### APPENDIX A BYLAW NO. 1869

A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA, TO ADOPT THE CHICKENHILL LAKE AREA STRUCTURE PLAN OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87 HEREBY CITED AS THE CHICKENHILL LAKE AREA STRUCTURE PLAN BYLAW.

**WHEREAS**, under the provisions of the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto, a Council's power to pass a bylaw includes a power to amend or repeal a bylaw;

**AND WHEREAS**, under the provisions of the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto, a Council may, by bylaw, adopt an Area Structure Plan for the purpose of providing a framework for subsequent subdivision and development of an area of land;

**AND WHEREAS**, notice of the intention of Council to pass a bylaw has been published in a newspaper circulating in the municipality advising of the date for a Public Hearing;

**AND WHEREAS**, persons claiming to be affected by the proposed bylaw and any other person wishing to make representations were afforded an opportunity to be heard by Council through Public Hearing at a public Meeting of Council prior to the final passing thereof;

**NOW THEREFORE**, the Council of the Municipal District of Bonnyville No. 87, duly assembled in the Province of Alberta, hereby enacts the following:

- 1. That this document attached to, and forming part of Bylaw No. 1869, as Schedule "A" be adopted as the Chickenhill Lake Area Structure Plan, insofar as it affects lands within the Municipal District of Bonnyville No. 87 as shown in Figure 3: Community Boundary of Schedule "A".
- 2. Upon third reading of Bylaw No. 1869, Bylaw No. 836 and all amendments thereto are hereby repealed.
- 3. That this Bylaw shall come into force and have effect from and after the date of third and final reading thereof.

READ A FIRST TIME IN COUNCIL THIS 11th DAY OF JUNE, 2024.

READ A SECOND TIME IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

READ A THIRD TIME IN COUNCIL THIS _	DAY OF	, 2024.
	REEVE	_
	CHIEF ADMINISTRATIV	E OFFICER

2024

# CHICKENHILL LAKE AREA STRUCTURE PLAN



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### **PREPARED FOR:**

Municipal District of Bonnyville No. 87 4905 50 Avenue Bag 1010 Bonnyville, AB T9N 2J7

# 1.0 INTRODUCTION

The review and update of the Chickenhill Lake Area Structure Plan (ASP) stems from the changing context within the Municipal District of Bonnyville No. 87 (M.D.) as well as the need to review what has changed in the Chickenhill Lake area since the adoption of the original ASP in 1982. The update is also the result of the M.D.'s full review of all planning documents in 2019, driven by the changes to the *Municipal Government Act* (MGA) as part of its modernization. The general location of the lake is illustrated in **Figure 1: Geographic Location of Chickenhill Lake** on page 3.

# PURPOSE OF THE PLAN

The purpose of the update to the ASP is built around the following key areas:

- 1. Ensure the ASP reflects the updates to the MGA requirements for all municipal statutory planning documents.
- 2. Review the existing ASP relative to changes in the local context and update the land use and policy direction accordingly.
- 3. Design the plan to achieve the overall key objectives:
  - a. Provide a framework for decision making and guiding future land use change and development within the planning area.
  - b. Protect the agricultural resource base.
  - c. To protect valuable wildlife and environmental resources.
  - d. To promote and protect public recreation areas.
  - e. To minimize land use conflicts among residential, agricultural, and recreation.

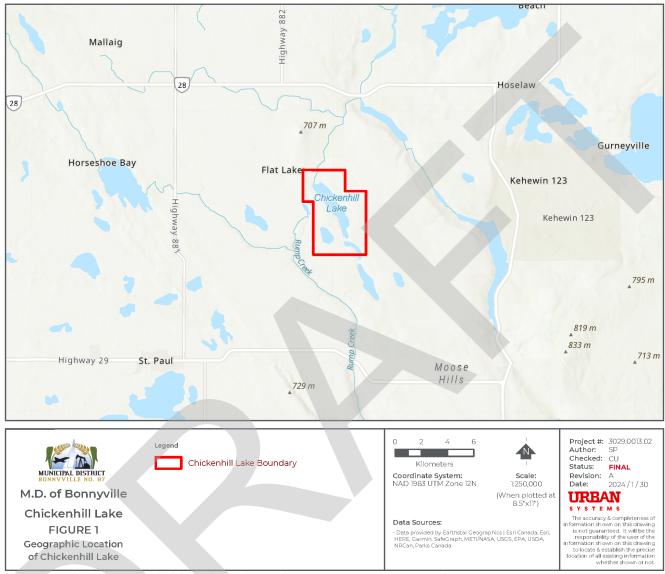
# AUTHORITY TO PREPARE THE PLAN

The authority for municipal planning, subdivision, and development control is established in Part 17 of the MGA. Section 633 allows municipalities to adopt Area Structure Plans to establish the following guidelines:

