

SUMMER VILLAGE OF BIRCH COVE

BYLAW NO.65

A BYLAW OF THE SUMMER VILLAGE OF BIRCH COVE, IN THE PROVINCE OF ALBERTA , ADOPTING THE LAC LA NONNE INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS, Section 7 of the Municipal Government Act, being Chapter M26.1 of the revised Statutes of Alberta, 1994 and amendments thereto authorizes the Council of a municipality to adopt an Intermunicipal Development Plan, and

Whereas, the Councils of Lac Ste. Anne County and County of Barrhead No 11 have enacted a by-law adopting the "Lac La Nonne Intermunicipal Development Plan".

NOW THEREFORE, the Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows.

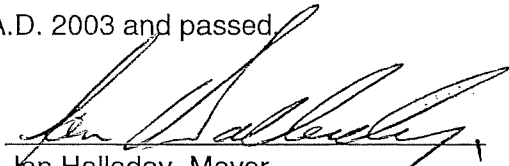
1. That the Council of the Summer Village of Birch Cove adopt the "Lac La Nonne Intermunicipal Development Plan".
2. That this By-Law is to be cited as the "Lac La Nonne Intermunicipal Development Plan By-Law".
3. That By-Law 7, and amendments thereto, which adopted the "Lac La Nonne Area Structure Plan," is hereby repealed.
4. This By-Law shall come into force and have effect from and after the date of third and final reading thereof.

READ a first time this 7th day of November A.D. 2003.

READ a second time this 7th day of November A.D. 2003.

With the unanimous consent of the Council members present,

READ a third time this 7th day of November A.D. 2003 and passed.


Jan Halladay, Mayor


Wes Romanchuk, Mun. Administrator

LAC LA NONNE

INTERMUNICIPAL

DEVELOPMENT

PLAN

County of Barrhead No. 11

Lac Ste. Anne County

The Summer Village Birch Cove

TABLE OF CONTENTS

I. INTRODUCTION

| | |
|----------------------|---|
| History | 1 |
| Biophysical Analysis | |
| The Land | 1 |
| Water Levels | 2 |
| Water Quality | 2 |
| Fisheries | 2 |
| Wildlife | 3 |
| Vegetation | 3 |
| The People | 3 |
| Plan Area | 3 |

II. GOALS AND OBJECTIVES

| | |
|------------|---|
| Goals | 4 |
| Objectives | 4 |

III. LAKE AND LAND USE POLICIES

| | |
|--|---|
| Lake Use Policies | |
| Lake Surface Management Policies | 5 |
| Boating Restriction Policies | 5 |
| Weed Management Program | 5 |
| Lake Water Quality Analysis Program | 6 |
| Land Use Policies | |
| Land Use Practices to Improve Lake Water Quality | 6 |
| Transportation | 6 |
| Services/ Infrastructure | 7 |
| Existing Public Use Areas | 7 |
| Future Public Use Areas | 8 |
| Sensitive Areas | 8 |

IV. LAND USE CLASSIFICATION

| | |
|---------------------------|----|
| Agricultural Conservation | 9 |
| Rural Conservation | 10 |
| Residential Recreation | 11 |
| Commercial Recreation | 12 |
| Institutional | 14 |

V. GENERAL PROVISIONS

| | |
|---------------------------------------|----|
| Development Policies | |
| Development Capacity | 15 |
| Future Development | 15 |
| Reserves | 16 |
| Waste Management | 17 |
| Wharf, Dock or Mooring Development | 17 |
| Agriculture/ Livestock Policies | 17 |
| Recreation Development | 18 |
| Resubdivision | 18 |
| Special Development Policy | 18 |
| Implementation and Administration | |
| Authority of the Plan | 19 |
| Relationship To Other Statutory Plans | 19 |
| Plan Amendment Process | 19 |
| Subdivision and Development Process | 19 |
| Municipal Co-operation | 20 |
| Dispute/ Issue Resolution | 20 |

VI. ACKNOWLEDGEMENTS 21

VII. APPENDICIES

Appendix A - Concerns/ Contact Table

MAPS

- Map 1 - Plan Area
- Map 2 - Public Access Areas
- Map 3 - Sensitive Areas
- Map 4 - Land Use Classification

I. INTRODUCTION

History

Lac La Nonne is a highly developed, popular recreational lake. It is situated about 90 km northwest of the City of Edmonton on the boundary of the County of Barrhead and Lac Ste. Anne County.

The lake's name, which means "the nun" in French, has an uncertain origin. One suggestion for the name's origin is that the lake may have been named after the White-winged Scoter, a duck that is common on the lake and is similar to an English duck known as "the nun". Another possible suggestion is that the lake was named for the nuns at nearby Lac Ste. Anne Mission. The Cree name for the lake, mi-ka-sioo, means "eagle".

Lac La Nonne has a long and rich history. In the early 1800s, the Hudson Bay Company established a trading post in the area where they also pastured herds of packhorses needed to portage goods from Edmonton House to Fort Assiniboine on the Athabasca River. By the late 1830's, a considerable Metis population lived around the lake, and the 1870's saw the arrival of Missionaries. In 1878, the Oblate Fathers established a mission on the southeast shores at the site of the present-day Catholic Church in Camp Encounter. When the fur trade declined, the Metis moved away and the trading post and mission closed.

The first summer cottages were being built along the eastern shore in the early 1900s, and by 1912, most of the valuable land had been homesteaded. In these early years, horse and cattle raising were important occupations, as well as the sawmills, which operated periodically near the lake.

The original Area Structure Plan for Lac La Nonne was completed in the early 1980's. In the 20 years that have passed since the first Area Structure Plan was passed, growing pressure from new development and greater environmental concerns has forced the municipalities within the Lac La Nonne Plan Area to take a second look at the original Plan. Though the issues might change as the years pass, it still remains that Lac La Nonne is a home for many and a retreat for even more, and it is essential that this way of life remains in the years to come.

Biophysical Analysis

1. The Land

Lac La Nonne has a very large drainage basin that is about 23 times the size of the lake. Only 38% of the watershed drains directly into the lake. The remainder, 62%, drains first into either Nakamun Lake or Majeau Lake. The main inflow to the lake is Majeau Creek, which drains the western and central portions of the watershed. The general direction of groundwater movement in the drainage basin is southwest to northeast. Groundwater in the area is alkaline and has high concentrations of total dissolved solids.

The land surface throughout the watershed is extremely variable. It ranges from relatively level lacustrine and glacial till plains to moderately and strongly rolling morainal areas. Soils with the best agricultural rating (fairly good to good arability) are located south of Majeau Lake. Around Lac La Nonne, large areas that are rated as suitable for pasture and woodland are interspersed with lands that have poor to fair and fair to fairly good ratings (Atlas of Alberta Lakes, 1990).

