

## **1.0 INTRODUCTION**

### **1.1 PURPOSE OF THE PLAN**

The purpose of an Area Structure Plan (ASP) is to provide a framework for future subdivision and development of a defined area within a municipality. The Bay Tree ASP is a statutory plan that has been prepared in accordance with Section 633 of the Municipal Government Act.

The original Bay Tree ASP was adopted in September of 1989, and applied to a section of land surrounding the settlement of Bay Tree in Saddle Hills County. Since that Plan was adopted, however, the area has experienced increased residential and commercial development pressures by virtue of its close proximity to the BC Peace Region. Strong economic activity in the area, combined with a comparatively lower cost of living in Alberta, has resulted in increased interest in an area that is much larger than the current ASP addresses.

In addition to these pressures, there is no Municipal Development Plan in place at present for Saddle Hills County. As a result, there is a desire to establish a pro-active policy framework for the Bay Tree area that allows for decision-making on planning and subdivision issues on a consistent basis.

In order to meet these needs, the Council for Saddle Hills County authorized the preparation of a new ASP for the Bay Tree area.

### **1.2 LOCATION**

The Bay Tree ASP applies to 120 km<sup>2</sup> (46.3 mi<sup>2</sup>) of land in the west end of Saddle Hills County as illustrated in Map 1. The Plan area is located adjacent to the British Columbia border and is bounded to the north by the Henderson Creek valley and the south by the Saddle Hills.

The Plan area is centred on Bay Tree, an unincorporated rural settlement.

### **1.3 LEGISLATIVE FRAMEWORK**

#### **(a) Provincial Land Use Policies**

The Provincial Government adopted the Land Use Policies in 1995 to provide guidance to local planning efforts after Regional Plans were repealed.

Section 622(3) of the Municipal Government Act requires that “every statutory plan ... must be consistent with the land use policies.”

As the County does not have a Municipal Development Plan in place, the Land Use Policies provide the basic framework for the Bay Tree ASP. Although they address a broad range of issues, the Policies are by necessity general in nature and are designed to be flexible in their interpretation. This flexibility is critical to ensure that local plans cater to local needs. Pursuant to Section 622 of the Act, this ASP has been prepared in accordance with the Land Use Policies.

**(b) Land Use Bylaw**

The majority of lands in the Plan area are designated as “Agriculture (A)” under the County’s Land Use Bylaw. One four-lot residential subdivision is designated as “Country Residential”, while the settlement of Bay Tree is located in the “Rural Commercial” and “Country Residential” districts. A small amount of land is also located in the “Crown Land” district.

**1.4 PLAN INTERPRETATION**

- (a) Compliance with policies in this Plan shall be interpreted and applied as follows:
- “**Shall**” means mandatory compliance;
  - “**Should**” means compliance in principle but is subject to discretion where compliance is impractical or undesirable because of valid planning principles or circumstances peculiar to a specific application;
  - “**May**” means discretionary compliance or a choice in applying policy.
- (b) The policies contained in this Plan apply to all private lands located within the Bay Tree area. This Plan is to be used in an advisory capacity for lands under the jurisdiction of the Provincial Government.
- (c) In addition to the policies contained in this Plan, all development proposals are required to conform to the provisions of the Saddle Hills County Land Use Bylaw, the Municipal Government Act, and any applicable Provincial regulations.

## 1.5 DEFINITIONS

For the purpose of this Plan all words and expressions shall have meanings assigned to them in the Municipal Government Act, SA 1994 as amended, and the Saddle Hills County Land Use Bylaw. For the purpose of convenience, the applicable definitions include the following:

**“Act”** means the Municipal Government Act, SA 1994 as amended.

**“Arterial or Collector Road”** means a municipal road designated as such in the Saddle Hills County Rural Road Study, 2001, as may be updated from time to time.

**“Better Agricultural Land”** means any parcel, or portion thereof, of arable land that is rated, according to County assessment records, at 28% or higher. Better agricultural land excludes any parcel or portion thereof that by reason of slope, configuration, fragmentation, or size is determined by the County to be unsuitable for farming.

**“Code of Practice”** means the Code of Practice for Responsible Livestock Development and Manure Management, 2000, as revised from time to time, published by Alberta Agriculture, Food and Rural Development, or successor documents.

**“Country Residential”** refers to a subdivided lot or group of lots, located outside of a settlement and excluding a farmstead separation that is utilized or intended for residential purposes.

**“Farmstead Separation”** refers to a subdivision from an unsubdivided quarter section that contains an existing residence and all related improvements.

**“Rezoning”** means the process of amending the Land Use Bylaw that may be required to accommodate a proposed subdivision or development.

## **2.0 BACKGROUND INFORMATION**

### **2.1 PHYSICAL FEATURES AND TOPOGRAPHY**

Most of the Plan area is best described as flat to gently rolling farmland. However, given the presence of the Saddle Hills to the south, the slope of the land increases significantly towards the south boundary of the Plan area. As a result, the overall drainage pattern generally runs from the south towards the north.