- 1. General land use pattern.
- 2. Proposed sequence of development in the area.
- 3. Overall density of population.
- 4. Transportation networks.
- 5. General framework for municipal services

The M.D. has a variety of well-developed policies and planning documents to guide the evolution of the plan area. These documents, combined with a commitment to structured and organized planning, provide a strong base for shaping the updates to the ASP.

The ASP provides a planning framework for land uses in the plan area. The ASP should be interpreted with flexibility regarding its purpose and objectives. Questions related to the interpretation or intent of policy may be presented to Council for their consideration.



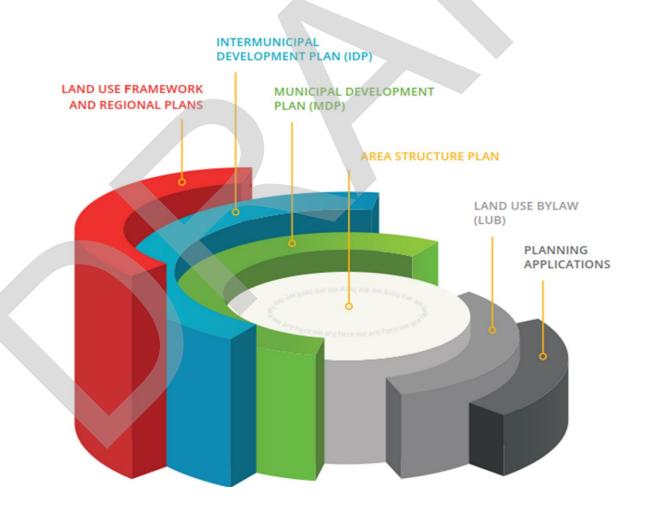
#### Figure 1: Geographic Location of Chickenhill Lake

Beyond the guidelines established throughout the ASP, the MGA also outlines the requirement for consistency between the ASP and any Regional Plan, Intermunicipal Development Plan, and Municipal Development Plan. A general overview of the hierarchy of planning documents is illustrated in **Figure 2: Hierarchy of Planning Documents** below.

Any information presented outside of specific policy directives are provided for information only. If there is any inconsistency between policy directives or any other text within the plan, the policy directive will take precedence. Additionally, all boundaries, symbols, and locations are intended as approximations and shall be interpreted as such.

It should be noted that the timing of specific developments may occur faster or slower than anticipated, depending on a variety of external influencing factors. The conditions that contribute to public and private sector decisions to make the necessary investments to facilitate growth and development guide the pace of development and the ASP does not specify timing.

Figure 2: Hierarchy of Planning Documents





## SUMMARY OF THE CURRENT CONTEXT

### GEOGRAPHY

Chickenhill Lake., relatively remote in nature, is located approximately 65 km southwest of the city of Cold Lake. **Figure 3: Community Boundary** illustrates the plan area, in the southwest corner of the M.D.

The slope of the site remains relatively flat, with only some portions along the south of the lake experiencing slopes of 10%-20% or more. The northern portion of the lake, where most of the residential development and recreational uses are located, has a flat slope between 0% and 10%.

The original ASP indicates that development shall be prohibited on lands with more than 15% percent, or along unstable slopes. The majority of the land along the north shores of the lake are less than 15%, making these sites ideal locations for development. See Figure 4 for an illustration of the slopes throughout the plan area.

### LOCAL CONTEXT

The original ASP was adopted in 1982. Since then, there has not been many updates to the ASP. The following changes in the local context have helped to inform this update.