2. Water Levels

In 1966, the provincial government replaced a rock and timber weir on the MacDonald Creek outlet with a structure consisting of cement-filled bags and rock as a means to help improve waterfowl habitats and create a reservoir that would supply downstream landowners. Since monitoring of elevation on Lac La Nonne began in 1956, the lake has witnessed consistent fluctuations in its mean elevation. The elevation has ranged from a recorded minimum of 662.24 metres in October 1968, to a maximum, in the spring of 1997, of 664.22 meters. The high water levels in 1997 caused many areas around the lake to come close to flooding, and can be referenced as the 1 in 100-year levels. Mean annual precipitation for the lake is 504 mm while the mean annual evaporation is 664 mm. To this day there has been disagreement among local landowners regarding the preferred level for the lake. Efforts are ongoing to reach a consensus regarding a stabilized lake level (Atlas of Alberta Lakes, 1990).

3. Water Quality

Lac La Nonne is a hyper-eutrophic fresh water lake meaning that there is a very high concentration of nutrients in the water resulting in abundant plant growth, algae blooms, oxygen depletion, and winter fish kills (though there has not been any reported fish kills to this date). During the summer months, the water column becomes thermally stratified thus resulting in dissolved oxygen concentrations in the water column to become severely depleted. The water is often fairly clear in the early spring, but by late June or early July, it often becomes turbid with algae blooms. This is partially a result of a high supply of phosphorus from external sources around the lake, and high concentrations of chlorophyll. It is estimated that more than half of the total phosphorus load (57%) comes directly from runoff of cleared agricultural land in the immediate watershed. Failing septic systems releasing sewage directly into the ground also account for a large portion of the phosphorus load entering Lac La Nonne (Atlas of Alberta Lakes, 1990).

4. Fisheries

Lac La Nonne contains a wide variety of fish species for the sporting enthusiast. Though walleye and northern pike are the most sought after species, the lake also includes whitefish, yellow perch, cisco, burbot, and white sucker. Lac La Nonne is managed for both recreational and domestic fisheries; however, no data for the domestic fisheries exists. A commercial fishery for whitefish and cisco remained in operation at Lac La Nonne up until 1975, but in response to the decline in demand for cisco and conflict with the sport fishery, the commercial industry came to an end (Atlas of Alberta Lakes, 1990).

5. Wildlife

A wide variety of water birds has been observed in and around the Lac La Nonne area. These include Lesser Scaup, Redheads, White-winged Scoters, Common Goldeneye, Blue-winged Teal, Mallards, Western Grebes, White Pelicans, Canadian Geese and Common Loons. A lack of nesting sites for upland and overwater nesters, a shortage of loafing areas, the sparseness of emergent aquatic vegetation and increasing recreational use of the lake have all contributed to a lack of waterfowl in the area.

White-tailed deer are the primary ungulates in the area, and there is some evidence of mule deer and moose. Other mammals around the lake include black bears, beavers, muskrats, gophers, moles and red squirrels (Atlas of Alberta Lakes, 1990).

6. Vegetation

The Lac La Nonne planning area lies within a very large vegetation zone known as the "Boreal Mixedwood section" of the boreal forest. Glaciation produced clay-rich soils and a rolling topography that encouraged the growth of moderately productive "mixedwood" forests containing varying combinations of deciduous poplars and coniferous spruces. Fairly extensive clearing for agricultural purposes and selective clearing in cottage subdivisions has occurred throughout the planning area. The area southeast of Lac La Nonne, along the creek from Nakamun Lake, is dominated by sedge peat bogs where sedges and slough grass are common (Lac La Nonne Management Study, 1981).

7. The People

The Lac La Nonne region has been settled for nearly two centuries. These days a majority of the residents in the Lac La Nonne planning area are long term residents who have lived in the area for over 10 years, and spend the entire year living in the area. Generally, the population in the study area is in a demographic that is either in or approaching the retirement years.

Reasons for living around Lac La Nonne vary from person to person, but most people enjoy its proximity to nature, appreciate the fact that Lac La Nonne is close to both the Town of Barrhead and the City of Edmonton, and that paved roads make it easily accessible. Lac La Nonne offers to its residents a quality of life that cannot be found in larger centres, and can only be appreciated after spending some time in the area.

PLAN AREA

The Lac La Nonne Planning Area is identified on Map 1. The plan area is comprised of land situated in three jurisdictions: the County of Barrhead, Lac Ste. Anne County, and the Summer Village of Birch Cove. Though the Plan area covers only a small portion of the drainage basin, the Plan area addresses the most significant land areas around Lac La Nonne.

II. GOALS AND OBJECTIVES

This Plan was undertaken in response to, and in preparation for, possible overuse of the land and water of Lac La Nonne and its drainage basin. The demand for use of the lake surface as a recreational resource, the demand for use of the land and resources by existing residents, wildlife, and vegetation have created pressures on the environment. These pressures are to be investigated and analyzed by this Plan in order to create acceptable development policies.

Goals

- To maintain and where possible improve the quality of the natural environment;
- To ensure that Lac La Nonne remains a public resource that is accessible to the public;
- To recognize and promote the important interrelationships between lake users, local residents, the County of Barrhead, Lac Ste. Anne County, the Summer Village of Birch Cove, and other government bodies.
- To monitor the cumulative effects of the development and use upon the environmental fabric of the Lac La Nonne Area.

Objectives

- To preserve and enhance the natural environmental of Lac La Nonne and its drainage basin, and to ensure that new development does not cause further deterioration in lake water quality.
- To ensure that any potential shoreline improvements adhere to any regulatory standards required by either provincial or federal agencies.
- To direct future recreational and residential developments on lakeshore areas to lands suitable for such developments.
- To ensure that future development is carried out in harmony with the existing land use pattern.
- To conserve valuable farmland.
- To limit activities which contribute to environmental degradation.
- To participate in the management of the lake so that it is consistent with public safety and enjoyment;

III. LAKE USE AND LAND USE POLICIES

A. Lake Use Policies

The following policies have been included in the Area Structure Plan for the purpose of education. The County of Barrhead, Lac Ste. Anne County and the Summer Village of Birch Cove believe that it is important that the residents of Lac La Nonne are aware of the rules and regulations regarding these policies; however, use of the lake's surface for boating and other recreation is outside of the jurisdiction of an Intermunicipal Development Plan. These issues are under the jurisdiction of the Federal Government. Any questions or concerns shall be directed to the appropriate governing agency

1. Lake Surface Management Policies

It is recognized that Lac La Nonne meets the needs of a variety of recreational users from fishermen to water skiers to swimmers. Difficulty arises in trying to meet the needs of the variety of users while at the same time minimizing the conflict between the different uses. Trying to find a happy medium in which the needs of all lake users are met is made difficult because there are numerous areas of Federal and Provincial legislation that administer and enforce activities on the lake. However, through cooperation of all levels of government, a lake user's experience at Lac La Nonne can be made pleasurable no matter what type of activity they are engaged in.