As indicated in Map 2, the dominant physical feature is the Henderson Creek valley that follows the north boundary of the Plan area. This valley is characterized by steep slopes and creates a significant constraint to development. A number of tributary ravines also extend into the Plan at several locations. As a result of its significant nature, the Crown has claimed ownership of the bed and shore of Henderson Creek.

A number of smaller watercourses traverse the Plan area, generally in a northwest-southeast direction. These vary from small intermittent creeks to more significant, permanent streams. The presence of these watercourses results in the creation of fragmented parcels of land, which may facilitate future non-agricultural development. This tends to occur on parcels that are deemed to be uneconomical to farm in isolation. This opportunity to utilize fragmented parcels in an alternative fashion, however, gives rise to the need to protect watercourses from intrusive development.

There are no naturally occurring water bodies (lakes, large sloughs, etc.) in the Plan area.

### **2.2 EXISTING LAND USE**

The Plan area contains approximately 12,000 hectares (29,600 acres) of land, the majority of which is used for agricultural purposes (cultivated or pasture). Subdivision activity has been limited to a four-lot country residential subdivision on the NE 18-78-13-6 (Saddle Oak Estates) in the south end of the Plan area, and random farmstead separations. Farm residences are scattered throughout the Plan area as indicated on Map 3. Several pipelines also traverse the Plan area.

The settlement of Bay Tree consists of approximately eleven lots, the majority of which are developed for country residential use on large lots. Non-residential uses include a community hall, UFA bulk station, and a gas station with convenience store.

Outside of the settlement, non-agricultural development is limited to home occupations including a ranch supplies outlet, feed and tack, greenhouse and tea room, an equipment storage yard, two lumber mills, and engine repair.

There are no municipal services serving developments in the Plan area. All developments are served by private on-site sewage disposal systems, and utilize wells, dugouts, and cisterns for water supplies.

### 2.3 AGRICULTURAL LAND CAPABILITY

Agricultural land quality is measured through two methods: Canada Land Inventory (CLI) ratings, and rural farmland assessment (RFA). The CLI system is a general categorization of land quality at a broad level, while the RFA is available for individual parcels. Due to its site-specific nature, the RFA is the more accurate measurement of the two systems, and is used as the basis for property tax assessment.

The former General Municipal Plan for the County defined “better agricultural land” as being any land with a CLI rating of Class 4 or higher, or cultivated land with an RFA rating of 28% or better. According to County assessment records, approximately 5,846 ha (14,446 acres) of land in the Plan area are identified as arable, representing approximately 49% of the total land base in the Bay Tree area.

CLI	RFA	Area (ha)	% of Total
Class 2	>42%	480	8.2
Class 3	34%-41%	1,138	19.5
Class 4	28%-33%	1,991	34.1
Class 5+	<28%	2,237	38.3
<b>Total</b>		<b>5,846</b>	<b>100.1</b>

As illustrated in the above table, approximately 62% of the arable land in the Plan area would traditionally be considered as “better agricultural land”. Map 4 illustrates the distribution of arable lands in the Plan area, which shows the best lands concentrated in two pockets near the BC border, and in the central portion of the Plan area north of Highway 49.

County assessment records also show that approximately 5,140 ha (12,700 ac) of land in the Bay Tree area is rated as pasture.

## **2.4 TRANSPORTATION AND INFRASTRUCTURE**

The primary transportation corridor in the Plan area is Highway 49, a two-lane highway that runs the length of the Plan area as illustrated in Map 5. A portion of Secondary Highway 719 is also located in the easterly portion of the Plan area. The regulation of development along both of these roadways is the responsibility of Alberta Transportation in accordance with the Highway Development Act.

The Department exercises its authority through the issuance of Roadside Development Permits, which are required in addition to development permits issued by the County under the Land Use Bylaw. The primary concern of the Department is to regulate access to the highway. In general terms the Department limits highway access to one approach per half mile (one per quarter section).

In addition, Section 14 of the Subdivision and Development Regulation places limitations on subdivision in close proximity to highways. Unless a proposed subdivision is to be used for agricultural purposes or is a single residential parcel, no subdivision may be approved unless it is contained within a highway vicinity management agreement, or an ASP satisfactory to Alberta Transportation is in place. Section 15 of the Regulation also requires that highway developments provide service roads to the satisfaction of the Department.

The Plan area also has approximately 85 km (53 mi) of gravel municipal roads. The provision of satisfactory (ie. legal and/or physical) access to the road system is a requirement of all subdivision approvals in the County.