### POPULATION AND HOUSING

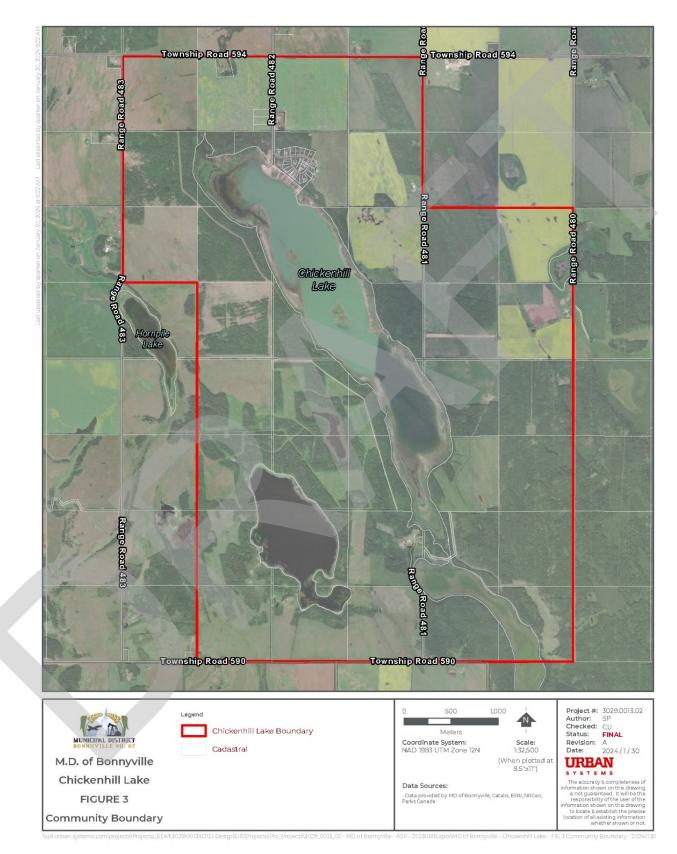
There are no official sources of population for the area. However, assessment data for Chickenhill Lake indicates that there 36 total residences in the plan area, 17 of which are considered cabins and only seasonally occupied. These are mostly clustered in a single subdivision at the northeast corner of the lake, with a few farmhouses scattered throughout the plan area.

When the plan was originally adopted in 1982, there were 20 of the 36 residential buildings established. Since the plan adoption, there have been an additional 16 units constructed. There are no obvious or immediate growth pressures for the area, though the subdivision on the northeast corner is largely built out with only a few remaining undeveloped lots.

#### Infrastructure

The development pattern along the lake and throughout the plan area is driven by the absence of municipal water and wastewater infrastructure, limiting the potential to construct anything on lots that cannot accommodate on-site water wells and wastewater treatment systems. This limits residential development patterns to low-density subdivisions or individual rural residential lots. Given the location adjacent Chickenhill Lake, the development pattern will need to remain consistent to prevent the removal of native vegetation, limit impervious surfaces as part of stormwater management, and reduce potential fragmentation of agricultural uses in the area.

Figure 3: Community Boundary





#### Environmental Constraints

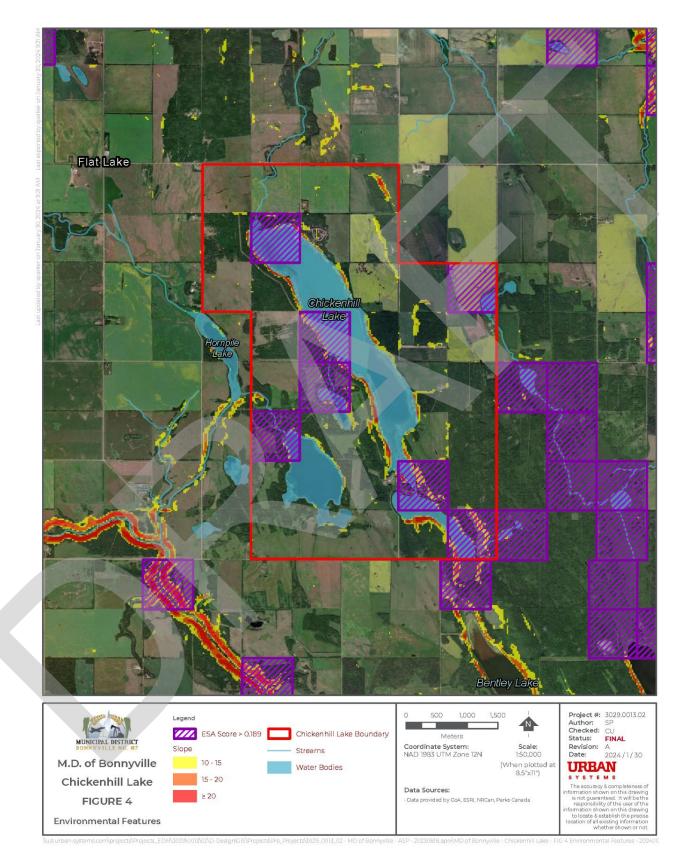
Environmentally Significant Areas (ESAs) are important for promoting the long-term maintenance and conservation of natural features and processes. They are areas that contain rare or unique elements in the province or include elements that may require special management considerations due to their conservation needs. ESAs are assigned scores based on four (4) criteria (areas with focal species, species groups or their habitats, areas with rare, unique, or focal habitat, areas with ecological integrity, and areas that contribute to water quality and quantity). Each quarter section in Alberta was evaluated for the four criteria and assigned a cumulative ESA score. A cumulative ESA score greater than 0.189 was used to designate areas as ESAs. ESAs do not represent government policy and are not necessarily areas that require legal protection, but instead, their identification on the landscape is intended to be an information tool to inform land use planning and policy at local, regional, and provincial levels.

