



# Summer Village of Birch Cove

## Municipal Development Plan

Bylaw #103-11

Prepared for

The Summer Village of Birch Cove

September 2011  
File #222-08

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## **1 Introduction**

Since the early 1900's, Alberta's lakeshore property has been purchased for cottage use with public beaches being developed along road and rail routes accessible from larger urban centres. Traditionally, Summer Villages evolved from cottage resort areas where seasonal residents desired a role in local government.

The Summer Village of Birch Cove is located approximately 100 km northwest of Edmonton on the northwest shore of Lac La Nonne. The Summer Village is adjacent to the County of Lac St. Anne.

The Summer Village covers 22 hectares and had a permanent population of 38 in 2010. Figure 1 on the following page shows the Summer Village's location within the central Alberta context.

The key feature of the Summer Village, as with other adjacent communities, is Lac La Nonne. Most residents of the Summer Village and users of Lac La Nonne recognize the need to maintain the water quality and water levels in the lake. In cooperation with the Provincial Government, the Summer Village of Birch Cove and other lakefront users share an important role as environmental stewards of Lac La Nonne and its surrounding land.

The number of permanent residents has remained stable since 2007 following a population increase from 19 to 38 persons between 2002 and 2007. In April, 2010 Bylaw 96-10 was passed by the Summer Village Council enacting a new Land Use Bylaw (LUB). This Municipal Development Plan (MDP) is intended to incorporate the concerns and issues that were part of the council and resident review of the LUB. A meeting was held in the Gunn Hall in November 2009 to review the draft LUB with Councillors and residents. Some of the main issues that came out of this and other meetings regarding the draft LUB were:

- to see expansion and growth within the community yet maintain the current character and aesthetics of the Summer Village;
- to balance the desires of the long term and newer residents with respect to the amount of regulation needed to maintain a quality of life for all residents while retaining the recreational aspects of the Summer Village way of life.
- to develop policies within this MDP which encourage the Summer Village of Birch Cove to maintain their own tax base and land use policies while encouraging cooperation and coordination with the neighbouring land uses / policies of the County of Lac St Anne.

This Municipal Development Plan has been prepared on behalf of the Summer Village of Birch Cove and together with the LUB adopted in April 2010 provides guidance for future land use and development within the Summer Village. The Policies contained with this MDP address what type of community the Summer Village wishes to be and provides potential developers and current landowners and residents with a vision or guide for future development and growth.

This MDP has been prepared in collaboration with a steering committee comprised of the Summer Village Council and Chief Administrative Officer. Review and adoption of the MDP

will be based on community consultation with residents and property owners in the Summer Village of Birch Cove and in accordance with the provisions of the Municipal Government Act.

*Figure 1: Location*

## 2 Factors Influencing Development

### 2.1 Planning Documents

#### 2.1.1 Municipal Government Act

The *Municipal Government Act (MGA)* provides the legislative basis for the preparation of the MDP. This MDP has been prepared in accordance with the requirements of Section 632 of the *Municipal Government Act (MGA) (Statutes of Alberta, 2000)*. The Act requires that all Alberta municipalities with a population of 3,500 or greater establish a MDP and enables municipalities with a lesser population to adopt an MPD.

#### 2.1.2 Provincial Land Use Policies

Pursuant to Section 622 of the *Municipal Government Act*, the Province of Alberta developed the Land Use Policies to help harmonize provincial and municipal policy initiatives at the local land use planning level. This municipal development plan has been prepared in the spirit and intent of the Provincial Land Use Policies.

#### 2.1.3 Land Use Bylaw

Land uses within the municipality are regulated under the provisions of the Summer Village of Birch Cove Land Use Bylaw No. 96-10 as amended. Any future changes to this document should be consistent with this Municipal Development Plan.

### 2.2 Existing Features

#### 2.2.1 Existing Land Use

The number of vacant lots within the boundary of the municipality is extremely limited and most land has been subdivided and developed for residential or public use. There are no existing commercial uses, nor does the current land use bylaw provide for such uses.