## **2.5 PUBLIC INPUT**

In order to generate preliminary input into the ASP preparation process, a survey questionnaire was distributed to all landowners located in the Plan area. Of the 110 surveys that were distributed, 57 were returned, representing a response rate of 51.8%. Given this relatively high response rate, the input can be assumed to be a fair indication of public opinion in the area. This information is intended to provide initial direction on policy issues in the Plan, and form a base for subsequent public input later in the planning process.

Respondents were asked to rate a series of questions from 1 (Agree) to 5 (Disagree), and were also given opportunities to provide additional comments on issues of concern to them. A detailed breakdown of the survey results is provided in Appendix 1, with a general summary outlined below.

- 1) **The preservation of good agricultural land for agricultural purposes should be a high priority for the Bay Tree area.**

This statement generated the highest degree of agreement of all the questions asked on the survey (1.93 rating). A large majority of residents responding to the survey indicated that preservation of agricultural land is a high priority for Bay Tree residents. The need to preserve better lands was also conveyed in the written comments that were received. However, there were also some opposing views raised. For example, some indicated that it should depend on site-specific circumstances such as topography and parcel size. Others felt that additional development in the rural area would be beneficial in terms of diversifying the tax base and providing economic development opportunities.

- 2) **Non-agricultural development (eg. residential, commercial or industrial) should be allowed on better agricultural land in the Bay Tree area.**

This question rated the second lowest rating at 3.61, indicating a high degree of disagreement, and confirming the results of the first question. The written comments indicated that if such development is to occur, that it be directed to smaller parcels, limited to more marginal lands, or close to the highway.

- 3) **The County's Land Use Bylaw currently allows a maximum of 5 parcels out of a quarter for country residential use. Higher densities should be allowed in the Bay Tree area.**

Response to this question was evenly split (3.18 rating), indicating a lack of consensus on this issue. Several respondents felt that a significant increase should be allowed as it allows for a better utilization of land, while others felt that higher densities should only be allowed near Bay Tree or other established residential areas. Those opposed to higher densities stated concerns about agricultural land preservation, impacts on existing development, and the volume of subdivision that has already occurred. Still others felt that a maximum of 2 or 3 should be imposed.

- 4) **The County's Land Use Bylaw currently allows a minimum country residential parcel size of 5 acres. The Bay Tree plan should encourage the creation of parcels smaller than five acres in size.**

This question generated the greatest degree of opposition (3.91 rating). That is, most agreed to keep the minimum at 5 acres. Concerns over smaller parcel sizes included concerns over sewage disposal, crowding, and need for tight standards. One benefit of smaller parcels was the relative ease of upkeep.

- 5) **Non-agricultural development should be concentrated in specific locations and not scattered throughout the area.**

This question generated the third highest in terms of agreement with a rating of 2.44. Although most respondents preferred concentrated over scattered development, concerns were raised over the degree of concentration that should be allowed.

- 6) **Future commercial and industrial development should only be allowed in close proximity to primary or secondary highways, or in the settlement of Bay Tree.**

A 2.36 rating made this the second highest question in terms of agreement. However, comments indicated that some scattered development is desirable, or may be necessary depending on the nature of the proposed development. Those in support indicated that it would improve road efficiency, etc., but there is a need to ensure that access to the highway is closely regulated.

- 7) **Are there any environmentally sensitive features in the Plan area that should be protected from the effects of additional development?**

Comments received were primarily concerned with protecting watercourses and preserving green areas. The retention of trees was also identified as a priority. Specific areas identified included Henderson Creek, Falls south of Bay Tree, and the Rim Rock area.

In addition, a public meeting was conducted in Bay Tree to review draft policy directions that were developed to serve as a basis for plan preparation. A summary of the input received at that session is provided in Appendix 2.

### **3.0 DEVELOPMENT POLICIES**

#### **3.1 GOALS OF THE PLAN**

The goals of the Bay Tree Area Structure Plan are as follows:

- (a) To develop a land use planning strategy which will encourage the future development of the Bay Tree area in an orderly, efficient, and balanced manner.
- (b) To protect better agricultural land from non-agricultural development and promote the continued viability of agriculture in the Bay Tree area.
- (c) To promote the diversification of the area's economic base and minimize the potential for land use conflict through the separation of incompatible land uses and the protection of sensitive natural features.
- (d) To promote the settlement of Bay Tree and immediate area as a focal point for a range of appropriate services.
- (e) To help ensure that the residents of the Bay Tree area are provided with a sound and efficient municipal infrastructure system.

#### **3.2 AGRICULTURE**

- (a) Agriculture shall remain the dominant land use in the Bay Tree area. Saddle Hills County recognizes the importance of preserving better agricultural land in the Bay Tree area and the need to protect it from non-agricultural development.
- (b) Unless otherwise noted in this Plan, the subdivision of better agricultural lands for non-agricultural purposes shall not be permitted.
- (c) The subdivision of a farmstead separation shall be permitted in the Plan area regardless of the agricultural capability of the land in question.
- (d) The size of a farmstead separation shall be kept to the minimum area required to accommodate all on-site improvements. Farmstead separations should not exceed 4 hectares (10 acres) in size unless required to accommodate on-site improvements.