There are seven parcels designated as an environmental protection area, recognized as having an ESA rating of higher than 0.189. These environmentally sensitive areas are located directly to the west of the residential developments, working their way south of the lake. Developments are also prohibited in areas characterized by wetlands, areas with unique vegetation species, and areas of key habitat and special importance to wildlife species. Refer to **Figure 4: Environmental Features** for an illustration of the environmental characteristics of the plan area.

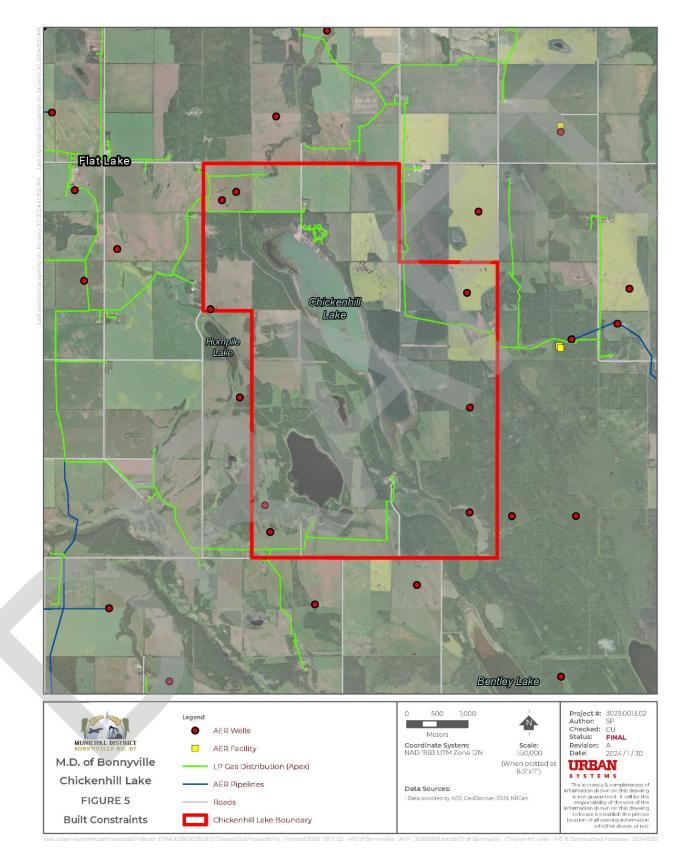
### **Built Constraints**

While there are considerable oil and gas pipelines and facilities in the region, there are no major constraints within the plan area stemming from their physical location or associated setbacks. There are seven (7) seven abandoned wells, and associated setbacks, located around the perimeter of the plan boundary and no existing facilities or pipelines bisecting the plan area. Refer to **Figure 5: Built Constraints** for an illustration of the constructed features in and around the Chickenhill Lake plan area.

Figure 4: Environmental Features



#### Figure 5: Built Constraints





#### **Existing Land Uses**

Aside from the residential area in the northeast corner of the Lake, which includes (CR) Country Residential Resort land use designations, the remainder of the plan area is designated as Agriculture, limiting subdivision opportunities in the area. As part of the recreation uses adjacent the lake, there is a powered campground, with 29 campsites, day use area, beach, and playground. Refer to **Figure 6: Existing Land Use** for an illustration of the existing land use distribution within the plan area.

### Soil Characteristics

Soil ratings that are assessed at greater than 45% are considered "Better Agricultural Lands" and have been identified as a priority for preservation within the Municipal Development Plan. While there is a considerable amount of agricultural activity within the plan area, the majority of the lands are assessed as poor to very poor (under 32% assessed value) with clusters of land assessed as fair (33% - 44%) in the northeast corner of the plan area. Refer to **Figure 7: Soil Characteristics** for an illustration of the soil quality and its distribution throughout the plan area.