2. Boating Restriction Policies

Although boating is a popular recreational activity on Lac La Nonne, care needs to be taken to ensure the safety of all recreational users and the health of the lake. To help in this effort, it is important that all lake users are aware of and respect the 10-30 rule of the Canadian Coast Guard. This rule establishes speed limits of 10 km/h in waters within 30 meters of shore for lakes across Canada unless otherwise posted.

A complete list of prohibitions regarding lake use practices can be found by contacting your local Canadian Coast Guard. All enforcement issues with respect to these regulations should be directed to the Barrhead Detachment of the R.C.M.P.

3. Weed Management Program

Although rooted aquatic plants growing in shallow water of lakes are often seen as nuisance weeds, they are important to the health of the lake in a number of ways. They help stabilize the bed and shore, reduce soil movement and erosion, and are important habitat areas for fish, waterfowl and other wildlife. Aquatic plants also make use of nutrients in lakes that would otherwise contribute to unwanted algae growth.

Removal of any aquatic vegetation must be done with due care given to the environment, and except for very small-scale hand removal of aquatic vegetation, the removal of aquatic plants from provincially owned bed of the lake requires a permit from Alberta Public Lands or Water Management Division.

4. Lake Water Quality Analysis Program

Lake water quality is an important issue that concerns everyone who uses Lac La Nonne. In an effort to preserve and enhance lake water quality, the County of Barrhead, Lac Ste. Anne County, the Summer Village of Birch Cove, and the Lac La Nonne Enhancement & Protection Association (which shall be referred to as "LLNEPA" for the course of this document) hope that lake users respect these concerns and make an effort to practice safe and clean uses. In addition, these bodies shall work towards developing a program to continue monitoring lake water quality. Any concerns related to lake water quality can be taken to either the Aspen Health Authority or Alberta Environment.

B. Land Use Policies

1. Land Use Practices to Improve Lake Water Quality

Existing land uses adjacent to Lac La Nonne appear to have a significant influence on lake water quality. In an attempt to improve lake water quality, the following policies have been formulated:

- a) that livestock operators shall work with Alberta Agriculture to ensure that all agricultural practices comply with appropriate provincial regulations.
- b) that we encourage cottage owners to update existing sewage systems to meet the new regulations set out in the *Alberta Private Sewage Systems Standard of Practice, 1999*.
- c) that all new developments shall have properly permitted, installed and maintained sewage disposal systems for all waste waters.
- d) that any land use practices that might have a negative impact on lake water quality be discouraged.

2. Transportation Policies

Development of future roadways in the Lac La Nonne planning area will require cooperation to ensure that adequate measures are taken to preserve environmental lands. Access to lands should be considered based on the impact to the environmental integrity of the area. To ensure that this is achieved and that an adequate system remains in place for residents, the following policies have been formulated:

- a) the municipalities shall work with Alberta Transportation to address long term transportation planning issues and to determine effective ways to service the needs of the travelling public.

- b) new subdivisions and building sites are to be developed in a manner that will not conflict with the future development of new transportation corridors.
- c) noise sensitive land uses such as residences and schools should be located away from major roadways. Setbacks, buffers and other measures shall be required where no alternatives exist for separating these types of developments.
- d) subdivision and development along Highways within the Plan Area shall be reviewed in cooperation with Alberta Transportation.

3. Services/ Infrastructure

The provision of coordinated and appropriate services/ infrastructure is key to meeting the demand for development in the Plan area. Some important intermunicipal issues include different infrastructure standards between municipalities; the need for services appropriate to the type of development proposed; and the need to treat developers equitably and fairly throughout adjacent municipalities. To ensure that this is achieved, the following policies have been formulated:

- a) the municipalities will cooperate to establish a joint list of recommended infrastructure improvements for the Plan area;
- b) when reviewing subdivision and development proposals, the Approving Authority shall consider possible extensions and future linkages of infrastructure in all municipalities.

4. Existing Public Use Areas

Several commercial recreation areas and numerous public reserves that have been created through the subdivision process provide general public access to Lac La Nonne. Reserves adjacent to existing residential subdivisions are primarily designed for the enjoyment of the public, and access through the commercial recreation areas is primarily for trailer owners who have leased a recreational lot. Map 2 displays all the public access areas around Lac La Nonne. In order to improve public access to Lac La Nonne and overcome existing problems, the following policies have been formulated:

- a) that signs inform users of public reserves that maintenance of these areas is largely the user's responsibility; and
- b) that signs be erected depicting the location of public access points around the lake.

5. Future Public Use Areas

The role of Lac La Nonne has been identified as a lake serving the water-based recreational needs of the local and regional population. In order to fulfill this role, the following policy has been formulated:

- a) that the County of Barrhead, Lac Ste. Anne County, the Summer Village of Birch Cove, and the LLNEPA continue to work cooperatively to monitor activities on and around the lake, and together research the demand on land available for further recreational use.

6. Sensitive Areas

Potentially environmentally sensitive areas have been identified throughout the Plan Area. Environmentally sensitive areas are associated with fish spawning and fish habitat, waterfowl nesting and habitat, and wildlife habitat. These areas have been identified on Map 3. In order to continue the protection of these areas the following policy has been identified:

- a) that any development adjacent to the identified lands will have to demonstrate to the satisfaction of the Development Authority that the proposed development will not have a negative impact on these areas. An Environmental Review may be required.

IV. Land Use Classification

The Lac La Nonne Intermunicipal Development Plan shall be divided into districts in preparation for subdivision and development. These districts and policies shall work in combination with policies set out in the respective Land Use Bylaws of the County of Barrhead, Lac Ste. Anne County and the Summer Village of Birch Cove. For a list of both the permitted and discretionary uses, refer to the Land Use Bylaw of the respective jurisdiction. A copy of the Land Use Bylaw can be obtained from each municipality's office or from New Era Municipal Services.

The land use allocation for the Lac La Nonne Intermunicipal Development Plan is described on Map 3. In most instances, land use allocation has been undertaken in conformance with legally surveyed quarter section boundaries.

A. Agricultural Conservation

The agricultural conservation zone is intended to identify and conserve prime and existing agricultural areas for continued agricultural production, to minimize conflicts between agricultural and non-agricultural uses, and to place these areas in a class which identifies their agricultural capabilities and conserves the parcels for future agricultural production.

Objectives

The objectives for agriculture established in this Plan are to:

- protect productive agricultural land for as long as possible and to minimize the loss of agricultural land to non-agricultural development;
- to allow for the continued operation of existing agricultural uses;
- minimize the conflict between agricultural operations and other land uses.

