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|  | <h2 style="text-align: center;">Municipality of Crowsnest Pass Procedures</h2> |
| <p>Procedure Category: Worksite: Approval Date: Revision Date: Department:</p> | <p>Area Structure Plan Applications Procedure Office October 20, 2015 August 23, 2022 Development, Engineering and Operations</p> |

1.0 Definitions

“Area Structure Plan (ASP)” - a statutory plan pursuant to the Municipal Government Act and the Municipal Development Plan that provides information regarding land uses, public roadways, and public utilities over which the Municipality will assume direction, control and management, density and staging proposed for an undeveloped area of land in the Municipality, for the purpose of providing a framework for the subsequent subdivision and servicing of the area of land.

“Council” - the Council of the Municipality of Crowsnest Pass in the Province of Alberta.

“Developer” - a landowner or a person acting pursuant to the consent of a landowner who, in the context of this policy, makes an application to the Municipality for an area structure plan or a subsequent subdivision.

“Development Agreement” - a contractual agreement between the Municipality and a Developer as a condition of subdivision approval pursuant to s. 655 of the Municipal Government Act, that specifies the public roadways, public utilities, other public and franchised services, and the guarantees, securities, and associated payments to be provided by the Developer to the Municipality.

“Geotechnical Report” - a comprehensive site analysis and report with recommendations prepared by a Professional Engineer.

“Multi-lot Subdivision” - two or more contiguous parcels in a proposed plan of subdivision.

“Land Use Bylaw” - the bylaw that has been adopted by the Municipality for the purpose of regulating and controlling the use and development of land and buildings within the Municipality of Crowsnest Pass.

“Municipal Development Plan (MDP)” - a statutory plan adopted by bylaw in accordance with the Municipal Government Act.

“Municipality” - the municipal corporation of the Municipality of Crowsnest Pass, or the area contained within the Municipality boundaries, as the context requires.

“Professional Engineer” - an engineer who has been licensed to practice the profession of engineering by the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

“Subdivision” - the division of land into separate certificates of title by a plan of subdivision pursuant to the Municipal Government Act, and "subdivide" has a corresponding meaning.

“Responsible Department” - the office or department that develops and administers a particular policy and procedures and is accountable for the accuracy of its subject matter, issuance and timely updating.

2.0 Procedure

A. Process of preparing an area structure plan

2.1 Terms of Reference and Design Requirements

Before beginning the process of preparing an Area Structure Plan (ASP), the Developer should discuss the following with the Municipality’s Development and Trades Department in conjunction with the Subdivision Authority:

- a. Outline of the Planning Area: The planning area must include only full parcels of land, even if only portions of a parcel are being proposed for development. The Developer must have ownership or written consent for each parcel of land within the planning area.
- b. Overall vision for development: The Developer is encouraged to provide a clear description of the proposed development. This can help clarify how the proposal will tie into other plans or proposed plans in the area. This may include a draft land use framework, Municipal and Environmental Reserve dedication requirements, engineering standards, servicing requirements, transportation networks, development agreement and security deposit requirements, and other relevant aspects.
- c. Draft Terms of Reference: A description of the proposed plan contents, procedures for plan preparation, and key dates. Administration will advise the Developer on what type of public consultation process is expected.

2.2 Notification of ASP Process and Initial Stakeholder Consultation

Pursuant to the requirements of the Municipal Government Act, the Developer shall notify area landowners, affected utility companies, and any government and external agencies who may have an interest in or is required to be referred to by legislation (i.e. Alberta Transportation, Alberta Environment, Alberta Culture and Tourism, utility companies, private industry, applicable federal government agencies, school boards, and adjacent municipalities) of the intent to prepare an

ASP, and request any initial input that they may have. While this is a legislated requirement for a new ASP but not for an amendment to an existing ASP, the Municipality may require that an amendment to an ASP shall comply with this requirement, based on the nature of the proposed amendment.

2.3 Information Gathering

The Developer is responsible for conducting research and collecting background data relevant to the proposed ASP or amendment. This includes previous civil engineering, survey work, geotechnical studies, traffic impact assessments, legislative, policy and other planning documents. The Municipality may release required engineering and infrastructure data upon request however, a fee will be charged for staff time to package the information for release. A signed data sharing agreement will be required from the Developer.

2.4 Formal Application Submission

After completing the terms of reference, design requirements, notification / initial stakeholder consultation, and the background collection process, the developer may make a formal application for an ASP, or an amendment, and demonstrate how input received during the initial stages was incorporated into the draft ASP to the Municipality's satisfaction.