#### 2.2.2 Adjacent Land Use

The majority of the adjacent County land surrounding the Summer Village is wooded. To the west of Highway 33 are areas of agricultural production. To the south is the Willowbend Resort. Further south on Lac La Nonne is Chrystana Beach and Mortenson Beach cottage areas.

#### 2.2.3 Natural Features

Lac La Nonne itself is the dominant natural feature in the area. Lands east of Highway 33 slope and drain toward the lake.

#### **2.2.4 Access**

Access to Birch Cove from Highway 33 is from the main access road, Birch Cove Way.

### **3 Public Consultation**

In November 2010 a notice was prepared advising residents of the preparation of the MDP and asking that any comments be forwarded to Scheffer Andrew Ltd. Once the draft MDP is prepared it will be reviewed for comments / changes by the Summer Village Council and Chief Administrative Officer. Once these changes are included in a revised document, the draft MDP will be posted on the Scheffer Andrew Ltd. website for public review. Following public review / comment, any further changes will be included in a final draft prior to a public hearing before the Summer Village Council.

### **4 Growth and Development**

#### **4.1 Residential**

The demand for recreational properties adjacent to water bodies in the Edmonton Region such as Lac La Nonne goes beyond the traditional weekend or resort use of the Summer Village; more people are making the Summer Village their permanent residence and commuting to employment areas or retiring to live at their lake property.

The majority of privately held land within the boundary of the Summer Village is developed or ready for development. As such, redevelopment or infill of existing residential lots within the Summer Village offers some limited growth potential.

Figure 2 identifies an area of future planning interest for an area of County lands bordering the Summer Village to the north and south. Any development within these areas east of Highway 33 and adjacent to Birch Cove should coordinate planning with the Summer Village to ensure that the mutual interests of all parties are respected regarding any development or redevelopment common to their borders. The Summer Village and adjacent areas surrounding Lac La Nonne are part of the Intermunicipal Development Plan (IDP) for Lac La Nonne. This plan identifies the area to the north of Birch Cove as “residential recreation” and the Willowbend Resort area to the south as “commercial recreation”. The IDP plan provides a common vision of land uses, roadway links and other joint issues and provides private developers and owners with a public master plan for any private development east of Highway 33 and adjacent to Birch Cove.

The following specific issues were identified by residents and Council in the preparation of the Land Use Bylaw 96-10 prior to its adoption in April 2010:

- Guest houses have sleeping accommodation and bathroom facilities only.
- Home occupations permitted within existing residences including bed and breakfast operations.

- Two recreational vehicles or holiday trailers be permitted on a lot, provided a permanent dwelling also exists on the lot.
- A mobile home, trailer or recreational vehicle is not permitted on a vacant lot with no permanent dwelling.

The above issues together reflect the desire of residents to maintain a Summer Village focussed on residential and recreation with limited home-based businesses. They also reflect the desire of residents to balance the desires of the long term and newer residents with respect to the amount of regulation needed to maintain a quality of life for all residents while retaining the recreational aspects of the Summer Village way of life.

#### 4.1.1 Objectives

- To maintain the recreation focused, residential Summer Village way of life while maintaining a quality of life and property values for all residents. This includes prohibited uses as identified in the Land Use Bylaw while allowing for limited home based business opportunities for residents as identified in the Land Use Bylaw
- To provide for growth through the efficient development or redevelopment of residential lots within the municipality.
- To identify an area of future planning interest for areas east of Highway 33 adjacent to Birch Cove in order that the mutual interests of all parties are respected with any development or redevelopment in this area.

