



Inspiring sustainable thinking





ISL Engineering and Land Services Ltd. is an award-winning full-service consulting firm dedicated to working with all levels of government and the private sector to deliver planning and design solutions for transportation, water, and land projects.



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1.0 Introduction

The purpose of the Bay Tree Area Structure Plan (ASP) is to provide a detailed framework for the future development of lands within the unincorporated rural settlement of Bay Tree in Saddle Hills County for residential, commercial, institutional, recreational and industrial land uses.

The ASP was prepared in collaboration with a Planning Advisory Committee, which is comprised of members of County staff and a member of Council. The ASP is also based on consultation with residents and property owners in the area.

This ASP provides a land use concept and associated policies to direct Council, administration, residents and property owners on future development decisions within the ASP area.

The former Bay Tree ASP, adopted in 2001¹, provided a response to projected growth in northwestern Alberta and in northeastern British Columbia (BC), and its associated development opportunities. Since that ASP was adopted, however, the area has experienced increased residential, industrial and commercial development pressures by virtue of its close proximity to the Peace region in BC. Strong economic activity in the region, combined with a comparatively lower cost of living in Alberta, has resulted in further increased interest. This development pressure, combined with the passage of time, warrants a review of the ASP to ensure that it remains current.

At the time that the former ASP was prepared, the County did not have a Municipal Development Plan (MDP) in place. As a result, the ASP was very policy-oriented and addressed many issues (e.g. agricultural land preservation, environmental protection) at a general level that would normally be contained in the MDP. As the County approved its MDP in 2010, an updated Bay Tree ASP can be prepared that is focused on more specific land use considerations such as country residential and industrial development node in the context of a Future Predominant Land Use Map.