Figure 6: Existing Land Use

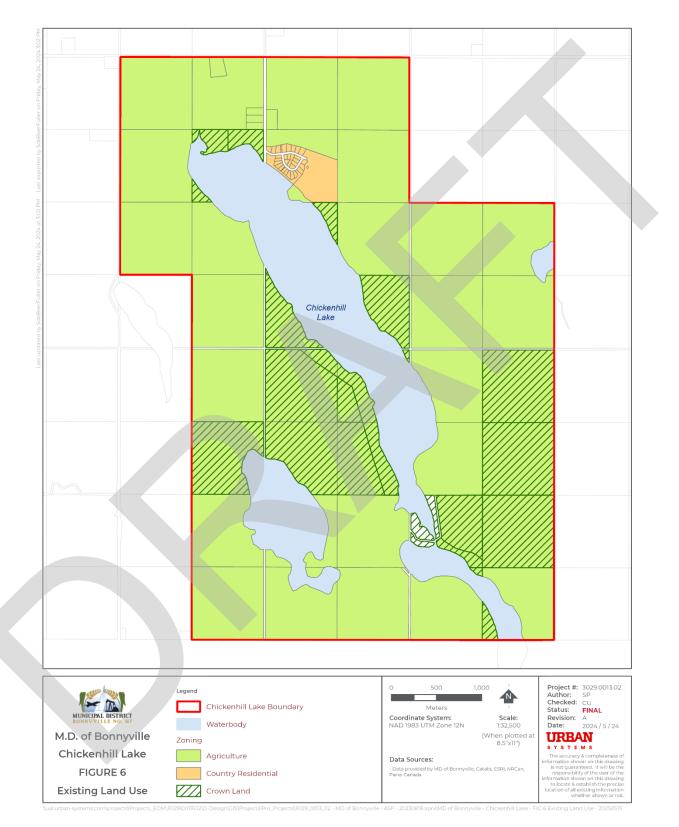
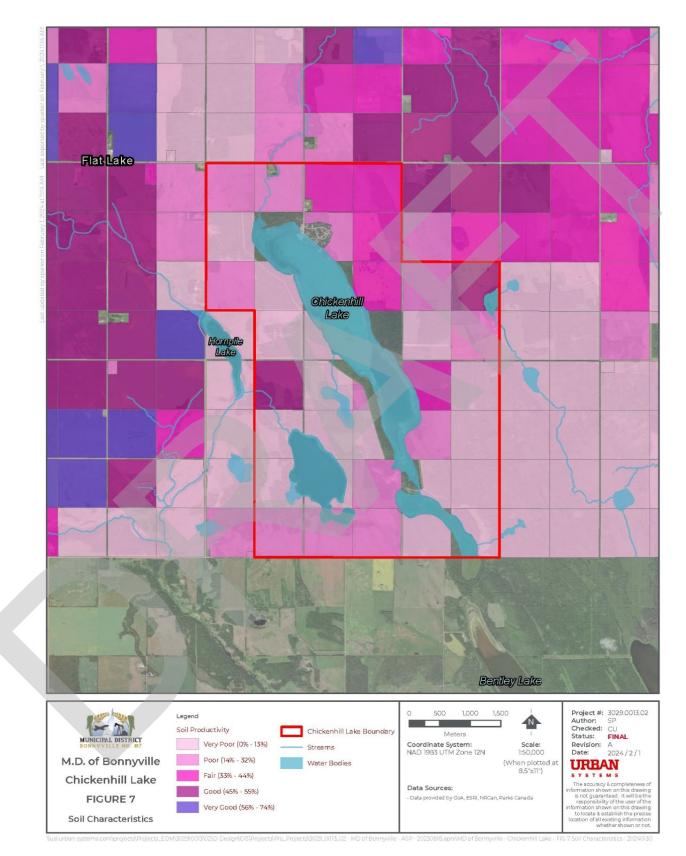


Figure 7: Soil Characteristics





# 2.0 COMMUNITY GUIDE

## DIRECTION OF THE PLAN

The original plan was adopted by the Municipal District of Bonnyville No.87 after a public hearing on December 9, 1982. Since the adoption of the plan, there has been little development activity, and the area remains largely remote and focused on recreational residences and recreational uses.