2.5 Application Review

The Municipality will review the draft ASP, or amendment, and provide comments to the Developer with suggested changes. Once the Developer has made the required changes, the draft ASP can proceed to public consultation. The review and comment process may have several iterations until the Municipality is satisfied with the ASP content.

2.6 Public and Agency Consultation

- a. The Developer shall circulate the proposed draft ASP to the required government agencies, utility companies, school boards, adjacent municipalities, and area landowners, pursuant to the requirements of the Municipal Government Act (30-day period).
- b. The Developer is required to host a minimum of one public open house.
 - i. Additional open houses may be required depending on the nature of the public concerns with the draft ASP. If significant public opposition is noted at the mandatory first open house, a second open house will be required to show how the concerns are being addressed through revisions to the ASP.
- c. The Developer will be responsible for holding the open house(s) mentioned above, including all advertising and venue costs.

- i. All adjacent landowners must be notified by direct mail at least two weeks prior to the open house.
 - ii. An advertisement in the local newspaper must be placed at least two weeks prior to the open house.
 - iii. The Municipality will post notices of the open house(s) on its website.
- d. Open houses will not be held on statutory holidays. Open houses during the months of July and August should be avoided, if possible.
- e. The Developer must provide:
 - i. a written summary of the comments received at the open house(s);
 - ii. sign-in sheet indicating the number of attendees;
 - iii. a digital copy of any poster boards/information provided at the open house; and
 - iv. a copy of the template adjacent landowner letter and the newspaper advertisement.

2.7 Design Review

Based on the feedback from the public and agency consultation, the Developer and Administration will review, provide comments for, and find consensus on revisions to the draft ASP to address the input received. The review of the draft ASP will involve consideration of several items, including:

- a. conformity to the Municipality of Crowsnest Pass policies and bylaws;
- b. land use;
- c. compatibility with adjacent uses;
- d. transportation impacts;
- e. park and school requirements;
- f. environmental impacts;
- g. servicing requirements and costs; and
- h. public and agency feedback.

2.8 Further Public Consultation

A second open house(s) may be required to provide feedback and gather input regarding revisions from the adjacent landowners and other public stakeholders who may be impacted by the ASP.

2.9 Review and Changes

Based on the feedback from the public and area landowners, Administration will review and provide comment for revisions to the draft ASP. The Developer is required to incorporate all comments and may prepare the final draft ASP for consideration of first reading of a bylaw by the Municipal Council.

2.10 First Reading

The final draft ASP is given a bylaw number and is presented for first reading by the Municipal Council. Municipal Council will give first reading of the proposed ASP bylaw and will schedule a public hearing.

2.11 Advertisement and Public Hearing

Following first reading of the bylaw, Council must hold a public hearing prior to second reading. The public hearing provides a formal opportunity for the public and adjacent landowners to provide input directly to Council. Notice of the public hearing is given by an advertisement in the local newspaper for two weeks and by mailing/delivering the notice to owner(s) of the subject parcel and to adjacent landowners. If significant concerns about the ASP are raised at the public hearing, Council may require the Developer to make revisions to the ASP before considering second reading of the bylaw.

2.12 Second Reading

If Council is satisfied that further revisions to the ASP are not required, Council may consider second reading of the proposed ASP bylaw. This step may occur on the same day as the Public Hearing or may be at a later date if Council requests additional time to consider the merits of the ASP.

2.13 Approval from Ministry of Alberta Transportation

If the plan area is within 1.6 km (one mile) of a Provincial Highway, the proposed ASP may have to be submitted to the Alberta Ministry of Transportation for approval, prior to being given third reading, depending on the referral comments received from the Ministry earlier in the review process.

2.14 Third and Final Reading

The proposed ASP bylaw is given third reading and formally adopted as a Municipal Bylaw, pursuant to the Municipal Government Act.

B. Contents of an area structure plan

2.15 Studies and Reports

The ASP should provide information from qualified professionals regarding technical considerations of the proposal. These reports should be summarized in

the text of the ASP document and should also be attached in full as an appendix to the ASP.

Studies and reports associated with the ASP application shall be reviewed by the Municipality's engineer or engineering consultant. The Developer shall pay for the costs associated with the studies or reports being reviewed by a relevant professional. Revisions to the studies or reports may be required in order to ensure they meet Municipal standards. During future ASP amendments, previous studies and reports may be acceptable to support the ASP amendment, provided that a suitably qualified professional (relevant to the applicable field of study) has reviewed the study and confirmed that it is up to date, applicable to the ASP amendment, complete and meets current Municipal standards.