Policies

- agricultural land is to be maintained for agricultural purposes as long as it is necessary and economically possible;
- new intensive livestock operations shall not be encouraged within the Plan area;

Parcel Density

The maximum parcel density per quarter section within this district shall be no more than four (4) parcels, including the remnant of the quarter section and any cut off or fragmented parcels.

Possible subdivisions may include the following: a farmstead separation, a small agricultural parcel, a small "Hobby Farm", and a country residential parcel.

The area of any parcel created through subdivision is set out in the Land Use Bylaw of the respective municipality, and may be increased from above to incorporate shelterbelts, fragmented areas, or other development as warranted.

Sewage

All residential development shall be serviced by private sewage systems and shall maintain setbacks as required by the subdivision or development authority or any Provincial Regulation (i.e. Alberta Private Sewage Systems Standard of Practice, 1999).

Transportation

All subdivided parcels shall be serviced by approved roadways which will be constructed to the satisfaction of the County of Barrhead, Lac Ste. Anne County, or the Summer Village of Birch Cove.

B. Rural Conservation

The rural conservation zone is intended to identify areas of marginal agricultural land with severe or extremely severe limitations to development. These lands are usually unsuitable for any additional residential or recreational development. This zone also identifies lands of environmental or geological significance, and attempts to minimize the effects of natural hazards such as high groundwater, flooding and organic soils on human uses and activities. Lastly, the rural conservation zone classifies these lands as conservation areas and makes an effort to preserve them as such.

Objectives

The rural conservation objectives established in this Plan are to:

- ensure compatibility between land uses and environmentally sensitive/significant areas;
- to allow for the continued operation of existing agricultural uses;
- to minimize the conflict between agricultural operations and other land uses.
- to minimize the effect of natural hazards, such as high groundwater, flooding and organic soils, on human uses and activities.

Policies

- all permanent natural watercourses and wetlands shall be protected from encroachment of development by dedication as environmental reserve and/or use of development setbacks;
- all subdivision and development shall be considered in terms of its impact on environmental resources;
- development of lands identified by Alberta Environment as environmentally sensitive shall be permitted to develop only to the extent supported by evidence satisfactory to the Approving Authority in consultation with Alberta Environment.

Lot Sizes

Parcels within the Rural Conservation zone shall be a minimum of 16.2 hectares (40.0 acres) in area. Smaller parcels may be considered by the subdivision authority where necessitated for another approved use in the district, or where they have been fragmented leaving the remainder of the quarter section unsubdivided. Farmsteads and the first parcel out of the quarter section will also be considered an appropriate use as per the respective Land Use Bylaw.

Sewage

All residential development shall be serviced by private sewage systems and shall maintain setbacks as required by the subdivision or development authority or any Provincial Regulation (ie. Alberta Private Sewage Systems Standard of Practice, 1999).

Transportation

All subdivided parcels shall be serviced by approved roadways which will be to the satisfaction of the County of Barrhead, Lac Ste. Anne County, or the Summer Village of Birch Cove.

Other Provisions

Rural Conservation Areas designated as having limited development potential may be considered for low-density residential or recreational development. Any proposed low density residential or recreational development will be assessed as to its general suitability to the proposed location. Approval will require evidence that the construction and operation of the proposed development will not contribute to a reduction in the environmental quality of the lake or shoreland.

C. Residential Recreation

The purpose of the residential recreational zone is to identify areas of marginally productive agricultural land that has substantial areas without severe limitations to development, and has a high recreational or scenic value with good capability for future residential or recreational development. Areas of existing residential or recreational development and potential development areas will be classified into a land use class category.

Objectives

The residential development objectives established in the Plan are to:

- minimize the impact of residential developments on agricultural lands and activities;
- encourage orderly and efficient residential development that is complementary to existing and planned adjacent land uses and conditions;

- ensure orderly and compatible country residential development in the Plan area.

Policies

- a residential subdivision proposed on agricultural land should be directed to locate where it will have the least impact on the agricultural use of the parcel subject to logical and efficient provision of services;
- for existing developed areas proposing redevelopment or intensification, an Area Structure Plan or an Area Redevelopment Plan must be provided to the Approving Authority for consideration;
- country residential proposals which cannot be accommodated through the existing agricultural land use district shall require an appropriate re-districting as part of the review and approval process.

Lot Sizes

A minimum parcel area within the Residential Recreation zone will be established by the Subdivision Authority or Municipal Planning Commission in relation to the Land Use Bylaw of the respective municipality.

Sewage

All residential development shall be serviced by private sewage systems and shall maintain setbacks as required by the subdivision or development authority or any Provincial Regulation (ie. Alberta Private Sewage Systems Standard of Practice, 1999).

Transportation

All subdivided parcels shall be serviced by approved roadways which will be constructed to the satisfaction of the County of Barrhead, Lac Ste. Anne County, or the Summer Village of Birch Cove.

Other Provisions

Any proposed recreational developments will be assessed as to their general suitability to the proposed location, with approval requiring evidence that the construction and operation of the proposed development will not contribute to a reduction in the environmental quality of the lake or shoreland. The construction of roads, buildings or improvements associated with any proposed residential or recreational development will only be permitted in areas with no severe limitations for such development.

D. Commercial Recreation

The commercial recreation zone identifies lakeshore areas of high scenic value, with slight to moderate limitations for recreational use, suitable for commercial recreational development. It is the intent of this zone to ensure a portion of the developable lakeshore of Lac La Nonne is dedicated to land use which provide

recreational opportunities to the general public, and to place these areas of existing and potential development in a land use classification which identifies that capability and reserves future lands for commercial recreation purposes.

Though the respective Land Use Bylaws do not specifically address a Commercial Recreation zone, the intent of this zone is to establish areas for outdoor recreational activities. These activities may include, but are not limited to, recreational vehicle sites, camping and picnic areas, or hiking trails. It will be left to the discretion of the development authority to decide whether or not applications for development are pertinent to the zone's intent.

Objectives

The commercial recreation objectives established in the Plan are to:

- provide opportunities for commercial recreation development in a manner that will protect and conserve Lac La Nonne;
- reduce the impacts of commercial recreational development on neighbouring land uses.

Policies

- when reviewing proposals for commercial recreational development, the Approving Authority shall consider among other things: environmental impacts, impacts on adjacent land uses and residents, road network impacts and provision of utilities and services.

Sewage

All residential development shall be serviced by private sewage systems and shall maintain setbacks as required by the subdivision or development authority or any Provincial Regulation (ie. Alberta Private Sewage Systems Standard of Practice, 1999).