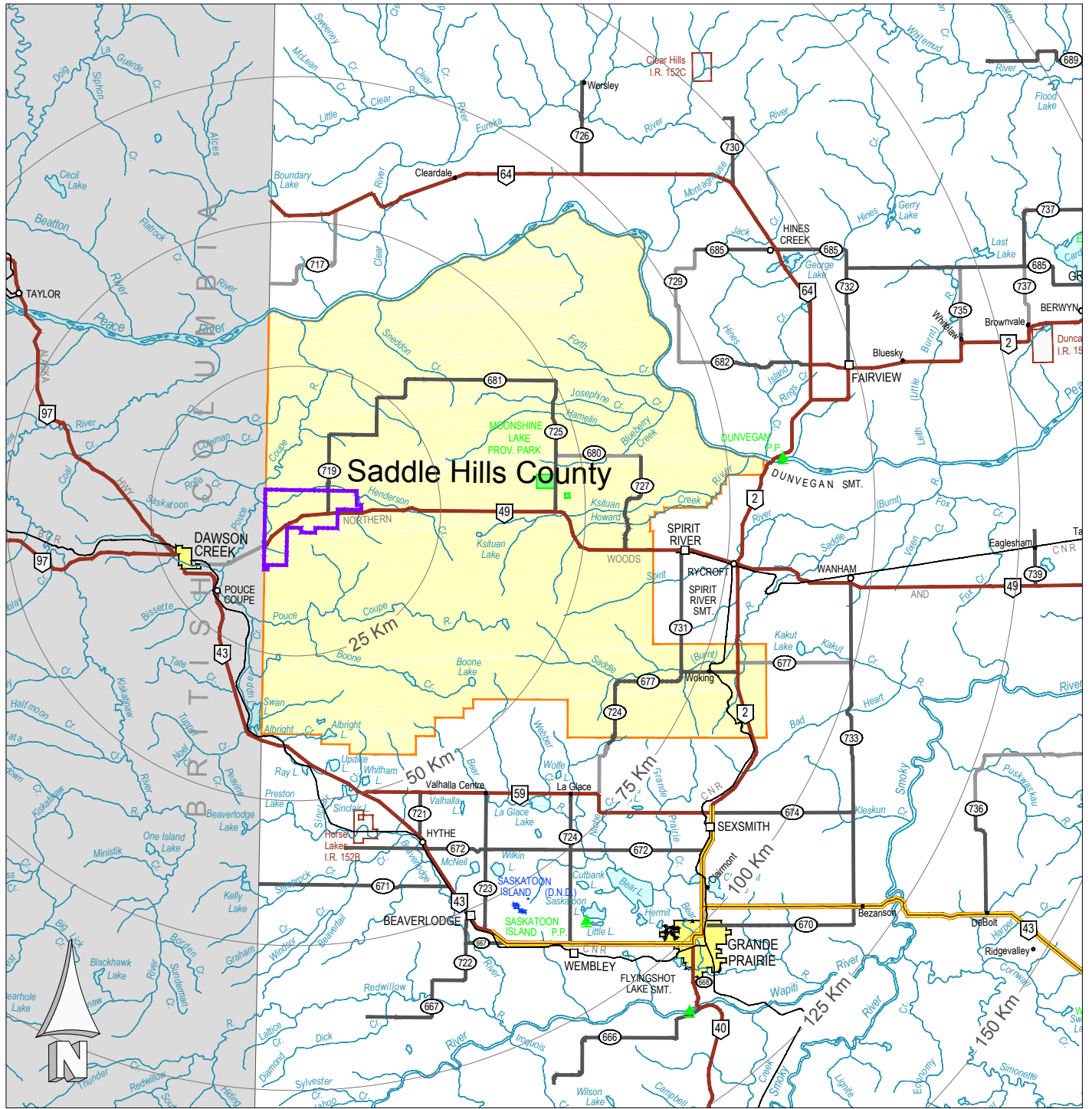
1.1 Location

The Bay Tree ASP applies to 12,000 hectares (29,600 acres) of land in west Saddle Hills County as illustrated in Figure 1. The ASP 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 ASP area is centred on Bay Tree, an unincorporated rural settlement.

The major transportation corridors in the area include Highway 49, which bisects the ASP area for its entire east-west length, and Highway 719, which provides connections to the north.

¹ The current ASP was an update to the original 1989 Bay Tree ASP, which applied to a single section of land surrounding the settlement of Bay Tree.

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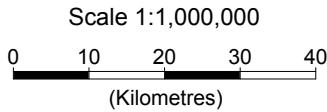


Bay Tree Area Structure Plan

Legend



Plan Area Boundary



LOCATION

Figure 1





1.2 Existing Conditions

1.2.1 Geography

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

The dominant physical feature is the Henderson Creek valley that traverses the north end of the ASP area as illustrated in Figure 2. This valley is characterized by steep slopes and creates a significant constraint to development. A number of tributary creeks and ravines also cross the ASP area at several locations, 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 areas of land, which could accommodate future non-agricultural developments as they are generally considered 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.

1.2.2 Population

Historical population data for the Bay Tree area is limited to information obtained from a municipal census conducted in 2008. However, as the information was recorded by legal description, a population figure is available specific to the ASP area. The 2008 population for the ASP area was 285 persons.

The 2011 federal census recorded the population for the County as 2,288, a decrease of 7.4% from 2008. Although it is not possible to state where in the County the population decrease has taken place, it is assumed that little if none of this decrease has occurred in the Bay Tree area due to the increased level of development activity that has been evident in recent years.