- (e) The County will only consider the development of intensive livestock operations in the Plan area if they are developed in accordance with the requirements of the Land Use Bylaw and the Code of Practice. However, notwithstanding the requirements of the Code of Practice, intensive livestock operations shall not be supported if located closer than 0.4 km (0.25 mile) from any watercourse or existing residences.

### **3.3 COUNTRY RESIDENTIAL DEVELOPMENT**

- (a) The subdivision of a single country residential lot from an unsubdivided quarter section may be permitted in the Plan area. Where possible, the location of these parcels on better agricultural land should be discouraged.
- (b) Country residential lots should be a minimum of 2 hectares (5 acres) in size and should not exceed 4 hectares (10 acres).
- (c) The creation of a country residential subdivision in excess of two lots (one lot plus the balance of the quarter section) shall be subject to rezoning to the appropriate Country Residential district in the Land Use Bylaw.
- (d) The resubdivision of an existing country residential lot may be permitted, provided that the minimum parcel size requirements of the Land Use Bylaw are met, and subject to rezoning to the appropriate Country Residential district.
- (e) The following criteria shall be considered by the County when reviewing multiple parcel country residential development proposals in the Plan area:
- the quality of any agricultural lands that may be located on the site;
  - access to the subject site. The land in question should be served by an existing developed road, unless the developer is willing to construct a road to County standards;
  - the impact of the proposed development on the established road system;
  - the presence of a suitable building site on each proposed lot;
  - compatibility of the development with adjacent land uses;
  -

- proximity of the proposed site to watercourses or other aesthetic features;
  - the developer has demonstrated to the satisfaction of the County the presence of a reliable, potable water supply, and that local soils are capable of accommodating on-site sewage disposal; and
  - any concerns that may be raised by affected landowners through the review process.
- (g) Where possible, the County shall encourage the development of new multiple parcel country residential subdivisions to occur in cluster form to minimize land consumption, reduce the number of road accesses, and maximize the efficiency of internal road systems.

### **3.4 COMMERCIAL AND INDUSTRIAL DEVELOPMENT**

- (a) The County shall continue to support the development of home occupations in the Plan area. It is not the intent of this Plan to restrict the development of such uses, but they shall be subject to development permit approval under the provisions of the Land Use Bylaw.
- (b) The County shall encourage future highway and service commercial development to locate within the settlement of Bay Tree.
- (c) New industrial uses in the Plan area shall be restricted to non-polluting light industrial operations.
- (d) The development of future commercial and industrial uses shall be subject to rezoning to the appropriate commercial or industrial district in the Land Use Bylaw.
- (e) In order to minimize the potential for conflict with established residential development and agricultural operations, the County shall discourage the development of industrial uses that are scattered throughout the Plan area. Where possible, future industrial development should be encouraged to locate in a rural industrial park.
- (f) The following criteria shall be considered by the County when reviewing proposals for industrial subdivisions in the Plan area:
- the quality of any agricultural lands that may be located on the site;

- access to the subject site. The development of industrial uses shall be encouraged to locate in close proximity to Highway 49, Secondary Highway 719, or an arterial or collector road;
  - the impact of the proposed development on the established road system;
  - proximity to established industrial operations, and compatibility of the proposed development with adjacent land uses;
  - proximity of the proposed site to watercourses or other aesthetic features;
  - the developer has demonstrated to the satisfaction of the County the presence of a reliable, potable water supply, and that local soils are capable of accommodating on-site sewage disposal; and
  - any concerns that may be raised by affected landowners through the review process.
- (g) The development of Industrial activities shall not be supported in the Plan area where they would conflict with other land uses as a result of unsightly appearance, traffic generation, or environmental impact.

### **3.5 ENVIRONMENTAL PROTECTION**

- (a) Hazard lands, such as those subject to slumping, erosion or flooding, should be protected from development and generally remain in their natural state unless measures are taken pursuant to the Land Use Bylaw to reduce the risks of damage to life or property.
- (b) Lands that are deemed to be undevelopable based on groundwater, soil conditions, or topography shall remain either in their natural state or be used for agriculture.
- (c) Country residential development may be permitted in close proximity to environmentally sensitive features such as ravines and valleys provided that development setbacks are enforced as required in the Land Use Bylaw.
- (d) Any subdivision proposals considered pursuant to Policy 3.5(c) shall clearly identify the top of bank contour. Lands located below this contour may be dedicated as Environmental Reserve (in either parcel form or as an easement) if required by the County as a condition of subdivision approval.

- (e) Existing natural features, including mature tree stands, should be preserved wherever possible by integrating these features into the design of new subdivisions.