#### 4.1.2 Policy

4.1.2.1 *The policies of this Municipal Development Plan (MDP) will be applied to all land within the Summer Village. For those lands identified by this plan as an area of future planning interest both Birch Cove and the County of Lac Ste. Anne will endeavour to coordinate planning in response to any private development / redevelopment in this area.*

4.1.2.2 *When considering proposals for subdivision and development, it shall be the policy of the municipality to consider:*

1. *The provisions of this municipal development plan*
2. *The provisions of Land Use Bylaw 96-10*
3. *Future expansion and / or upgrading of existing roadways*
4. *Any development standards, other statutory or non-statutory planning documents that have been adopted by the Summer Village*
5. *Comments and requirements received from provincial departments and adjacent municipalities.*

4.1.2.3 *Redevelopment within developed residential areas*

1. *Low-density residential development (i.e. single detached dwelling units) will be encouraged in vacant lots.*

2. *Residential infill should offer an acceptable transition to existing residential development by introducing a building form that respects the height, size and architectural design of the surrounding residential community.*
3. *The municipality shall require assurance from the developer that the capacity of street systems and community facilities are not exceeded by the demand from residential infill. Any required off-site upgrades will be at the expense of the developer.*

4.1.2.4 *Where new residential housing is developed in proximity to existing neighbourhoods, their design should provide an acceptable transition to the existing neighbourhood by creating a building form that is similar in height, size and architectural character.*



*Figure 2: Area of Future Planning Interest*

## 4.2 Environmental

The Summer Village of Birch Cove was established to provide landowners and visitors the opportunity to enjoy Lac La Nonne. The continued long term health of the lake is very important to the Summer Village.

Development in the Summer Village has the potential to negatively impact the health of the lake. One of the potential sources of contamination that the Summer Village can control and potentially eliminate is the discharge of waste water from lots within the Summer Village. Any remaining pit toilets must be removed and replaced with a sealed impermeable onsite sewage pumpout tank. Sealed pumpout tanks are required with any new residential development. Existing septic fields should be phased out when replacement is required or be considered when redevelopment or replacement of the house occurs. It is noted that Birch Cove has some large lots where septic fields can be accommodated.

The above policies would help to ensure that this potential source of contamination does not enter the lake environment.

### 4.2.1 Objectives

- The Summer Village will take an active role in the protection of the lake and water quality.
- To protect the lake and lakeshore habitats.

### 4.2.2 Policy

- 4.2.2.1 *The Summer Village will support lake stewardship initiatives and practices within the municipal boundary.*
- 4.2.2.2 *The Summer Village encourages residents to apply any application of pesticides in conformity with provincial regulations under the Environmental Protection and Enhancement Act and that applications should be kept 30 metres away from any open body of water. Fertilizers should be treated in the same way as they also affect water sources. Pesticide and fertilizer applications on public lands within the Summer Village will conform to the provincial act.*
- 4.2.2.3 *Development likely to have a direct detrimental impact on the health of the lake will not be approved.*
- 4.2.2.4 *Any future lakefront subdivisions will be required to provide an environmental reserve strip as required by the Summer Village's Subdivision Authority through referral with Alberta Environment along the lakeshore from the high water level to the edge of the subdivided lot.*

### **4.3 Agriculture**

There currently is no agricultural land within the Summer Village. As a recreation focused Summer Village, the Summer Village acknowledges that agricultural activities may take place within adjacent lands within the County of Lac Ste. Anne. Currently agricultural / pasture areas are west of Highway 33. The Summer Village encourages the preservation of these lands for agricultural production.

#### **4.3.1 Objectives**

- Encourage the preservation of agricultural lands until such time as development is anticipated.

#### **4.3.2 Policy**

- 4.3.2.1 *The Summer Village will support agricultural development proposals within the adjacent lands in the area of future planning interest that will not have a detrimental impact on the existing Summer Village environment or adjacent County lands.*

### **4.4 Parks, Recreation, Open Space and Community Services**

As the permanent resident population of the Summer Village increases, the need for additional park / playground equipment and facilities may warrant their development.

The Summer Village presently has parcels of lands zoned as “parks” which provide lake access to enjoy, particularly for those residents who do not have lakefront lots.

#### **4.4.1 Objectives**

- Retain and maintain lakefront parks for the enjoyment of all residents and visitors to the Summer Village.
- To build a walkable community.
- To recognize the need for future park, recreational facilities, or walking paths in the public parcels which provide lake access.