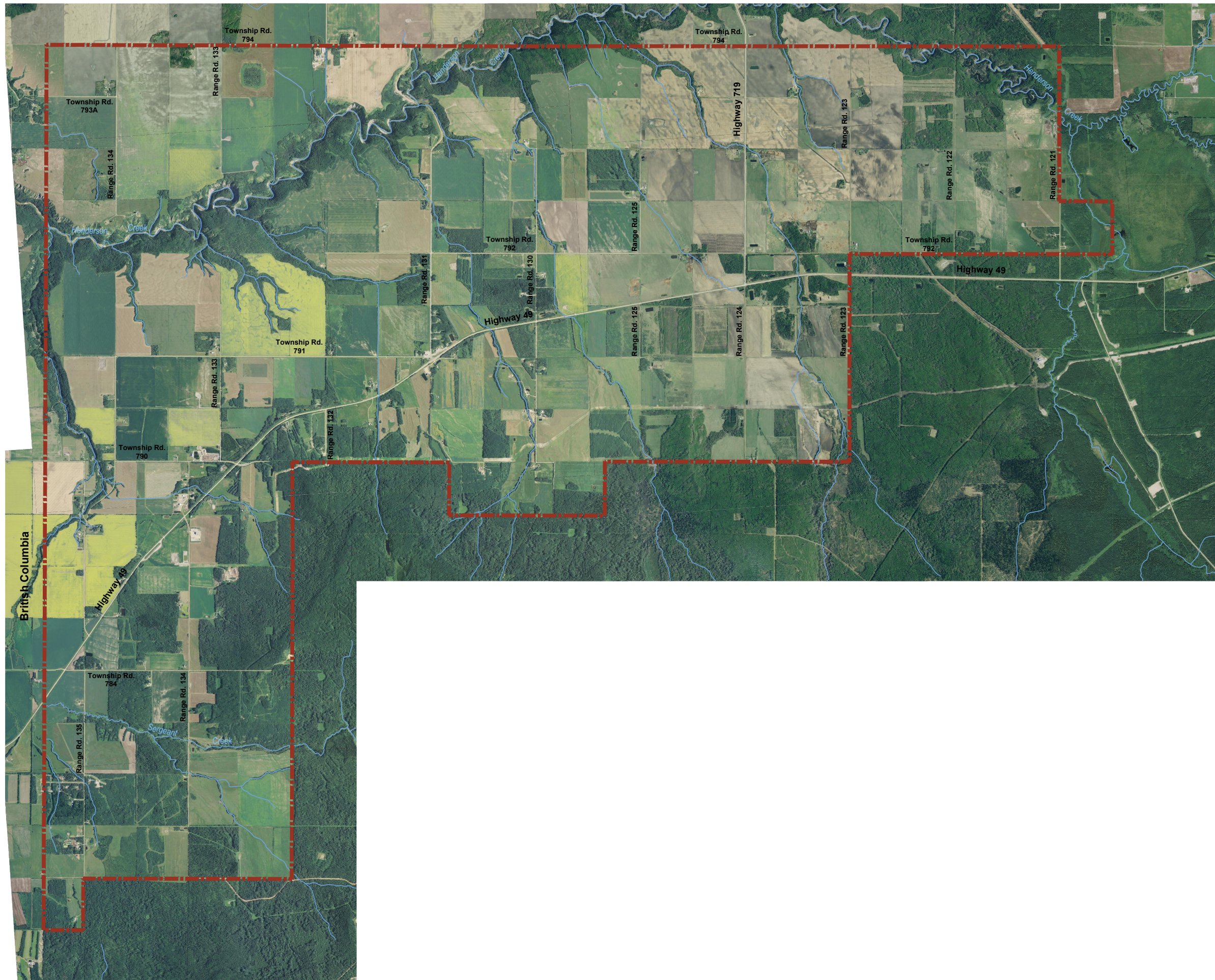
1.2.3 Existing Land Use

The ASP area contains approximately 12,000 hectares (29,600 acres) of land, the majority of which is used for agricultural purposes (cultivated or pasture). Non-agricultural development primarily consists of farmsteads and single lot country residential subdivisions that are scattered throughout the ASP area as illustrated in Figure 3.

Industrial and commercial activity is concentrated in two nodes, one in proximity to Bay Tree, and the other along Highway 49 to the west of Bay Tree. Industrial development primarily consists of trucking operations and oilfield service firms, while commercial development takes the form of retail outlets and a bulk fuel establishment in Bay Tree.

Multi-lot country residential developments are situated in concentrations around Bay Tree, an area in proximity to Highway 719 in the central portion of the ASP area, and south of Highway 49 near the BC border (Saddle Oak Estates).

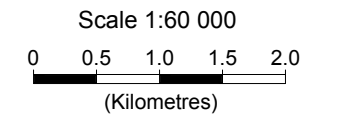
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Bay Tree Area Structure Plan

PHYSICAL FEATURES

Figure 2



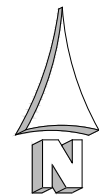
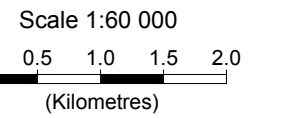
LEGEND

