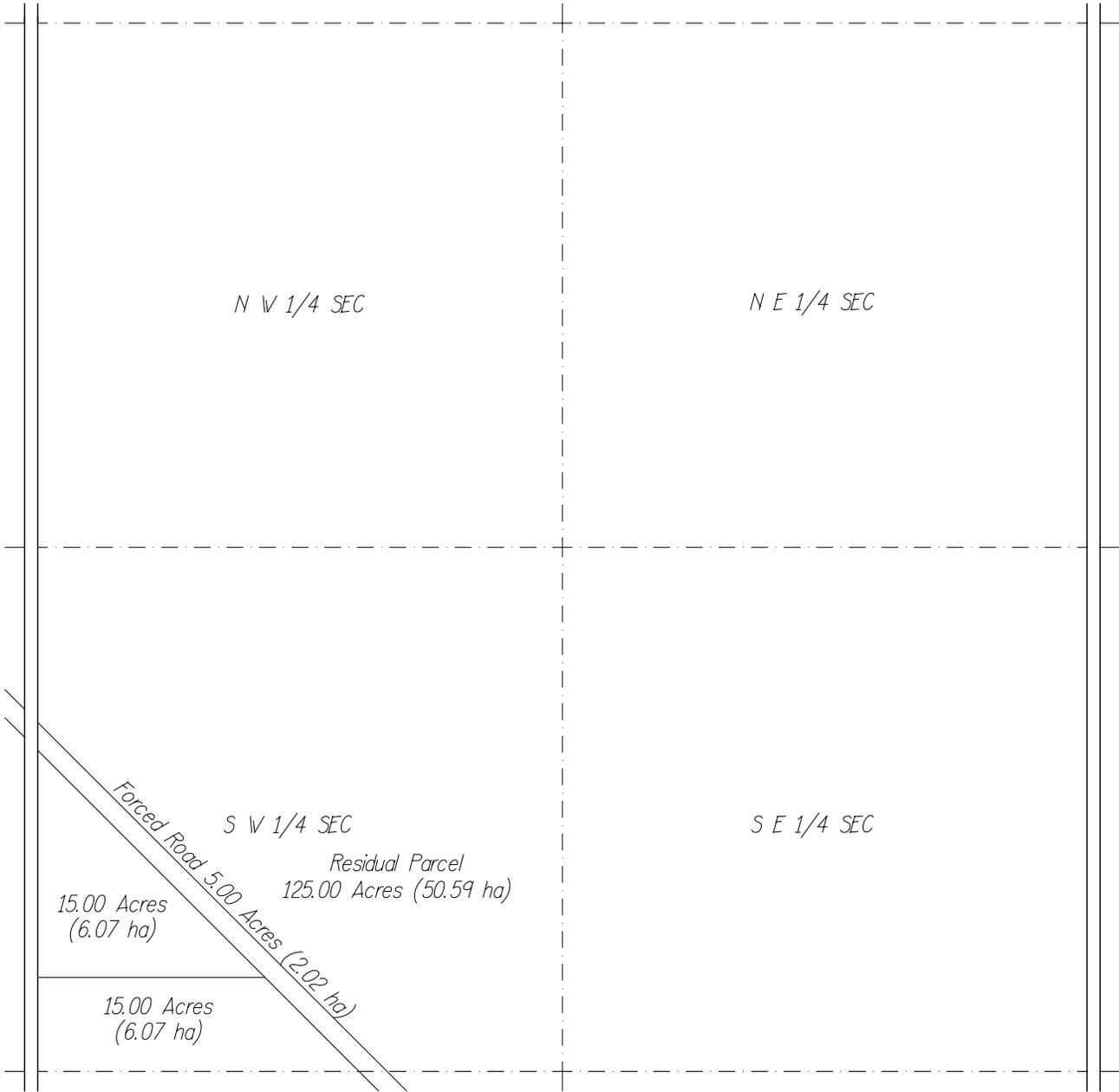




CUT OFF PARCEL NATURAL FEATURE - POLICY 5.6.11

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

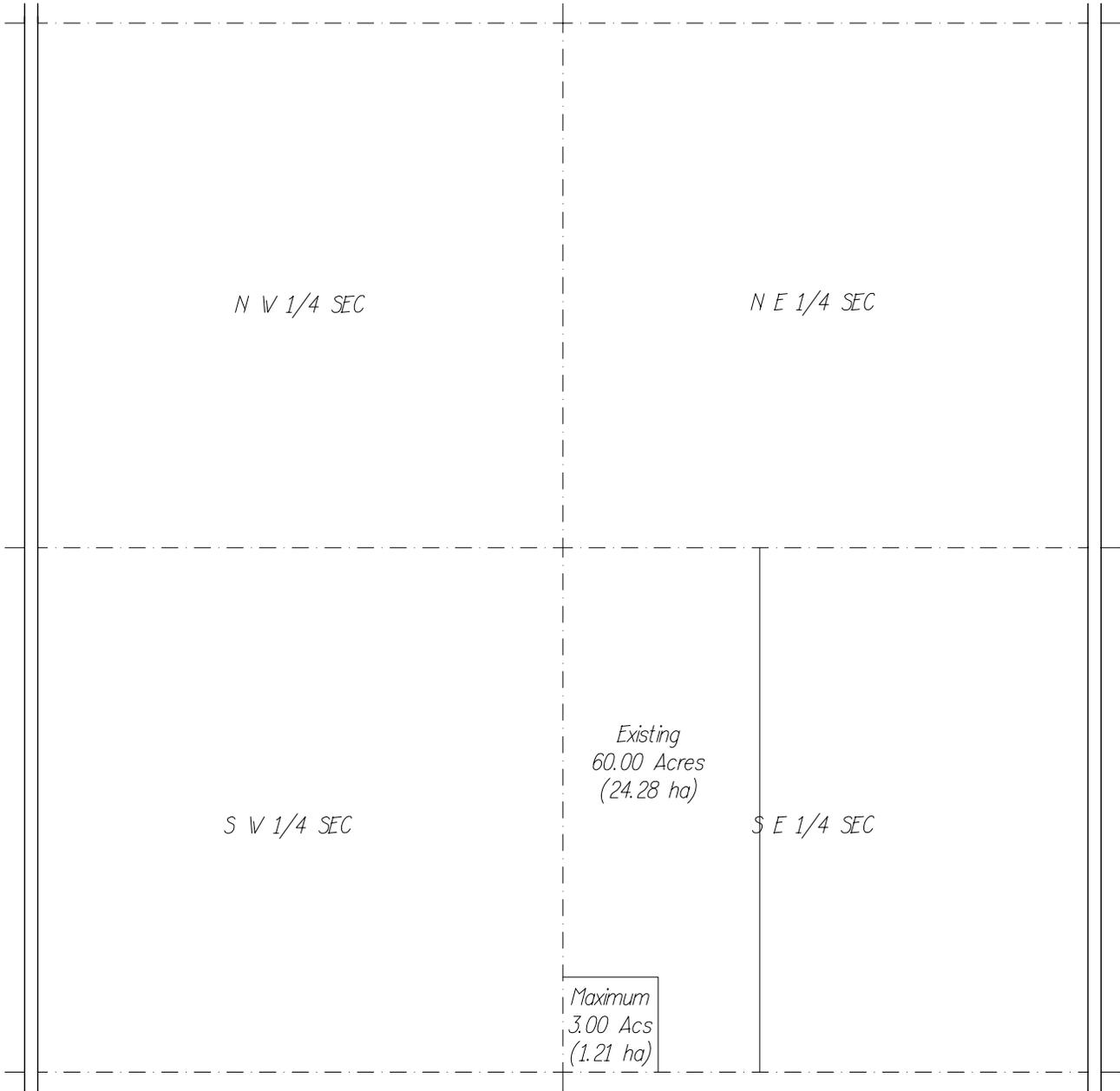