- a. Phase 1 Environmental Site Assessment: This document is a tool to identify sources of environmental contamination within or adjacent to the plan area. It is in the Developer's best interest to complete such an assessment however, this is a voluntary document unless the Municipality is aware of such sources, in which case the ASP shall include a Phase 1 ESA report.
- b. Geotechnical Assessment, Soil Percolation Testing and Groundwater Quantity and Quality Analysis: Reports by qualified engineers shall be provided to confirm the feasibility of servicing the plan area with on-site household groundwater wells and Private Sewage Disposal Systems. These reports should include:
 - i. A Groundwater report analysing water tables and aquifers in terms of quantity and quality of groundwater for household wells if the proposed subdivision cannot be serviced with Municipal infrastructure.
 - ii. Percolation testing to identify high water tables that could restrict development. This report will assess the suitability of the plan area for Private Sewage Disposal Systems if the proposed subdivision cannot be serviced with Municipal infrastructure.
 - iii. An assessment of slope stability in the plan area, and recommendations to ensure suitable building sites.
 - iv. An assessment of stormwater drainage management and erosion control requirements.
- c. Wastewater Management: The ASP must include information on proposed methods of wastewater management within the plan area. Should future residences or businesses in the Plan area not be connected to Municipal infrastructure, the ASP shall provide an assessment of the feasibility to service the proposed subdivision by Private Sewage Disposal Systems (PSDS). The ASP shall apply "The

Model Process for Subdivision Approval and Private Sewage – the Suitability and Viability of Subdivisions Relying on Private Sewage Systems” (prepared by The Alberta Association of Municipal Districts & Counties in Partnership with Alberta Municipal Affairs, February 1, 2011) to complete this assessment.

- d. Stormwater Management: A plan with recommendations for the management of stormwater runoff and erosion control is required as part of the ASP report.
- e. Potable and Fire Protection Water Supply: A description of the proposed potable water supply is required, whether by individual or communal household groundwater wells, cisterns, or connection to Municipal infrastructure. If potable water is proposed to be provided by individual or communal groundwater wells, a report shall be provided to the Municipality pursuant to Section 23 of the Water Act. If the ASP proposes a subdivision of 6 or more lots per quarter section, the Water Act requires a detailed Groundwater Assessment to confirm groundwater quantity and quality.

The ASP shall consider water requirements for fire protection [see section i].

- f. Transportation: The ASP shall address the traffic impact of the proposed subdivision. This may require a traffic impact assessment by a qualified professional engineer. If the proposal is within 1.6 km (one mile) of a provincial highway, the ASP will be reviewed by Alberta Transportation, who may require additional information (along with a Traffic Impact Assessment), road or intersection upgrades, etc.

In addition to building an internal road system, the Developer may be required to upgrade roads leading to the development at no cost to the Municipality or provide a contribution toward future upgrades.

Road design must meet the specifications in the Engineering and Development Standards and accommodate stormwater run-off and provide for erosion control [see section d], emergency vehicles, household waste removal vehicles and school buses to the Municipality’s satisfaction.

- g. Biophysical Assessment and/or Phase I & II Environmental Site Assessment (ESA): The Municipality may request that a qualified professional produce a Biophysical Assessment in the case that the subject area and/or surrounding area is known to be environmentally sensitive, in terms of the cumulative effect of impacts on or as a result of wildlife habitat and movement corridors, potential contamination from previous or adjacent

land uses, or potential effects on nearby lands (within one kilometre of the subject lands), proposed land uses, water bodies or groundwater tables that are expected as a result of the proposed subdivision.

- h. Environmental and Municipal Reserves: The ASP shall provide that Environmental Reserve shall be dedicated to the Municipality in any portion of the plan area where land is of an environmentally sensitive nature, adjacent to a water course or water body, or undevelopable (e.g. due to steep slopes or unstable ground conditions). Municipal Reserve shall be dedicated to the Municipality in the amount of 10% of the total plan area excluding the area dedicated as Environmental Reserve. Cash-in-lieu of Municipal Reserve may be considered at the discretion of the Municipality. At the time of subdivision, the Developer shall conduct a land value assessment in order to calculate the cash-in-lieu contribution.

The Municipal Government Act contains several options for providing environmental and conservation reserves and easement.

- i. Wildland-urban interface: if the proposed subdivision will not be connected to Municipal water infrastructure, the ASP shall provide details of provisions for fire protection and suppression (e.g. one or more dry hydrant(s) tied into a natural or man-made water source).

The ASP shall provide details of measures to mitigate the impact of the proposed subdivision on wildlife habitats and movement corridors.