While the area does not consist of high-quality soils, there is considerable agricultural activity in the area, which complements the natural and ecological features of the lake. The natural and agricultural qualities of the plan area contribute to the low-density development pattern as well as the attractiveness for recreation, day-use, and camping uses.

The residential development area has been largely built-out, but there are no immediate growth pressures, and the primary direction of the plan remains focused on protecting natural and agricultural resources, while providing for environmentally appropriate residential development opportunities and continued public recreational access, Reinforcing the importance of protecting the lakeshore and its riparian area.

# **COMMUNITY ASPIRATION**

In contributing to the overall vision of the M.D., this Plan has been developed around the understanding that the long-term sustainability of the lake will contribute to the goals of leveraging the environmental resources for both ecological preservation as well as sustainable public access to natural recreation areas.

In addition to the recreation opportunities and protecting the environmental integrity of the natural areas, the local desire to protect the agricultural character of the area fits with the M.D. priority to preserve agricultural operations as a key driver of the rural identity of the community and the local economy. In setting the direction for the sustainability of Chickenhill Lake, the following community aspirations represent a filter to evaluate the contributions of new development to the health of the community:

- 1. Preserve the functionality of agricultural operations.
- 2. Protect the ecological integrity of the lake and the natural areas that surround it.
- 3. Provide sustainable public access to recreation opportunities, that consider the overall impact on the health of the lake.

## **GUIDING PRINCIPLES**

While not intended as a detailed prescription, the following guiding principles are intended to act as a guide to support decisions on future development inquiries and applications in support of the community aspirations:

- 1. **Environmental Stewardship**: Promote land use and development patterns that enhance the environmental features, support public health and safety, and promote the ecological integrity of the lake.
- 2. **Public Access to Recreation:** Support continued opportunities for residents and visitors to enjoy memorable recreation experiences.
- 3. **Sustainable Development:** Consider any application for new development relative to the broader Land Use direction in the MDP and through a balanced approach to development and preservation that considers the health of the lake.



# 3.0 <u>COMMUNITY PLAN</u>

## LAND USE CONCEPT

The proposed land use concept for Chickenhill Lake represents a general framework. The boundaries of the different land use categories are intended to be conceptual and subject to refinement at the time of subdivision. The land use concept has been developed based on the following:

- 1. The aspirations and guiding principles outlined in Section 2.0.
- 2. The relationship and compatibility to existing development and potential impact on the lake.
- 3. The natural and physical development constraints throughout the area.

The following land use classifications represent general descriptions of proposed land uses throughout the plan area, respecting existing developed areas. Each land use category describes a general form of future development and do not correspond to any specific land use districts. Refer to **Figure 8: Future Land Use** for an illustration of the generalized future land use concept.



### AGRICULTURAL

Agriculture represents a vital component of the character, environment, and economy of the M.D. and makes up most of the plan area. While there is considerable agricultural land use within the area, most of the soils fall below the 45% farmland assessment value (soils assessed at 45% or higher are considered better agricultural lands). There are pockets of lands above the 45% assessment, but the general direction of the ASP is to preserve both higher capacity agricultural lands as well as sustainable operations, regardless of the land assessment

#### Development Guidelines

- 1. Agricultural land will not be considered for any other form of development unless the agricultural operation is on lands that are assessed at less than 45% when considering the quality of soils for agricultural use and the operation is no longer considered sustainable.
- 2. New development in agricultural areas shall be limited to residential uses, as outlined in the MDP, and shall be required to consider buffering and transition areas at the boundary with any continued agricultural operation.
- 3. To the extent feasible, the ASP discourages any agricultural practice adjacent to other environmentally sensitive water bodies that influence the environmental integrity of the lake or watershed.
- 4. To the extent feasible, the ASP discourages any form of development for agricultural purposes that alters or fragments contiguous natural areas, functions, or habitats.
- 5. While confined feeding operations (CFO) are regulated by the Natural Resources Conservation Board, any proposed application for a CFO is not supported within this ASP.