RE-SUBDIVISION OF EXISTING PARCEL - POLICY 5.6.12

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

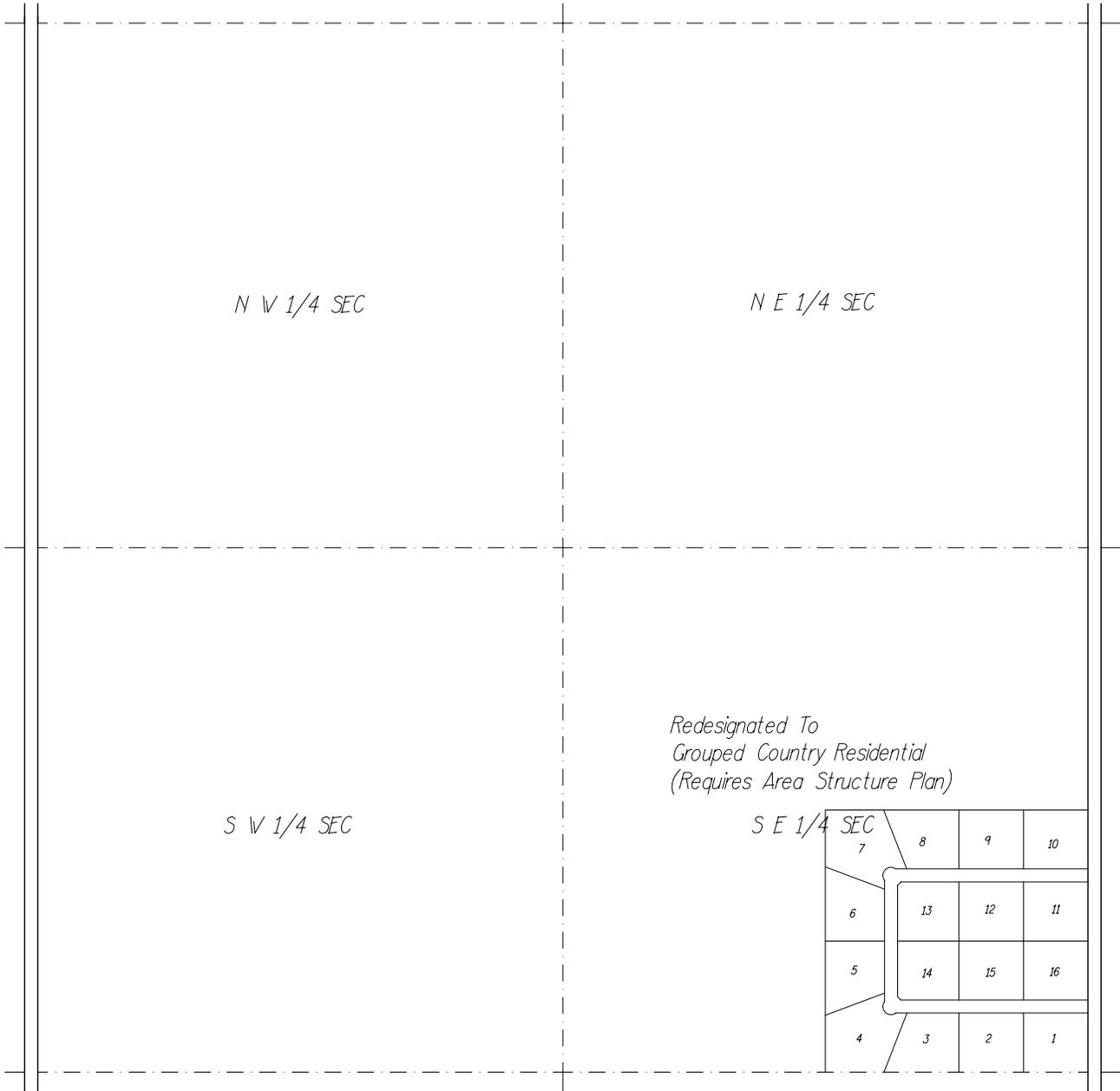




RESIDENTIAL SUBDIVISION OF EXISTING PARCEL - POLICY 5.6.13