Transportation

All subdivided parcels shall be serviced by approved roadways which will be constructed to the satisfaction of the County of Barrhead, Lac Ste. Anne County, and the Summer Village of Birch Cove.

Other Provisions

The municipality, according to the particular location, will assess any proposed commercial recreation developments and the potential impact of the proposed use on other existing land uses in the area. Development approval will require evidence that the construction and operation of the proposed development will not contribute to a deterioration in the environmental quality of the lake or shoreland environment;

E. Institutional

The Institutional zone identifies areas with existing institutional uses, and places these areas within a land use classification that identifies existing institutional development.

Objectives

The institutional objectives established in the Plan are to:

- provide opportunities for institutional development in a manner that will protect and conserve Lac La Nonne;
- reduce the impacts of institutional development on neighbouring land uses.

Policies

- when reviewing proposals for institutional development, the Approving Authority shall consider among other things: environmental impacts, impacts on adjacent land uses and residents, road network impacts and provision of utilities and services.

Other Provisions

The expansion, extension, or redevelopment of existing use or uses or any development of new uses other than those defined, which required construction of roads, building or improvements, removal of vegetation, or disturbances of soil, shall require a development permit.

The municipality will assess any changes to existing uses requiring a development permit as to their general suitability to the proposed location and approval may require evidence that the construction and operation of the proposed development will not contribute to a reduction in the environmental quality of the lake.

V. GENERAL PROVISIONS

A. Development Policies

1. Development Capacity

The establishment of a development capacity for Lac La Nonne and its shoreland, and to ensure that future development does not exceed this identified capacity, is one of the primary goals of the Intermunicipal Development Plan. Some additional capacity for future development has been shown to exist. This remaining development capacity will be designated for the following three land uses: residential recreation, commercial recreation (private lands/ crown lands), and institutional.

2. Future Development

The following policies have been formulated to guide the allocation of future land use change, and development.

- a) Future residential, recreational and institutional development:
 - i) will be encouraged to locate in commercial recreation, residential recreation and institutional areas.
 - ii) will generally not be encouraged to locate in rural conservation and agricultural conservation areas.
- b) At the discretion of the development authority, future residential, recreational and institutional development, including condominiums, will be subject to the normal referrals and requirements. These requirements may include, but are not limited to, detailed soil percolation tests, groundwater pump tests and other specific requests to determine accurately environmental and social impact and feasibility.
- c) Cluster designs for all future residential and intensive recreational development will be encouraged to minimize environmental impact.
- d) When a proposed subdivision leaves a portion of a quarter section unsubdivided, the developer shall agree, as a condition of subdivision, to have that remainder allocated to a land use classification acceptable to the affected municipality.
- e) Residential or intensive recreational development densities on individual quarter sections, will be assessed on a site-specific basis. The identified development capacity for the planning area, the recreational use impact on the lake surface, the cluster concept and other design factors, will be considered to establish individual quarter section densities. A full outline plan should be provided, or in the case of a multi-phase development, an area structure plan is required for any given property to determine quarter section densities.

One residential lot will be considered equal to two seasonal recreational sites to assist in assessing densities on individual quarter sections.

3. Reserves

- a) All future residential or intensive recreational development proposals will be required to include an adequate strip of reserve land between the development and the lakeshore. This reserve will be a combination of environmental and municipal reserve to provide public access, to define property boundaries, to preserve the aesthetic character of the shoreland, to provide wildlife habitat and to provide environmental protection from hazards such as ice and wave erosion. As a general guideline, this reserve should not be less than 30.48 meters (100 feet).
- b) In areas of creeks and watercourse slopes, an environmental reserve of 54.86 meters (180 feet) shall be taken from the top of the bank of a creek, or other defined watercourse where there is potential for slope subsidence.
- c) Areas with extremely severe limitations to development, such as sloughs or bogs, as well as all land within the 1 in 100 year flood plain shall be taken as environmental reserve at the time of subdivision.
- d) Environmental reserves shall be allocated prior to the determination of other forms of reserves.
- e) All backshore development adjacent to an existing lakeshore subdivision shall allow for public access to the lakebed through municipal reserves.
- f) Upon subdivision approval, the County of Barrhead, Lac Ste. Anne County, or the Summer Village of Birch Cove should take municipal land owing (as opposed to cash in lieu) wherever possible due to the need to protect areas of land for aesthetic and public use. This includes park linkages, buffer areas, and active parks.
- g) In addition to the above, the County of Barrhead, Lac Ste. Anne County or the Summer Village of Birch Cove, may determine, based upon an analysis of the subject property, that additional municipal reserve allocations are required.
- h) The above allocation may only be reduced where it can be shown to the satisfaction of the respective authoritative body that a reduced Environmental Reserve will not adversely impact the natural feature that is the subject of the reserve or as identified in an approved statutory plan.

4. Waste Management

- a) All future residential or intensive recreational developments will be required to have on-site sewage disposal or sealed pump-out holding tanks if on-site sewage conditions are not present. These systems must be constructed and maintained according to the Alberta Private Sewage Systems Standard of Practice, 1999. Pit privies not connected to a holding tank will not be approved for future development.
- b) All proposed waste management systems shall be designed to accommodate all sewage.
- c) Consultation with the Plumbing Inspection Branch or local health unit must be undertaken before waste disposal systems are designed and installed.
- d) Consultation with the local health units should be periodically maintained to ensure that concerns with existing waste disposal systems are being addressed.
- e) All future residential or intensive recreation developments will be assessed in relation to the capacities of the local land fills to accommodate additional use.
- f) Cooperation among the three municipalities and the LLNEPA should occur to educate local residents about the importance of practicing safe and environmentally friendly waste management.

5. Wharf, Dock or Mooring Development

- a) The construction and/ or placement of permanent piers, boat launches, boathouses, and other similar structures, permanent waterline installations into or beneath the lake and other permanent structures that restrict public access to the bed and shore shall require authorization from the Development Authority and Alberta Environmental Protection: Land Administration Division.
- b) Any application received for any of the above shall be referred to Alberta Environmental Protection and Alberta Public Lands. The County of Barrhead, Lac Ste. Anne County, and the Summer Village of Birch Cove shall strictly prohibit physical alterations except where approved by the aforementioned department.

6. Agricultural/ Livestock Policies

- a) Livestock operators are encouraged to look for means of watering their stock that would minimize direct access to the lake, lakeshore or watercourses that enter the lake.
- b) Livestock operators should make effort to ensure that animal wastes do not enter the lake or watercourses that enter the lake.
- c) New intensive livestock operations shall not be encouraged within the Lac La Nonne plan area.
- c) Adjustments to existing agricultural operations will be at the discretion of each municipality.