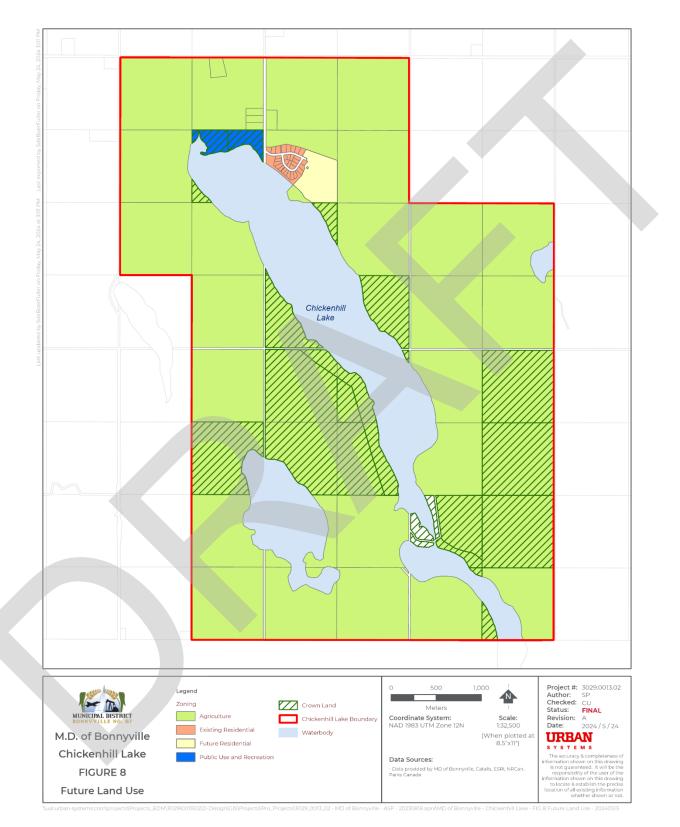
### RESIDENTIAL

The future land use map highlights the current residential area, as well as the area that is immediately adjacent the current subdivision, which represents a logical extension of the residential development and is already designated for Country Residential development. There has been limited growth pressures in the area, with the development incrementally building out since the plan's adoption in 1982 (as notes in Section 1.0, only 16 of existing homes throughout the plan area have been built since 1982). Given the lack of municipal services in the area, the type of residential development is limited to low-density, single-family units. The existing residential development throughout the plan area is a mix of country-residential subdivisions, year-round residences, and seasonal cabins.

#### Development Guidelines

- 1. New minor multi-lot subdivisions may be considered on agricultural lands below a 45% assessment value in accordance with direction and guidelines in the MDP.
- 2. Any new major multi-lot subdivisions, proposed in the Future Residential area in Figure 8, will be required to submit an Outline Plan demonstrating, to the satisfaction of the M.D., the need for additional lots and how the proposed development does not generate any negative impact on adjacent natural or agricultural areas.
- 3. Natural site characteristics (i.e., trees, slopes, or other natural and topographical features) on individual lots should be retained to the extent possible to complement the character of the area and retain the ecological integrity of the lands.
- 4. Ensure that any future development can accommodate on-site water and wastewater facilities based on lot size requirements relative to soil conditions and groundwater depth.

Figure 8: Future Land Use



### **RECREATIONAL AREAS**

Seasonal recreation use has always played a role at Chickenhill Lake, from the seasonal cabins, campsite, and day-use area. Demand for local tourism continues to increase and recreation forms a bid part of the M.D.'s identity and character. The ASP supports continued recreation use, provided it is considered and established in balance with the preservation of the land and its surrounding environment, which is ultimately the driver of the recreation demand.

#### Development Guidelines

- 1. Any proposed additions to the recreation area will be considered relative to its potential negative impacts on the lake, surrounding lands, or wildlife habitat.
- 2. Identify connectivity opportunities for all community facilities, recreation areas, and open spaces to maximize accessibility and linkage with existing assets.
- 3. The focus of the recreation area, and any potential expansion, is on publicly accessible campsites, day use areas, and associated recreation facilities (i.e., lake accesses, sports facilities, playgrounds, etc.), provided they are compatible with existing uses and facilities.

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## **POLICY DIRECTIVES**

### **General Policies**

Objective G.I: Ensure higher order policy and regulatory documents in the M.D., as well as provincial regulations, are incorporated into planning and development decisions.

- Policy G.1.1: Notwithstanding any policy direction within this ASP, the Municipal Development Plan and Land Use Bylaw shall guide and determine the suitability of redesignation and subdivision applications.
- Policy G.1.2: Any proposed subdivision shall confirm setback and development restrictions associated with operating or abandoned pipelines, well sites, and facilities with Alberta Energy Regulatory requirements.
- Policy G.1.3: Prior to subdivision or development approval, the M.D. may require additional studies to address any potential site contamination and necessary remediation.

### Principle 1: Environmental Stewardship

Objective 1.1: Preserve lands that provide environmental functions and positively contribute to the health of the lake.