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

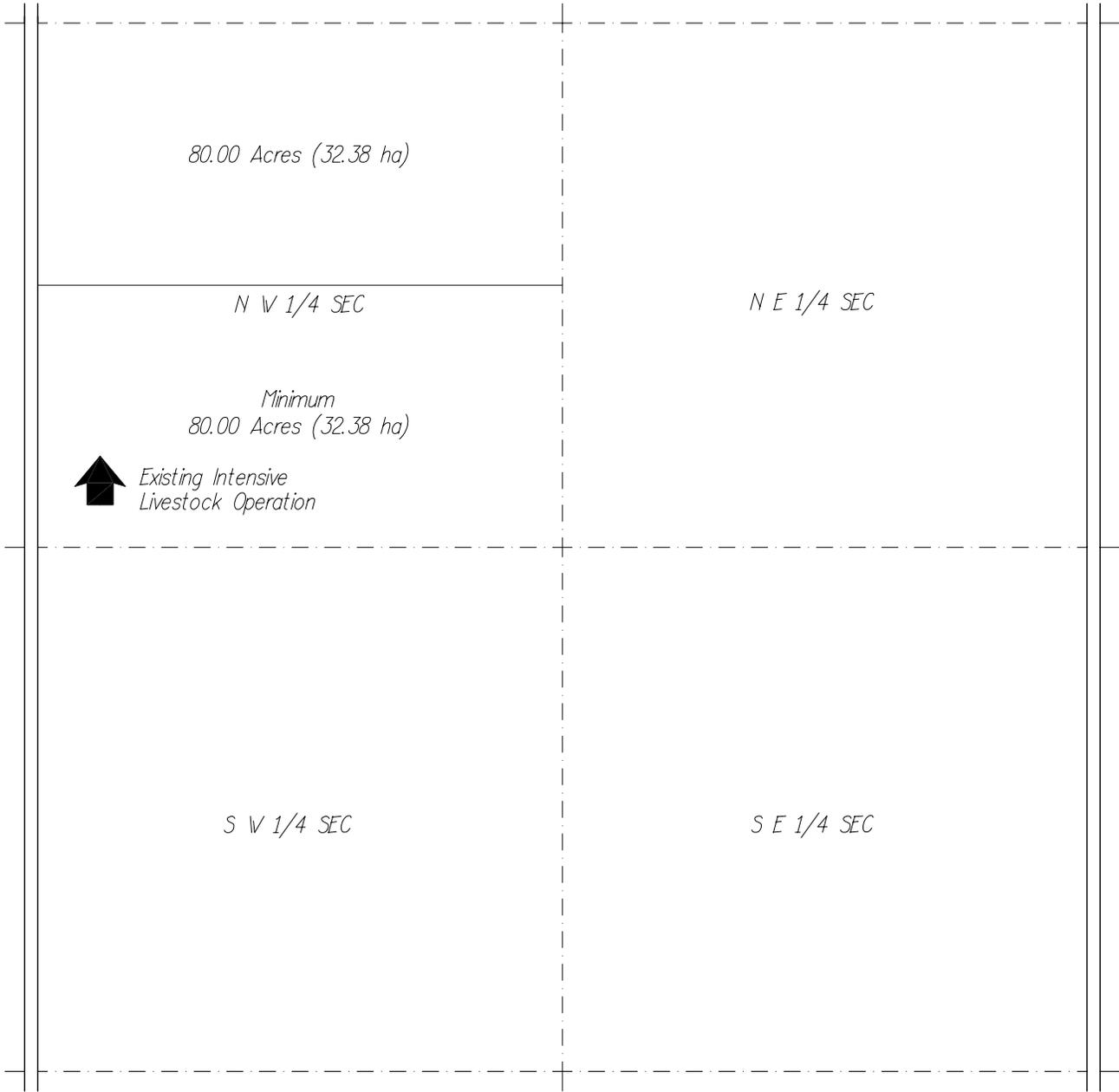




REDESIGNATED TO GROUPED COUNTRY RESIDENTIAL;  
REQUIRES AREA STRUCTURE PLAN - POLICY 5.6.17

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES





EXISTING INTENSIVE LIVESTOCK OPERATION - POLICY 5.6.20

MUNICIPAL DISTRICT OF TABER  
SUBDIVISION POLICIES

 INTENSIVE LIVESTOCK OPERATION