#### **4.4.2 Policy**

- 4.4.2.1 *The Summer Village will not dispose of any lands zoned parks which includes both the lakefront park and those parcels which provide lake access.*
- 4.4.2.2 *The Summer Village will require the maximum municipal reserves, provided for under MGA, for all subdivisions. These reserves may be in the form of land, cash-in-lieu or combination thereof. Subdivisions would include any redevelopment proposals which include subdivision.*

- 4.4.3.4 *Undevelopable land (swamp, natural drainage course or water body, land subject to flooding, etc.) will be acquired as environmental reserve, not as part of the required municipal reserve with any subdivision or redevelopment proposal tied to subdivision.*
- 4.4.3.5 *The Summer Village may wish to develop a plan for the development of a municipal office and/or community building.*
- 4.4.3.6 *The Summer Village recognizes the need to upgrade existing walkway paths in the public parcels which provide lake access. All paths would be to a gravel standard.*
- 4.4.3.7 *The Summer Village recognizes the need to develop playgrounds and recreational or picnic facilities in some of the public parcels which provide lake access.*
- 4.4.3.8 *Any such facilities considered under policies 4.4.3.5 - 4.4.3.7 will be presented to the residents as a proposal and residents will have an opportunity to review and comment regarding any such proposals and the related construction costs before any approval by the Summer Village Council.*

## **4.5 Transportation**

It is recognized that Birch Cove has one main roadway, Birch Cove Way / Spruce Road which connects the Summer Village to Highway 33. It is recognized by the Summer Village that an emergency situation on this roadway may block this point of access to the Village.

In addition, it is recognized that various types of vehicle and pedestrian users jointly use the Village roadways.

### **4.5.1 Objectives**

- Improve pedestrian safety on Village roadways.
- To consider resurfacing / gravel surfacing of pedestrian paths in the public lands connecting to the lake to improve pedestrian and bicycle access to / from the lake and within the Village.

### **4.5.2 Policy**

- 4.5.2.1 *The Village may wish to develop a capital program for the construction / upgrading of public walkways and recreational paths within the Summer Village.*

## **5 MUNICIPAL SERVICES**

The provision and maintenance of infrastructure in the Summer Village are key issues for residents.

When considering any infill or redevelopment proposals, the Summer Village may require an assessment of the infrastructure necessary to access and service the proposed subdivision or development and may require upgrading or a contribution towards future

upgrading of required infrastructure. In addition to the development of required infrastructure, the Summer Village may collect off-site levies for other municipal infrastructure projects as provided for under the Municipal Government Act.

## 5.1 Water Supply

At present there is no municipal water system in the Summer Village. Residences depend on wells or trucked in water supplies. As the population increases, the ground water supply will be under increased pressure and will have a greater risk of contamination.

### 5.1.1 Objective

- To secure a reliable potable water supply for the Summer Village.

### 5.1.2 Policy

5.1.2.1 *In the long term, the Summer Village will work with local municipalities and support initiatives to bring municipal water services into the area.*

## 5.2 Sanitary Sewer

Individual residents contract with sewage haulers to connect to the new sewage lagoon near Rich Valley in the County of Lac St. Anne to the southwest.

### 5.2.1 Objective

- The Summer Village will take an active role in the protection of the lake and water quality.

### 5.2.2 Policy

5.2.2.1 *The Summer Village would encourage the phasing out of any remaining septic fields in the Village and their replacement with a sealed impermeable pumpout tank. Sealed pumpout tanks are required with any new residential development.*

## 5.3 Storm Water Management

Storm water runoff from the Summer Village flows through a system of ditches on both sides of the roads and is eventually discharged into Lac La Nonne.

### 5.3.1 Objectives

- To develop a plan to resolve any existing drainage problems.
- To ensure that any future development does not increase any existing drainage problems.

### **5.3.2 Policy**

- 5.3.2.1 *Any proposals for redevelopment shall be supported by a storm water management plan prepared by a qualified professional to the satisfaction of the municipality.*
  
- 5.3.2.2 *All storm water management plans shall utilise methods that seek to retain as much of the natural runoff characteristics of the storm water system as possible. These methods can include, but are not limited to, such practices as grassed swales, wet ponds, dry ponds or engineered wetlands.*