7. Recreation Development

- a) A study may be requested by the respective authority in regard to any application for subdivision or development of a recreational development. Such a study will address drainage, wildlife habitats, vegetation, and any other matters as required by the authority. The study shall make reference to applicable existing studies recognized by the County of Barrhead, Lac Ste. Anne County, and the Summer Village of Birch Cove.
- b) Intensive recreation development should not be permitted on land adjacent to the shoreline. Intensive recreation developments are those which include facility development and/ or generate significant, concentrated usership (ie. golf courses).

8. Resubdivision

- a) If an applicant for subdivision is proposing a multi-phase development within the Lac La Nonne plan area, an Area Structure plan shall be required. This plan shall take into consideration the transportation networks and the environmental needs of the area, and contain proposed road locations, locations of municipal and environmental reserves and basic lot designs.
- b) Resubdivision will be strictly assessed in relation to social and environmental impacts, and will be subject to the normal referral procedures and requirements of the subdivision approving authority and the affected municipality.

9. Special Development Policy

It is impossible to anticipate all forms of residential or recreational development that may be proposed in the vicinity of Lac La Nonne. Example of such proposals may be large-scale campgrounds or holiday trailer parks, or residential condominiums/ motels. In order to allow for an assessment of these types of proposals, within the overall goals and objectives for the area and its established development capacity, the following policies have been developed.

- a) All proposals will be assessed in relation to the planning area development capacity.
- b) Applicant must satisfy the municipality that significant benefits will be provided to the planning area in relation to the goals and objectives that have been established.
- c) All proposals must include detailed statements regarding types and quantities of waste, methods of waste disposal, and expected use of groundwater and its availability. Waste disposal systems and groundwater evaluations will require approval by the appropriate provincial authority.

B. Implementation and Administration

1. Authority of the Plan

- a) Subdivision, development and redevelopment of lands within the planning area by the concerned municipalities and general public shall be in accordance with the provisions of this Plan and the Municipal Government Act.
- b) Councils shall encourage the Provincial and Federal Governments to have regard for the provisions of this Plan in the development and redevelopment of Crown lands, and programs, and in the issuance of any permits within the planning area.

2. Relationship To Other Statutory Plans

This Plan shall become a statutory plan within the planning framework of each municipality.

3. Plan Amendment Process

- a) Applications for amendments to this Plan will be forwarded to each Council. Planning authorities for each municipality will be requested to provide comments on the proposed amendments.
- b) All proposed amendments shall be processed in accordance with the Municipal Government Act, but shall not come into affect until adopted by Bylaw by all Councils.
- c) Amendments to this Plan shall be considered with respect to:
 - i) the proposed amendments conformance with the goals and objectives of the Plan;
 - ii) the need for the amendment; and
 - iii) the implications for affected municipalities in terms of the impact on agricultural land, housing, industry, parks and recreation, transportation and utilities, institutional facilities, and environmental concerns.

4. Subdivision And Development Process

The following policies outline the intent of each municipality regarding the referral process for subdivision and development proposals within the Intermunicipal Development Plan. The following policies are based upon the understanding that referrals will not be required unless the subject of the proposal could have an impact on the neighbouring municipalities.

- a) Each municipality shall have complete approving authority over development matters which are allowed in this Plan and are listed as Permitted Uses in the respective land use district under its Land Use Bylaw.

- b) Development proposals which are deemed discretionary under the respective Land Use Bylaw and are not deemed to be an accessory use to an existing permitted use on the subject property may be referred to the other municipality's planning and development department for their review and comment.
- c) Each municipality shall have complete approving authority over subdivision proposals which conform to this Plan.
- d) All subdivision proposals within the Plan Area shall be referred to each municipality's planning and development department for their review and comment.

5. Municipal Co-operation

- a) The Planning Authority will assess all subdivision or development proposals in the Lac La Nonne planning area in the interest of the County of Barrhead, Lac Ste. Anne County and the Summer Village of Birch Cove.
- b) Any development that the planning or development authority feels may have an impact on the lake shall be referred to all affected parties including the County of Barrhead, Lac Ste. Anne County, the Summer Village of Birch Cove, and the LLNEPA. Standard developments, such as the building of a garage, will not have to be referred.
- c) Upon written request from one of the municipalities or the LLNEPA, municipal councilors responsible to the Lac La Nonne area shall meet to discuss local issues.

6. Dispute/ Issue Resolution

Matters dealing with arbitration and dispute resolution shall be dealt with through joint Council meetings at the call of the chief elected official of either of the municipalities. If conflict is unable to be resolved at the municipal level, the matter may be referred to the Alberta Municipal Affairs: Municipal Government Board in accordance with the Municipal Government Act.

VI. Acknowledgements

The Lac La Nonne Area Structure Plan has been prepared by New Era Municipal Services with assistance from the County of Barrhead, Lac Ste. Anne County and the Lac La Nonne Enhancement & Protection Association. The efforts of those who have contributed to the preparation, production and review of this plan are hereby acknowledged.

Lac Ste. Anne County No. 28

Council Members and Contributing Administration Staff:

| | |
|------------|-------------------------------|
| D.Bulter | Reeve |
| R.Kidd | Deputy Reeve |
| D.Meier | Councillor |
| D.Krasnow | Councillor |
| G.Turk | Councillor |
| W.Snow | Councillor |
| E.Mitchell | Councillor |
| L.Szybunka | Municipal Administrator |
| R.Neufeld | Planning/ Development Officer |

County of Barrhead No.11

Council Members and Contributing Administration Staff:

| | |
|--------------|---------------------|
| L.Zylinski | Reeve |
| B.Lee | Deputy Reeve |
| S.Holsted | Councillor |
| A.Koberstein | Councillor |
| D.Tupper | Councillor |
| J.Keyes | Councillor |
| G.Visser | Councillor |
| D.Uhrbach | County Manager |
| R.Neumann | Development Officer |

Summer Village of Birch Cove

| | |
|-------------|---------------|
| S.Black | Mayor |
| R.Riep | Deputy Mayor |
| J.Halladay | Councillor |
| W.Romanchuk | Administrator |

Lac La Nonne Enhancement And Protection Association

H.Thompson
S.Dezaeyer
E.Ewasiuk
J.Wispinski

Special Thanks to:

| | |
|-------------|---------------------|
| S.Dezaeyer | Local Area Farmer |
| R.Henderson | Local Area Farmer |
| D.Kirchner | Local Area Resident |

New Era Municipal Services Staff:

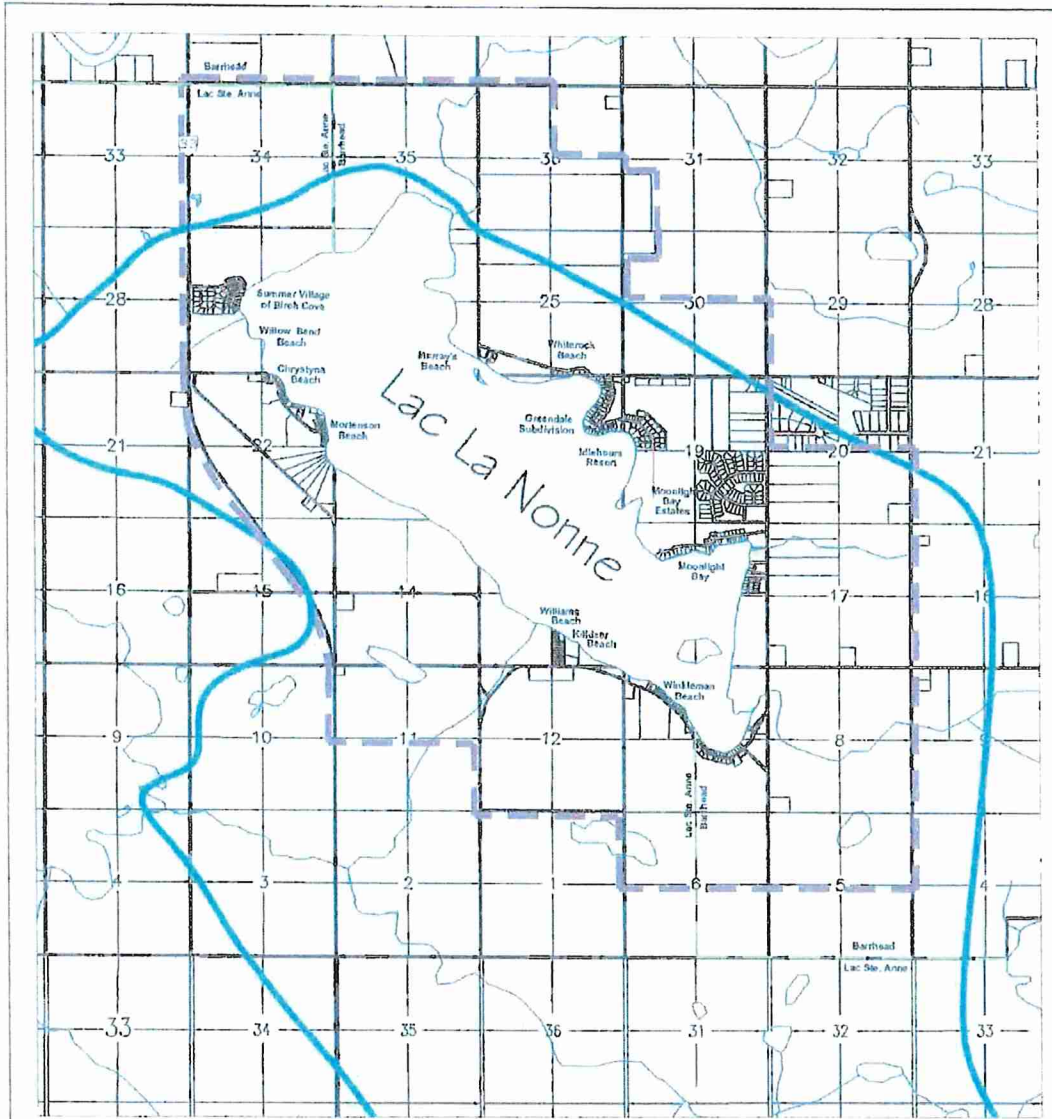
| | |
|---------------|--------------------------|
| L.Markovich | Manager / Senior Planner |
| W.Widuk | Planning Assistant |
| S.Fegyverneki | Planning Assistant |
| J.Homme | Administrative Assistant |

Contributing Provincial Government Departments

Alberta Public Lands
Alberta Environment
Alberta Infrastructure
Alberta Agriculture, Food & Rural Development



APPENDIX A

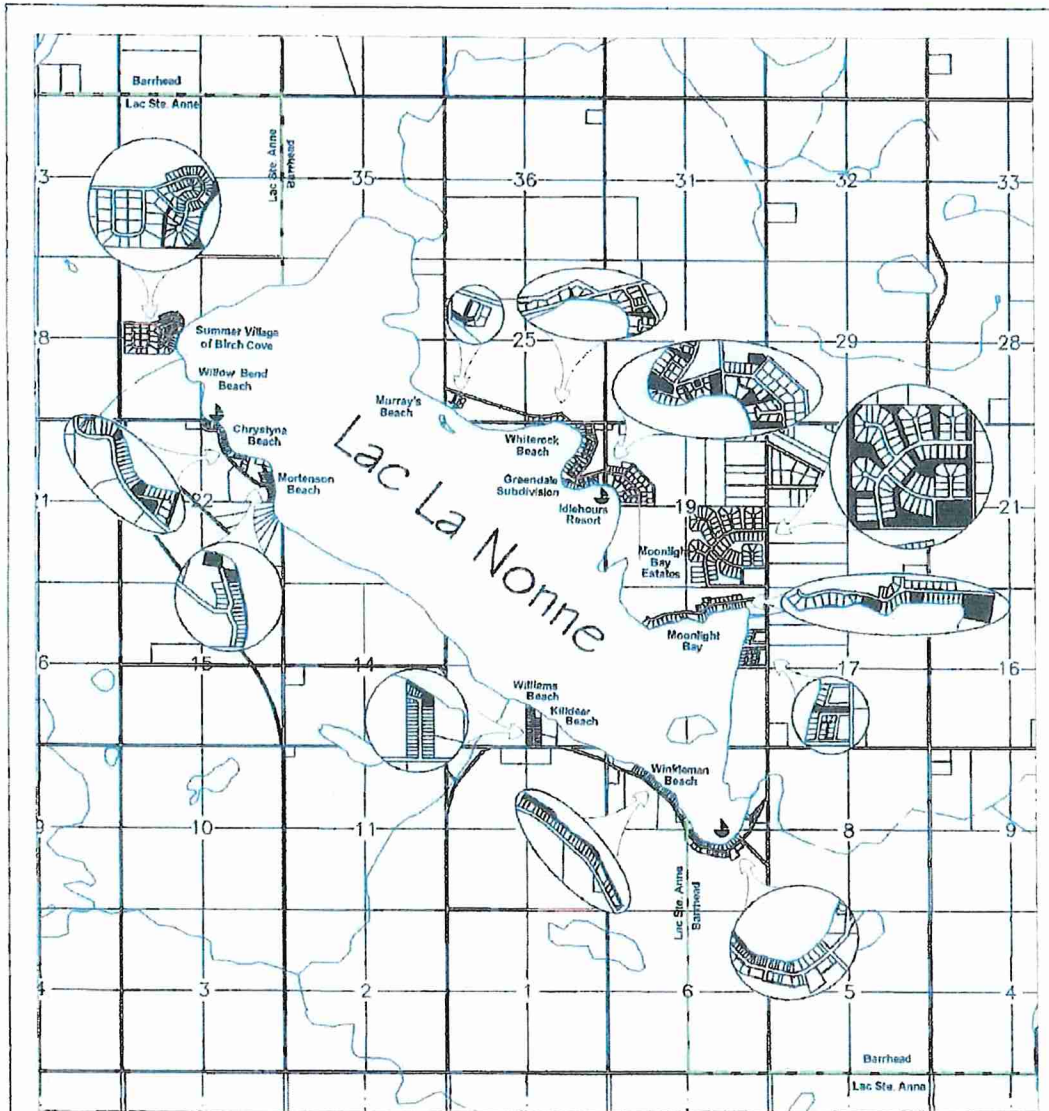
| CONCERN | CONTACT | LEGISLATION |
|---|--|--|
| Development Permits (including sewage systems, construction of primary or accessory structures). | Local Development Authority, County of Barrhead (674-3331) Lac Ste. Anne County (785-3411) Or New Era Municipal Services (967-2249). | <ul style="list-style-type: none"> • Municipal Government Act, R.S.A. 2000, • County of Barrhead LUB, • Lac Ste. Anne County LUB, • S.V. of Birch Cove LUB |
| Inspection of, or concerns with sewage collection systems. | Municipal Affairs (422-9144)/ Health Region #7 (Aspen Regional Health Authority No. 11) (967-4440) | <ul style="list-style-type: none"> • Alberta Private Sewage System Standard of Practice 1999, • Public Health Act |
| Shoreline alternations (including weed removal, construction of docks or piers, beach development). | Alberta Public Lands (674-8231) or Water Management Divisions (963-6131) | <ul style="list-style-type: none"> • The Public lands Act, • The Water Act, • The Fisheries Act |
| Enforcement of boating concerns (including speeding, reckless behavior etc.) | Barrhead Detachment of the R.C.M.P (674-2696)/Canadian Coast Guard (495-860) | <ul style="list-style-type: none"> • Boating Restrictions Regulations of the Canadian Shipping Act |
| Construction of dams, weirs, culverts, or channeling/diversion of streams. | Alberta Public Lands (674-8231) or Water Management Divisions (963-6131) | <ul style="list-style-type: none"> • The Public lands Act, • The Water Act, • The Fisheries Act |
| Livestock Operations (including management of effluent, sources of water, fencing). | Natural Resources Conservation Board – Barrhead District Office (6574-8303 / 674-8249) | <ul style="list-style-type: none"> • Agricultural Operation Practices Act |
| Building Permits | Any accredited building inspector. Contact your local municipality for a list. | <ul style="list-style-type: none"> • Alberta Building Codes, Safety Codes Act |