ASP Boundary

Bay Tree Area Structure Plan

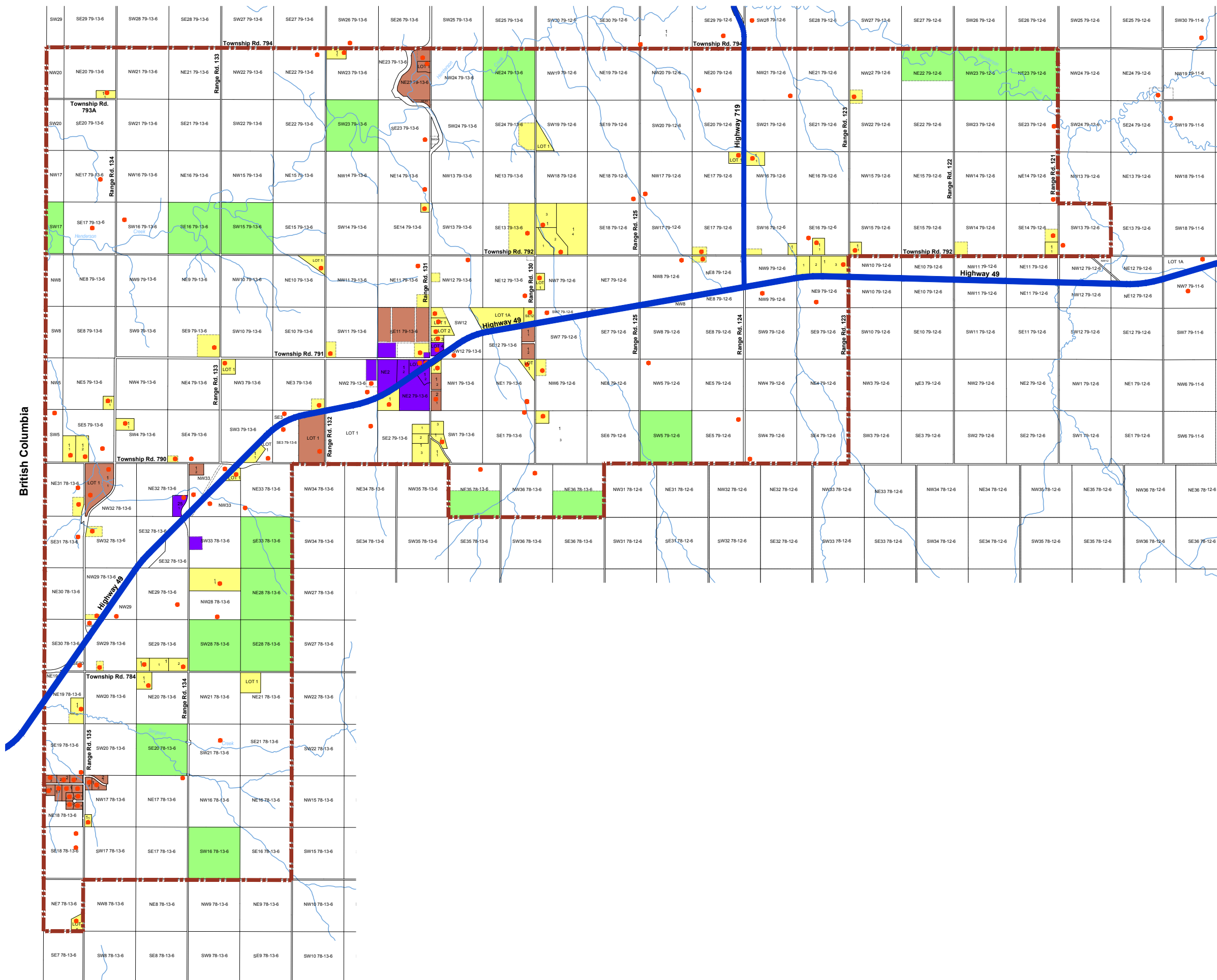
EXISTING DEVELOPMENT

Figure 3



LEGEND

- ASP Boundary
- Residence
- Crown Land
- Country Residential
- Industrial / Commercial
- Other Subdivision
- Highway



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The other significant development activity in the ASP area is associated with natural gas production, as numerous gas wells are present, and several pipelines traverse the ASP area.

According to County assessment records, approximately 5,846 ha (14,446 ac) of land in the ASP area (49% of the total land base) is identified as arable, approximately 60% which meets the County's definition of Better Agricultural Land (RFA +28%). For the most part these lands are concentrated in two pockets near the BC border, and in the central portion of the ASP area north of Highway 49.

1.3 Legislative Framework

1.3.1 Municipal Government Act

This ASP has been prepared in accordance with Section 633 of the Municipal Government Act, SA 2000 (MGA). The MGA enables a municipality to adopt an ASP to provide a framework for future development of an area. Section 633 stipulates the following:

1. An ASP must describe the sequence of development, land uses, population density, and location of transportation routes and utilities proposed for the area;
2. Property owners, businesses, interested members of the community, and school boards must be given the opportunity to provide input in the planning process;
3. An ASP must be adopted by bylaw, which requires a public hearing to be held on the proposed plan; and
4. An ASP must conform to a municipality's Municipal Development Plan.

The MGA also requires that all statutory plans be consistent with the Provincial Land Use Policies. This ASP is consistent with those policies.

1.3.2 Municipal Development Plan

The MDP is the primary policy document for use at the municipal level and provides a framework for the ongoing development of Saddle Hills County. The MDP guides the future by describing the County's development vision, goals and objectives. Is intended to minimize the occurrence of incompatible land uses, and provide support for the preparation of other statutory planning documents, including this ASP.