Policy 1.1.1: Any new development proposal shall minimize any clearing and removal of vegetation to maintain the visual quality and buffers from neighbouring properties, maintain wildlife habitats, and reduce soil erosion and nutrient runoff into the lake.

Policy 1.1.2: All subdivision and development proposals may require an analysis of the environmental constraints and demonstrate how the design proposes to retain and integrate natural features.

Objective 1.2: Support continued agricultural operations in the plan area.

- Policy 1.2.1: Continued agricultural uses and operations shall continue to be encouraged through the implementation of this plan and in any future development applications.
- Policy 1.2.2: Intensive agricultural activities (i.e., tree nurseries, apiaries, etc.) may be considered, provided the operation can demonstrate any potential impacts on the lake can be mitigated.
- Policy 1.2.3: Proposed confined feeding operations shall not be supported by the M.D. throughout the plan area.

#### Principle 2: Public Access to Recreation

Objective 2.1: Maintain a diversity of recreation opportunities that are complementary to the lake and natural area.

- Policy 2.1.1: Evaluate and design all new parks, recreation, and day use spaces to ensure they are welcoming, accessible, and connected based on the guidelines and recommendations outlined in the Recreation Master Plan.
- Policy 2.1.2: The M.D. shall consider the expansion of the existing campground based on a demonstrated demand for additional sites and confirmation that the additional use will not adversely impact the carrying capacity of the lake.
- Policy 2.1.3: The M.D. may permit low intensity or passive recreation uses that do not require the construction of permanent structures.



### Principle 3: Sustainable Development

Objective 3.1: Minimize the potential impacts of future development on environmentally sensitive areas, habitat, and the overall health of the lake.

- Policy 1.1.1: For any proposed development in the plan area, the following criteria shall be incorporated into the assessment of its suitability as part of the subdivision process to ensure the proposal can demonstrate:
  - a. A suitable site that is not located on slopes of 15 percent or more, or unstable slopes subject to soil erosion and slippage.
  - b. A suitable development site that does not impact wetlands, swamps, marshes, muskegs, or any other saturated soils prone to flooding.
  - c. Mitigation of impacts on any unique vegetation species or and key wildlife habitats.
  - d. The location of a visual and noise buffer, to the satisfaction of the M.D., for any new non-residential development located adjacent to existing land uses that minimize any potential conflicts.
  - e. Combined environmental and municipal reserves and appropriate easements to maintain a 30-metre buffer from any proposed development and the high-water mark of Chickenhill Lake.
  - f. The ability to install private onsite water and wastewater systems in accordance with provincial standards that mitigate any risk of contaminating the water supply and local water bodies.
  - g. Soil conditions that demonstrate suitability for onsite wastewater disposal.

# Objective 3.2: Ensure future development is comprehensively planned and demonstrates sustainable integration to the existing uses.

- Policy 3.2.1: All development proposals shall be reviewed to ensure compatibility with the adjacent land uses and development patterns.
- Policy 3.2.2: Subdivision and development applications may require the inclusion of FireSmart principles. Any development approval may include conditions requiring the implementation of FireSmart principles and prevention details.
- Policy 3.2.3: Stormwater management plans may be required for new development to identify retention requirements and overland flow routes and any potential impacts on the lake. All stormwater management requirements shall be the responsibility of the developer or applicant.



# 4.0 <u>COMMUNITY ACTIONS</u>

# ADMINISTERING OF THE PLAN

It is difficult to know how development will proceed in the plan area, with the timing largely based on the intent of individual landowners and whether the socio-economic context supports new development. Market conditions and the costs of community services have a considerable influence over the timing and scale of new development.

While there may be periods of greater demand for recreation or residential uses, the area will likely develop incrementally over a series of smaller phases or individual subdivisions in the coming years, as evident from minimal changes to growth and demand since the plan's adoption in 1982.

## AMENDING THE PLAN

Any proposed amendments to the ASP shall follow the process defined within the MGA. The M.D. will engage with the community in accordance with the Public Participation Policy prior to any decision on amending the plan.

The Plan will be reviewed and updated as needed to ensure the Plan remains relevant. At a minimum, it is recommended the plan is reviewed every five years to ensure that the information, policies, and mapping remain relevant.

Beyond any changes resulting from the ASP review and initiated by the M.D., any amendments can be brought forward by individual landowners should they want to consider any changes to the direction or land use of the plan.