### **3.6 TRANSPORTATION AND INFRASTRUCTURE**

- (a) As a result of safety concerns raised by area residents, the County supports the upgrading of the access into the Settlement of Bay Tree from Highway 49.
- (b) All developments and subdivisions proposed to be located along Highways 49 and 719 shall be referred to Alberta Transportation for review with regard to service road requirements and access locations.
- (c) The County shall encourage that multiple parcel subdivisions be served by an internal subdivision road that is designed and constructed to County standards. Wherever possible and practical, multiple parcel developments shall be designed to minimize the number of direct approaches to the road serving the development.
- (d) Through the subdivision and development permit processes, the County shall endeavour to make the best use of existing roadway facilities by directing developments with the potential for substantial road or traffic impact to locate adjacent to those roads that have been designed and constructed to accommodate them.
- (e) All development and subdivision proposals shall be evaluated with respect to potential impact on the road network and area residents in terms of traffic generation and dust control.
- (f) All on-site sewage disposal and water supply systems must meet the requirements of Alberta Municipal Affairs and the local health authority respectively.

## **4.0 IMPLEMENTATION**

### **4.1 DEVELOPMENT REQUIREMENTS**

- (a) All direct costs associated with a proposed development shall be the responsibility of the developer. To ensure that all developments are constructed to the satisfaction of the County, development agreements may be required as a condition of subdivision and/or development approval.
- (b) As a condition of subdivision approval, the County shall require that a maximum of ten percent (10%) of developable land be provided as municipal reserve in accordance with the Act. Municipal reserve should be dedicated in the following manner:
  - Cash-in-lieu for industrial subdivisions or country residential subdivisions where community open space is not deemed to be required;
  - Parcel form for multiple parcel country residential subdivisions if required as community open space, or if required for buffering purposes between incompatible land uses.

### **4.2 PLAN MONITORING AND REVIEW**

- (a) In order to ensure that this Plan remains current and relevant in response to change, it should be reviewed once every five years in order to confirm or amend any particular policy contained herein.
- (b) An amendment to this Plan may be initiated by the County or affected landowners as deemed necessary. As part of the amendment process, the County shall provide all affected parties an opportunity to provide input to any proposed change through the public hearing process as required under the Act.

## APPENDIX 1 RESIDENT QUESTIONNAIRE SUMMARY

Total Surveys: 110  
Total Returned: 57  
Response Rate: 51.8%

1. The preservation of good agricultural land for agricultural purposes should be a high priority for the Bay Tree area.

Agree 1	2	3	4	Disagree 5
34 (59.6%)	5 (8.8%)	10 (17.5%)	2 (3.5%)	6 (10.5%)

- in some cases, depending on soil type, etc...
- thousand's of acres to the south that is poor agricultural land
- need more information
- we have plenty of marginal land along the hills where non-agricultural development could take place
- don't want to stop progress
- each proposal needs to be evaluated on it's own merits (x2)
- there really isn't much #2 soil along Hwy 49 from the border to Bay Tree
- good farmland should be protected from commercial/residential development - should be able to grow enough food for our area to enjoy
- people that don't want to farm their land should have an option to do what they choose with their land
- for 50 acres and larger
- good farmland should be left untouched and used for agricultural use (x6)
- if it could be sub-divided for acreages or business development (according to the ASP) it should be - more taxes will be generated
- losing too much agricultural land already
- being so close to the BC border, we could become much more populated and business oriented - this would be more profitable for us
- equal consideration given to both development and agriculture
- within reason - some development is OK
- a quarter section is a rather small piece of land for agriculture - I feel my land would be ideal for subdividing

2. Non-agricultural development (eg. residential, commercial or industrial) should be allowed on better agricultural land in the Bay Tree area.

Agree 1	2	3	4	Disagree 5
9 (16.7%)	4 (7.4%)	9 (16.7%)	9 (16.7%)	23 (42.6%)

- agricultural land needs to be kept for farming if soils are good, etc.
- take a good look at soil types, terrain and all the other data before making decisions (x2)
- Yes, this should be allowed as this new ASP is long overdue
- yes, since the agricultural industry is what it is, landowners are looking for alternate ways of enhancing their income while retaining their local residences
- a corridor along Hwy 49 is where development is most likely to take place and should be encouraged in this area
- poorer land should be developed for these purposes (x3)
- Yes, as long as the better top-soil is put to good use (landscaping, market gardens) - permits should not be given to junkyards or other such eyesores
- only on 50 acres or less
- definitely not - that is what towns are for (x2)
- type and size of the development must be considered as well as safety to the surrounding area
- Yes, as more people are moving north - we should let our local residents have the opportunity to reside in Bay Tree first, especially the farmers from further out who want to live closer to town
- perhaps on marginal land
- the existing developments and business areas should be expanded only
- agree with this if along Hwy 49 - disagree for far off the highway because side road traffic becomes a problem (x2)
- a certain amount of better agricultural land will have to be used
- it should be allowed with each case being considered individually -look at the nature and impact of proposed development

3. The County's Land Use Bylaw currently allows a maximum of 5 parcels out of a quarter for country residential use. Higher densities should be allowed in the Bay Tree area.