There are several MDP policies that are relevant to the Bay Tree ASP²:

1. Policy 3.1.4 establishes the parameters for the development of lands in agricultural areas, including agricultural industries, highway commercial uses, home-based businesses, public uses and utilities, recreational uses, resource extraction industries, greenhouses and rural industrial development
2. Policy 4.1 indicates that the development of multi-lot country residential subdivisions not be permitted on Better Agricultural Land;

² ASP provisions respecting the promotion of clustering as a means of concentrating development and encouraging the efficiency of services require that Policies 4.1 and 5.1.4 be amended.

3. Policies 5.1.1, 5.1.2 and 5.1.4 establish the location criteria for new industrial development, including proximity to established industrial operations and highways;
4. Policies 5.2.1, 5.2.2, and 5.2.3 provide for the development of rural commercial uses in settlements and other appropriate locations;
5. Policy 6.1 encourages commercial, industrial and institutional uses to locate in or near hamlets and rural settlements where possible; and
6. Policy 7.1.1 requires that ASPs confirm the location and geographic extent of any Environmentally Sensitive Areas.

1.3.3 Land Use Bylaw

The purpose of the Saddle Hills County Land Use Bylaw 173-2009 (LUB), as amended, is to regulate the use and development of land and buildings within the County, and implement the policies of statutory plans, such as an MDP or ASP.

The majority of the lands within the ASP area boundary are currently zoned under the Agriculture (A) District. The balance of the ASP lands are zoned as Country Residential One and Two (CR1, CR2), Rural Commercial (RC), Heavy Rural Industrial (HRI), and Crown Land (CL).

1.4 Public Consultation

The public was consulted during the planning process to provide input into the preparation of this Plan. The consultation process involved:

1. A project launch was advertised on the County website and in the Signal in March 2015.
2. An open house was held on May 26, 2015 at the Bonanza Community Hall to provide residents with an opportunity to learn about the ASP project, and to provide input on issues, concerns and opportunities respecting the future development of the Bay Tree area. The feedback received from residents included:
 - A group mapping exercise indicated a desire to concentrate residential, commercial and industrial development near Bay Tree, and commercial/industrial development near existing developments along Highway 49;
 - A concern respecting the limit on maximum lot size for country residential lots, in that the 5 acre maximum is not adequate to accommodate private sewage systems given poor local soil conditions;
 - There was missing/inconsistent information on the pipeline map. Some attendees noted that a TransCanada pipeline travels east/west through the ASP area, but was not shown on the map. One resident also indicated that one pipeline shown as existing is only proposed;
 - Residents would like to see the development of a potable water supply or system within the ASP area;
 - The proposed Gundy Connector road south of Highway 49/Highway 719 should be included in the ASP;
 - One resident indicated a desire for three phase power to attract more industrial business to the area.
3. A second open house was held on February 24, 2015 at the Bonanza Community Hall to provide residents with an opportunity to review and discuss the draft ASP. Input from the 25



attendees that signed in was generally favourable. The nature of input on specific issues included:

- The timing of the proposed water line connecting Bay Tree with Bonanza;
- The status of the construction/planning of the Gundy Connector road; and
- Need to confirm extent of industrial node at Bay Tree as it does not reflect current industrial zoning.

2.0 Land Use

2.1 Goals of the Plan

The Predominant Future Land Use map (Figure 4) contained in this ASP is based on information from the background technical review and input obtained at the open house. The land use concept identifies generalized land use areas for future residential, commercial, and industrial opportunities.

The ASP is intended to achieve the following goals:

1. Provide area residents with a long term vision for the future development of the Bay Tree community;
2. That future development not interfere with established farming operations;
3. Encourage new development in proximity to areas where development of a similar nature is already established (clustering) to promote efficiencies in land use and service delivery, and reduce impacts on agricultural lands;
4. Protect environmentally sensitive areas from encroaching development; and
5. Provide opportunities to diversify the local economy through expanded commercial and industrial development opportunities.

2.2 Plan Interpretation

The boundaries of the land use areas shown in this ASP are approximate except where they coincide with roads or property lines. Minor variances may be permitted without an amendment to this ASP provided such variances do not, in the opinion of the County, materially alter the intent of this ASP.

The policies contained in this ASP apply to all private lands located in the ASP area. With respect to Crown Lands, the policies are advisory only but represent the position of the County in the future development or disposition of these lands.

In addition to the provisions contained in this ASP, all development proposals are required to conform to the County's MDP and LUB, as well as any provincial policies that may apply. In the event a matter arises that is not addressed by this ASP, the policies of the MDP shall apply.

Unless otherwise stated, all words and expressions used in this ASP shall have the meanings assigned to them in the MGA, MDP and LUB.

2.3 Agriculture

Agriculture is to continue as the predominant land use in the ASP area, and much of the ASP area is intended to remain in agricultural production.