- j. Community identification name, street names and civic addressing: the ASP shall provide details of the proposed community name, signage, and street names.
- k. Fencing: the ASP shall provide details of the location and type of fencing proposed for the plan area.
- l. Existing and Proposed Land Uses: In reference to the proposed land use concept map which will be included as part of the document, the ASP shall include a section detailing the existing and proposed land uses in the plan area and adjacent lands, and outlining any conflicts that may arise as a result of the proposed subdivision, and providing measures to mitigate these conflicts.
- m. Historic Resource Impact Assessment: In accordance with the Alberta Historical Resources Act, the Minister may require that any proposed activity likely to threaten the integrity of a historic resource shall be preceded by a Historic Resources Impact Assessment (HRIA).

The Developer must conduct the HRIA as part of the Area Structure Plan process or provide a letter of clearance from the Ministry.

- n. Phasing: The ASP shall provide a tentative phasing schedule for the subdivision of the plan area.

2.16 Maps

Area Structure Plan maps shall be professionally designed and shall contain, at a minimum, the following components:

- legend,
- bar scale,
- title,
- legal lot line boundaries, and
- Municipal boundaries (if applicable).

Maps shall be created in a digital format that can be imported into the Municipality's GIS system (e.g. shapefile, AutoCAD).

The ASP proposal must consist of a number of maps, including the following:

- a. Natural Areas: A map of the natural area of the plan area and surrounding lands. This shall identify topographical features, including natural drainage, steep slopes, and sensitive natural areas. Contours, through survey or aerial photographs, will assist in assessing development constraints and storm water runoff projections. This should also include a ground water report showing any near surface water tables, as well as an orthographic aerial photo overlay.
- b. Existing Land Use: This map shall identify existing land uses within and adjacent to the plan area, e.g. confined feeding operations, sour gas installations, electric transmission corridors, abandoned wells, oil and gas facilities, country residential development, urban development, provincial parks and recreational areas, and any other existing land uses which may affect the plan area or be affected by the proposed ASP.
- c. Boundaries of Adjacent Municipalities: The Plan shall identify the location of the adjacent Municipalities, which may require specific design considerations and referral to those Municipalities pursuant to current Intermunicipal Development Plans.
- d. Transportation and Servicing Concepts: This map shall identify existing and proposed roads and provide concepts for water and wastewater servicing and stormwater management.

- e. Municipal and Environmental Reserves: Municipal and Environmental Reserve dedication shall be identified on a map and the approximate area calculations shall be provided.
- f. Tentative Plan of Subdivision: The ASP shall contain a land use concept with the level of detail at the block scale. It is not necessary to provide the level of detail at the individual lot scale, which would be required for a tentative plan of subdivision). The plan shall include the proposed density in the plan area and an approximation of lot sizes.

The land use concept shall include any proposed phasing of subdivision and a timeline of the completion of the project.

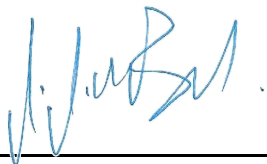
2.17 Additional Information

- a. Further Studies or Detailed Investigation: The review of the above noted reports, studies, maps, etc. by the Municipality may indicate that further, more detailed assessments or evaluations are required, as well as possible mitigation measures. Any additional studies shall be completed by the Developer at no cost to the Municipality.
- b. Documents Submitted: In addition to paper copy submissions (the number of copies will be provided by the Municipality), the Developer is required to submit digital documents.
- c. Council's Option to Waive: The requirement for an ASP or any of the requirements of this Procedure may be waived by resolution of Council when, in the sole discretion of Council, no purpose would be served by preparing an Area Structure Plan or by completing any specific requirement stated in this Procedure.
- d. Associated Costs: There are several costs involved in the preparation of an ASP and subsequent subdivision application. While this list is not exhaustive, the following items are generally the major costs associated with the ASP and subdivision process.
 - i. Professional Fees (planner, engineer, environmental expert, surveyor, lawyer). The Municipality has experienced that it is in the best interest of a Developer to involve professionals from the start of the process.
 - ii. Application Fees.
 - iii. Costs associated with holding an open house and public hearing.
 - iv. Development Agreement and Security Deposit for Municipal Improvements and Third-Party Infrastructure (at the subdivision stage).

- e. Additional Contacts: The preparation of an ASP may require contact with outside agencies. If the plan is being prepared by a professional planner, engineer, or surveyor, they will likely have all the required information. If not, the following agencies may need to be contacted:
- i. Alberta Environment
 - ii. Alberta Infrastructure & Transportation
 - iii. Alberta Municipal Affairs (Safety Codes)
 - iv. Alberta Health & Wellness

3.0 Approval

Department Manager: Johan van der Bank Date: October 11, 2022
(print name)



(signature)

4.0 End