Agree 1	2	3	4	Disagree 5
16 (28.6%)	8 (14.3%)	6 (10.7%)	2 (3.6%)	24 (42.9%)

- adequate for the time being - should be reviewed every 5 years
- 32 parcels out of every quarter
- close proximity to BC makes this area a very desirable for small acreages
- county should encourage and assist with residential acreage developments. There would be a substantial influx of people working in Dawson Creek because of tax advantages associated with living in Alberta. We would get the property tax revenue (x2)
- increasing amount of parcels only increases population - shouldn't we protect farmland
- only within mile radius of current Bay Tree core
- only where not suitable for agricultural land
- amend to 2 per quarter (x2)
- NO - already too many (x3)
- no, development will take place and our property values will drop or decrease in value
- no more than 2 parcels of land per quarter allowed for development unless unsuitable for farming
- it would be preferable to have a density of settlement around already established residential and commercial areas rather than all over
- only on land close to the highway
- poor agricultural land or broken up quarters should be allowed to be much smaller parcels - from about 2-3 acres or more
- there should be a maximum # - ie. allowing trailer courts to take up a whole quarter should not be permitted
- better to go through a rezoning process for individual parcels if someone wishes to develop rather than making it apply to a whole area

4. The County's Land Use Bylaw currently allows a minimum country residential parcel size of 5 acres. The Bay Tree plan should encourage the creation of parcels smaller than five acres in size.

Agree 1	2	3	4	Disagree 5
9 (16.1%)	1 (1.8%)	6 (10.7%)	10 (17.9%)	30 (53.6%)

- 3 - 5 acre minimum
- 3 acre minimum because many people don't use more than one acre
- 5 acres will eliminate the trailer park problem
- no, because of proper sewer disposal areas - unless pumpouts are essential
- 5 acre minimum is good because some people want room for cows, horses, gardens, or pastures
- not too sure - but not too small
- 5 acres is good because people have space between them and their neighbours - 2

- no, because if you wanted to live closer to people than that, you may as well live in town
- only within a one mile radius of Bay Tree - and there would have to be a water and sewer infrastructure
- 2 acre plots
- most parcels should be 10 acres, 5 acres minimum - larger parcels should be also allowed to 40 acres
- definitely not (x2)
- keep the parcel size larger and you will not create a slum situation
- yes, in some cases they could be smaller and some could be larger depending on the scale of the acreage
- ASP, if passed, should have a minimum of 40 acres
- only if such a parcel is formed by nature
- smaller lots could be developed along already existing roads only if there is a demand for them - most people are interested in independence
- smaller parcels should be concentrated in specific locations because when you get people closer together extra bylaws or restrictions must be issued - water, sewer, etc.
- 5 acre minimum is good (x3)
- poorer agricultural land could be broken up smaller
- go through a rezoning process for each individual parcel

5. **Non-agricultural development should be concentrated in specific locations and not scattered throughout the area.**

Agree 1	2	3	4	Disagree 5
31 (54.4%)	3 (5.3%)	6 (10.5%)	1 (1.8%)	16 (28.1%)

- the land in this area is ideal farmland
- like to see sections 27, 34 and part of 35 used for small acreages from 3 to 20 acres - road access onto Township road 784 and Range road 131
- what controls do we have as "community planners" on private land?
- should be the individual's choice - we all pay taxes
- this would be creating a 'townsite'
- this should be encouraged along the highway (x3)
- non-agricultural development has already occurred and it is scattered - that is the uniqueness of the area
- preferably in the general location of the current store/post-office and UFA - maybe on the south side where the land is rocky and preserve the farmland from 1 mile north of Hwy 49
- wherever development occurs is not necessarily the issue - it is what the development looks like to the eye - we want the beauty and natural flavour of this area maintained
- yes, it should be a minimum of no more than 2km of the Bay Tree Post Office

- yes, keep all the pollution in one area
- as long as they have access to a primary or secondary road or highway
- commercial and industrial development if allowed should be only within quarter sections of Bay Tree Store - no residential
- yes, it concentrates traffic and business activity to specific locations and allows residents away from these areas country peace and quiet
- should occur around already established residential and commercial areas
- yes, as this will reduce high traffic entrances/exits on the main highway creating more danger to existing traffic
- concentration would soon expand, forcing those out that do not wish to develop - scattered would mean much more development without ballooning land value in specific locations
- land owners should have equal opportunities to develop their properties
- pros and cons - many home based businesses would be less financially viable and less convenient if separate land needed to be purchased along with all associated costs of part time or full time business on a separate property

**6. Future commercial and industrial development should only be allowed in close proximity to primary or secondary highways, or in the settlement of Bay Tree.**