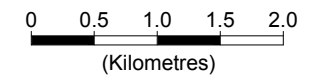
Bay Tree Area Structure Plan

PREDOMINANT FUTURE LAND USE










Figure 4

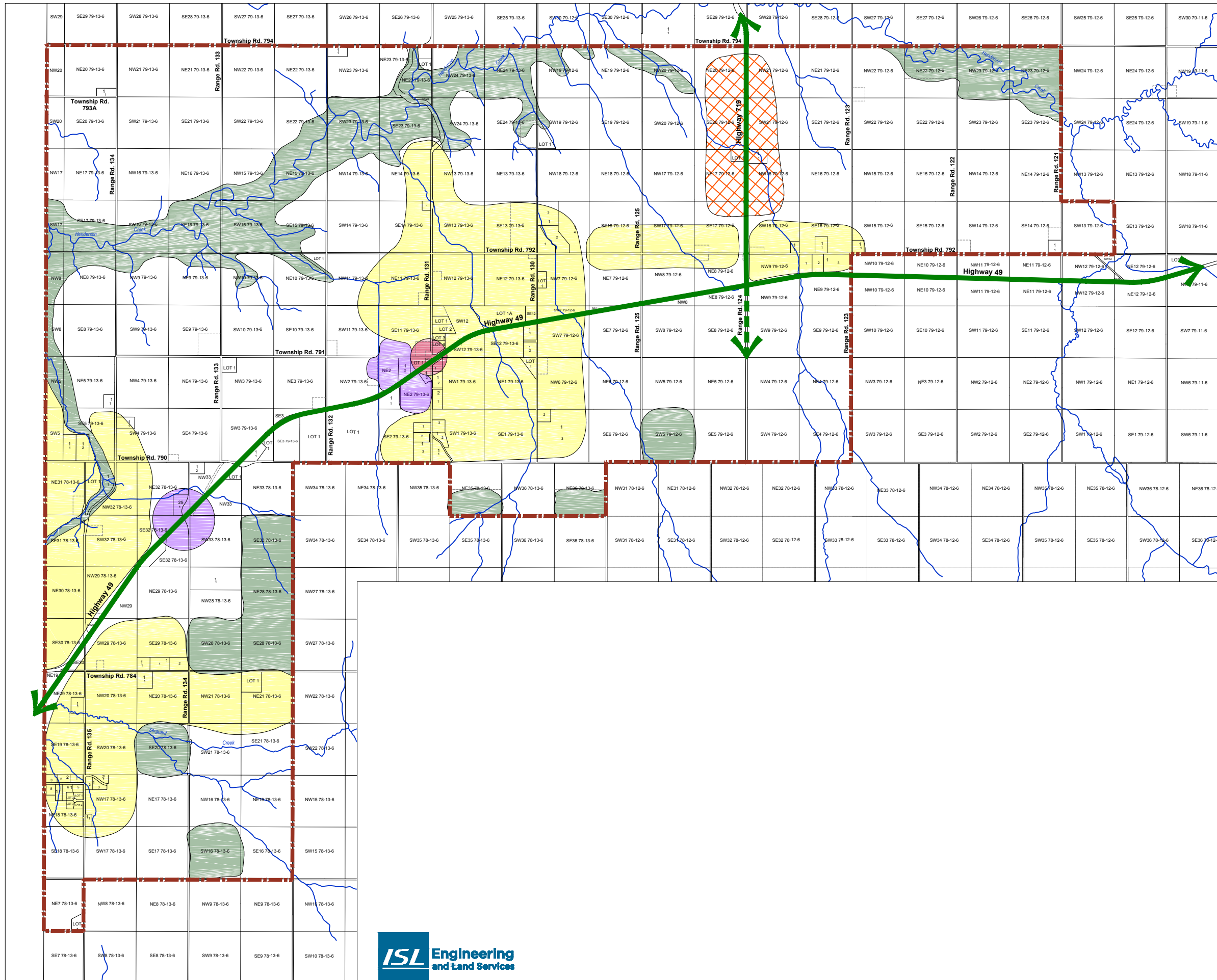


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LEGEND

-  ASP Boundary
-  Highway
-  Potential Gundy Connector
-  Agriculture
-  Commercial
-  Country Residential (Multi-lot Node)
-  Industrial
-  Natural Areas / Crown Land
-  Potential Future Development



The subdivision of land located in the area identified as Agriculture on the Predominant Future Land Use map will continue to be allowed for farmstead separations, vacant first parcels, and physical severances in accordance with County MDP policy.

Non-residential development in the form of institutional uses (e.g. churches, community halls) and home- or farm-based industrial or commercial uses will continue to be considered on a case by case basis.