Agree 1	2	3	4	Disagree 5
30 (53.6%)	5 (8.9%)	6 (10.7%)	1 (1.8%)	14 (25.0%)

- should be people's (owner's) choice
- as long as close proximity is within 2-3 miles
- we don't need a downtown Bay Tree - commercial and industrial development should happen wherever the business owner lives, giving all property a value for commercial endeavours
- the need for bypass roads would be crucial if building is allowed along Hwy 49 - there is too much traffic for development if the highway access entrances were to be directly onto highway
- only developments that create considerably higher traffic patterns should be kept near highways (ie. retail, food services, fuel)
- as long as it is within 2 km
- it depends - some businesses could be located at Bay Tree, along with residential
- yes, as this would reduce the cost to the taxpayer by eliminating unnecessary roads and services
- should not integrate residential with industrial (noisy, eyesores, oil spills)
- only in the settlement of Bay Tree (x3)
- rural businesses will play an important role as population expands
- scattered is better as some development is better away from more settled areas

- perhaps, but if there is poorer agricultural land that is suited to the proposed development, why not use it , even if it is outside the specified area
7. **Are there any environmentally sensitive features in the Plan area that should be protected from the effects of additional development? If so, please describe them.**
- Henderson's Creek and it's banks - 2
  - several creeks, wildlife habitat and areas that should be protected - need a map to describe where
  - creeks - especially from sewage pollution and excessive runoff - 2
  - sewage is a concern and should be well planned and inspected - 2
  - the Falls south of Bay Tree
  - any factory or operation which could contaminate our area must have public input
  - the hills south of Bay Tree - prone to erosion - 2
  - some natural cover should be left on parcels larger than 5 acres
  - all water sources - 2
  - development already too close to the green areas
  - water table
  - seasonal creek on North side of Bay Tree
  - the green areas - should not be reduced for development - 2
  - the Rim Rock area - unless opened for recreation use only - 2
  - keep our trees for protection and beauty
  - farmland - and land owners should not be allowed to remove all trees from area
8. **Do you have any additional comments or concerns that should be addressed in the Plan?**
- pollution of creek should be examined and protected
  - on the BC side, the hillside is being used for subdivision - we can do likewise
  - good farmland needs to be protected - too many cities/towns push farmers onto poorer land
  - need to have a clearer understanding of this Plan
  - protect community from becoming a 'trailer-shack town' - standards should be in place
  - need to protect our beautiful community from outsiders developing eyesores
  - an increase in the number of residents and businesses will increase the tax base for the County, bringing in more revenue and spreading the 'load" over a larger population - 2
  - proper planning should be a priority as many businesses and residences would move to Alberta if allowed or encouraged
  - roads in Bay Tree area need improving - too muddy; no gravel
  - from the Border to Bay Tree should be allowed to be developed
  - a passing lane on both sides of Hwy 49 at Bay Tree store and UFA
  - development is inevitable - need strict bylaws regarding standards of visual appeal to businesses, signage, landscaping, fences, etc...(ie. auto wreckers, equip yards or junky land owners

- water erosion needs to be addressed in all parcel developments - ie. ditch capacity, culverts in downstream areas - this has already become a problem in the area
- set minimum standards for appearance of acreages, somewhere above homestead status
- the County and AB transportation have to work together very soon to improve the safety at Hwy 49 Bay Tree intersection - near misses and hazards - need preventative action
- opening up such a large parcel of land for subdivisions is a big mistake - I have lived here for 19 years (downtown Bay Tree - 80 acres and 2 titles) - no one has ever approached me to buy my land
- commercial/industrial development should not be restricted to any specific area because that inhibits commerce
- don't want a mess or create a ghost town
- all subdivisions should be surveyed and marked to be sure where property lines are
- many farmers retiring and want to live on smaller acreages close to BC border - acreages should be available to them - also, many people want to live on acreages in Alberta and work in Dawson Creek
- each quarter section should have a maximum of 2 titles, minimum 1 - 10 acres, the other 150 acres. - non agricultural should be developed
- not in favour of proposed neighbourhood pub - will only encourage underage BC residents to come over and drink - more drinking and driving
- need strict bylaws in place prior to passing a new ASP for lots smaller than 5 acres - regards to water supply, sewage disposal and appearance of lot - no more eyesores
- do not agree with commercial and industrial businesses being scattered all over when there is an area set aside for this purpose with one exit and entrance - creates less of a traffic hazard
- road allowance should be developed for residences so as to increase future taxes for the County
- more common sense is needed in regards to the above survey
- too much green space that could be used as agricultural land
- agree with development if it is done properly

## APPENDIX 2 INPUT TO POLICY DIRECTIONS

<b>Agricultural Land</b>	7	I agree with the proposed directions.
Comments:	6	I disagree with the proposed directions.
	(1	I am concerned)