The subdivision of a maximum of three (3) lots plus the balance on quarter sections that are not considered Better Agricultural Land as defined in the MDP will continue to be allowed without requiring rezoning in accordance with the County's LUB.

The resubdivision of existing lots in the Agriculture area may be allowed if the site requirements of the LUB can be met and the maximum density of three (3) lots is not exceeded.

Confined feeding operations shall not be permitted in areas proposed for multi-lot country residential development. The expansion of existing intensive agricultural uses will be allowed where they are currently established.

2.4 Country Residential

Multi-lot country residential development will be encouraged in those areas identified as Country Residential (Multi-lot Node) on the Predominant Future Land Use map. Five such nodes are located in the ASP area, including:

- the west end of the ASP area between the BC border and a tributary of Henderson Creek;
- the west end of the ASP area between Highway 49 and a tributary of Henderson Creek;
- the west end of the ASP area south of Highway 49 in proximity to Saddle Oak Estates;
- in proximity to the settlement of Bay Tree on both sides of Highway 49; and
- at the east-central portion of the ASP area east of Highway 719.

Multi-lot country residential development is encouraged in these nodes due to:

- the presence of multi-lot country residential development that has already occurred in cluster form; and/or
- the presence of land that is of relatively low agricultural capability; and/or
- located on sites that are relatively isolated or severed, and therefore generally unsuited to long-term agricultural use.

In addition to the above, the Predominant Future Land Use map also identifies a potential country residential development node between the Bay Tree node and Highway 719 along Township Road 792, and then extending north along Highway 719.

Notwithstanding the policies of the MDP, multi-lot country residential development will be permitted on Better Agricultural Land in areas identified as Country Residential (Multi-lot Node), provided that such proposals otherwise meet the requirements of the MDP. Country residential development in clustered form is promoted to:

- minimize land consumption;



- reduce the number of approaches to municipal roads and maximize the efficiency of internal road systems;
- optimize service efficiencies; and
- reduce the impacts of development on farming operations and the broader agricultural land base.

Multi-lot country residential development in excess of one lot plus the balance if located on Better Agricultural Land or in excess of three lots plus the balance if not located on Better Agricultural Land will be subject to rezoning to either the Country Residential One (CR1) or Country Residential Two (CR2) Districts under the LUB. All rezoning and subdivision applications proposed will continue to be reviewed on their individual merits and decision based on the merits of the individual applications.

Existing natural features, including mature tree stands, are to be preserved wherever possible by integrating these features into the design of new subdivisions.

2.5 Commercial

In accordance with the Predominant Future Land Use map, new commercial development will be limited to the settlement of Bay Tree, in proximity to existing commercial uses, to help ensure that Bay Tree remains as the focal point of commercial services in the ASP area and maintains its long term sustainability and viability. This limitation on commercial development does not apply to home- or farm-based commercial uses.

Notwithstanding the above, commercial development may be considered in proximity to Highway 49 if the site specific requirements of the development warrant the proposed location.

Commercial development will be subject to rezoning to the Rural Commercial (RC) District under the LUB. All rezoning and subdivision applications proposed will continue to be reviewed on their individual merits and decision based on the merits of the individual applications.

Lighting and signage associated with future commercial development shall be designed in such a matter as to minimize impacts on traffic movement.

2.6 Industrial

In accordance with the Predominant Future Land Use map, new industrial development will be supported in two nodes, one at Bay Tree and the other along Highway 49 at Range Road 134 to the west. These are areas where:

- existing industrial development, primarily associated with transportation operations and oilfield services are located;
- service efficiencies can be optimized; and
- the impacts of development on farming operations can be minimized.

Existing residential uses located within industrial nodes will be permitted to continue. Development permit applications for new industrial uses will be reviewed to ensure that new

industrial developments provide appropriate buffering (e.g. development setback, landscaping and screening) from established residential uses. New residential development will not be allowed in an Industrial area.

New industrial uses in the ASP area will be restricted to non-polluting light industrial operations.

Provision for landscaping, buffering and screening shall be provided to the satisfaction of the County to minimize potential negative impacts on adjacent land uses.

Industrial development will be subject to rezoning to the appropriate industrial district under the LUB. All rezoning and subdivision applications proposed will continue to be reviewed on their individual merits and decision based on the merits of the individual applications and in accordance with the policies of the MDP.

The development of Industrial activities shall not be supported in the Plan area where, in the opinion of the County, they would conflict with other land uses as a result of unsightly appearance, traffic generation, or environmental impact.

2.7 Natural Areas and Crown Lands

The Predominant Future Land Use map also identifies, in general terms, those lands that are to be preserved as Natural Areas due to their environmental significance or aesthetic importance. For the purpose of this ASP, the Natural Area designation applies to the Henderson Creek valley, tributaries of Henderson Creek, and provincial Crown Lands.

The boundaries of identified Natural Areas are approximate and subject to confirmation at the time of development or subdivision by means of an environmental review and/or determination of the top-of-bank by survey.

Any development or subdivision that is proposed to be located within or adjacent to a Natural Area will be reviewed in accordance with the development setback requirements of the LUB, and the Environmental Stewardship policies of the MDP. No development or subdivision will be approved if it is deemed by the County to be detrimental to the Natural Area.

Development on Crown Lands will be permitted in accordance with provincial regulations and protocols.

2.8 Future Development Node

The Predominant Future Land Use map identifies a node identified as “Potential Future Development” along Highway 719 north of Township Road 792. No specific use is identified for this area at this time, but has the potential to be developed for commercial or light industrial purposes due to the access opportunities and exposure offered by the presence of the highway. In the event that such development is proposed, an amendment to this ASP shall be required to change the designation of this node to the more specific land use category.

Alternatively, country residential development may be considered in this corridor. Country residential development may be allowed in this node without an amendment to this ASP.



3.0 Transportation and Servicing

3.1 Roads

The primary transportation corridor in the ASP area is Highway 49, a two-lane highway that runs the length of the ASP area. A portion of Highway 719 is also located in the easterly portion of the ASP area providing a connection to areas north of Bay Tree. The regulation of development along these highways is the responsibility of Alberta Transportation, and proposed highway access is subject to the Alberta Transportation approval. In addition, all development proposals located within 800 m of a highway require Alberta Transportation review.

The need for road construction, widening, upgrading and service road provision shall be considered by the County when reviewing all subdivision and development proposals in the ASP area. In addition, the location and size of proposed approaches to local roads shall be subject to the approval of the County.

The design and location of future transportation routes, including a possible link between Highway 49 and Highway 43, known locally as the Gundy Connector, will take into account the existing land use pattern in the vicinity of the proposed route.

The County shall encourage that multiple parcel subdivisions be served by internal subdivision roads that are 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.

Through the subdivision and development permit processes, the County shall endeavor 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.

3.2 Servicing

There is no municipal water service present in the ASP area. All domestic water needs are addressed by way of dugouts or cisterns. At present, domestic treated water is sourced at Dawson Creek, BC to the west, and Spirit River to the east. Water supply points sourced by runoff are in the process of being installed in Bonanza to the north of the ASP area and at the County Complex to the east.

Prior to the approval of any industrial, commercial, or multi-lot country residential development, the County will require the applicant to demonstrate the presence of an adequate, potable water supply.

The County will require that commercial and industrial sites provide adequate on-site water supplies for firefighting purposes.

In order to preserve the long term sustainability of the Bay Tree area and ensure a safe and reliable water supply for the future, the County is working with developers, service providers, and other levels of government to explore potable water supply options in the vicinity of Bay Tree including a potential connection to Bonanza to the north of the ASP area.

All new development will accommodate domestic sewage disposal through the installation of private on-site systems until such time as a municipal sewer system is installed.

All commercial, industrial and multi-lot country residential developments shall address stormwater management in accordance with County requirements.

The County is working with developers and utility providers to upgrade the natural gas and electric power supply systems in the Bay Tree area.



4.0 Implementation

4.1 Monitoring and Review

The policies and mapping information contained within this ASP may be amended from time to time, by Council, in order to respond to and remain current with planning and development issues and trends affecting development and reflects the priorities of residents.

The ASP will be reviewed once every five years to ensure the goals, objectives and policies contained within this ASP are relevant.

It is not the intention of this ASP to guarantee that lands in the ASP area are suitable on a site specific basis for the possible land uses identified. As applications for subdivision or development are received, the County will evaluate the proposals to determine if the lands are suitable for the proposed use and if rezoning is required.

4.2 Amending the Plan

An amendment to this ASP shall be required if, in the opinion of the County, a zoning, subdivision plan or development is proposed that varies significantly from the land use concept or the policies of this ASP.

If amendments are required, they shall be carried out by the County in a manner that includes notification of the amendment and an appropriate public engagement process.

The land use designations in this ASP are considered flexible. However, an amendment to this ASP will be required in the event that the intent of a policy is to be changed, or policies are to be introduced or excluded. Interested parties and government agencies will have an opportunity to comment on a proposed amendment in accordance with the public hearing procedure established under the Municipal Government Act.