- Should be more restrictions on the amount of ag land eligible for use.
- 10 acres per quarter section is enough in any area, making for 2 residences per quarter section.
- Leave good arable farm land alone.
- Too much taken out for residential and commercial.
- Leave farm land alone. We have little enough.
- I feel rather than rush the Plan we require more time as a group to have a clearer understanding of planning. I worked as a planner for BC's new LRMP which covers all of the Province and addresses all of the concerns - resulting in a well understood and agreed upon Provincial plan. There were many meetings, lots of hot discussions and disagreements - but in the end an understanding of the Plan.
- We agree that there must be a structure plan in effect. Don't agree with developments on land as per the RFA ratings. Some farmers can grow crops by being good farmers on almost any soil while another grow nothing on best of soil. Agricultural land must be saved.

<b>Country Residential Development</b>	7	I agree with the proposed directions.
Comments:	7	I disagree with the proposed directions.

- Restrict to non-farmable land only (Option 1).
- See above.
- Residential development may be too concentrated in some areas if close to Alta-BC border.
- 10 acres of every quarter is enough.
- Too big an area proposed. A lot of this land is good ag land.
- I think these proposed residential areas must be looked at in more depth before one can say "here is the Plan".

<b>Commercial and Industrial Development</b>	8	I agree with the proposed directions.
Comments:	5	I disagree with the proposed directions.

- Restricted same as above but also to an industrial park.
- People do whatever they feel like so if they want 4 or 5 trucks on their place they do it, so do we need any more development.
- Should be in one specific area not scattered all over.
- There is too much dust now.
- The Plan should lay out some guidelines - it is all very well to say its "not written in stone" but in reality we should give some guidance to avoid a junk yard effect!

<b>Environmental Protection</b>	12	I agree with the proposed directions.
Comments:	1	I disagree with the proposed directions.

- Limit high density livestock operations - no more.
- I definitely agree whatever way you go.
- More detail is required on this "an important aspect of this or any plan".
- My hope is that everyone cares about the environment and takes the appropriate steps necessary to protect it.

<b>Transportation and Infrastructure</b>	9	I agree with the proposed directions.
Comments:	3	I disagree with the proposed directions.

- Improve, increase maintenance to high traffic areas, eg. dust control, grading and snow removal, speed up development of Bay Tree turning lanes.
- The County must be prepared to develop roads if development occurs.
- We need a four lane in Bay Tree and if you move on the back end of your land, build your own road.
- Address the dust problem first.
- Main concerns (1) need of turning lane from Highway 49 at Bay Tree, (2) deteriorating condition of many collector roads, (3) heavy use of collector road straight west of Bay Tree and UFA by big trucks when inspection station is set up by DOT.
- Highway 49 access into Bay Tree should be given immediate high priority.
- I feel strongly that we must address the present road structure and safety before developing or even looking at further roads. Dust conditions - traffic on Rge Rd #131. This road is heavily used and is in its present state very unsafe for summer travel. I would hope we do not have to wait for a tragic accident to happen before we as residents or planners pay attention and move to assure adequate dust control. This may qualify under environmental concerns.
- That there will be regulations in place to not allow poor structures and poor sewer disposal. That all be given notice on changes in advance allowing one to make an educated decision.

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**SADDLE HILLS COUNTY**  
**BAY TREE AREA STRUCTURE PLAN**  
**BYLAW NO. 107-2001**

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***ISL***  
**Infrastructure Systems Ltd.**

June 2001

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**SADDLE HILLS COUNTY  
BYLAW NO. 107-2001**

Being a bylaw of Saddle Hills County, in the Province of Alberta, for the purpose of adopting the Bay Tree Area Structure Plan.

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**WHEREAS** Section 633 of the Municipal Government Act, S.A. 1994, Chapter M-26.1 as amended, allows a municipality to adopt an area structure plan; and

**WHEREAS** The Council of Saddle Hills County deems it to be in the public interest to repeal and replace the Bay Tree Area Structure Plan (Ministerial Order No. 663/89);

**NOW THEREFORE** The Council of Saddle Hills County in the Province of Alberta, duly assembled, hereby enacts as follows:

- 1) That the Bay Tree Area Structure Plan (Ministerial Order No. 663/89) and all subsequent amendments thereto is hereby rescinded.
- 2) That this bylaw may be cited as the Bay Tree Area Structure Plan.
- 3) That the Bay Tree Area Structure Plan, attached hereto, forms part of this bylaw.
- 4) This bylaw shall come into effect upon the date of the final passing thereof.

Read a First time this 29<sup>th</sup> day of March, 2001.

Read a Second time this 12<sup>th</sup> day of June, 2001.

Read a Third and Final time this 12<sup>th</sup> day of June, 2001.

Tim Stone (Original signed by)  
Chief Elected Official

Rob Coon (Original signed by)  
Chief Administrative Officer