Lac La Nonne

Plan Area
Map 1

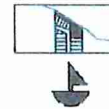
Plan Area Boundary 
Drainage Basin 

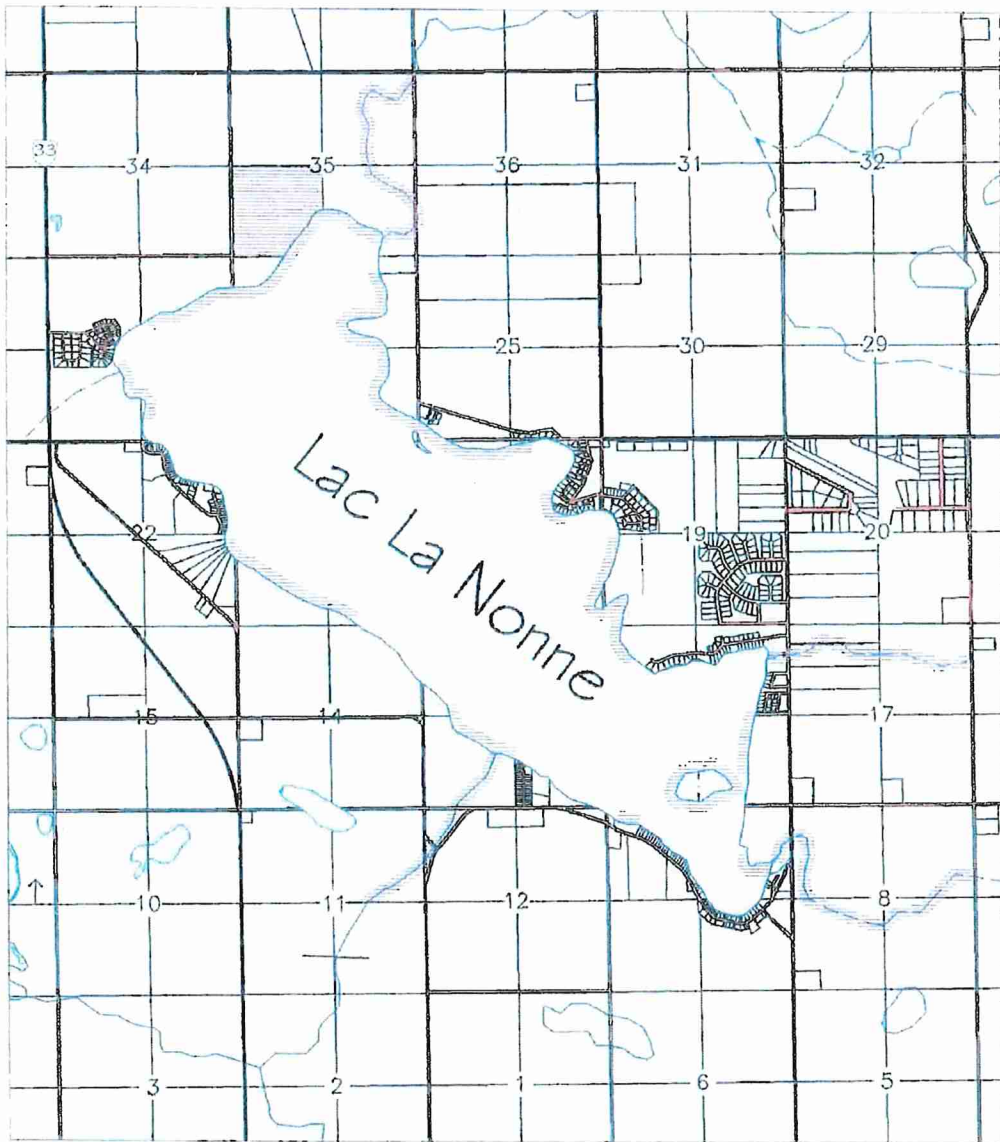


Lac La Nonne

Public Use Areas
MAP 2

Municipally Owned Land
Boat Launches



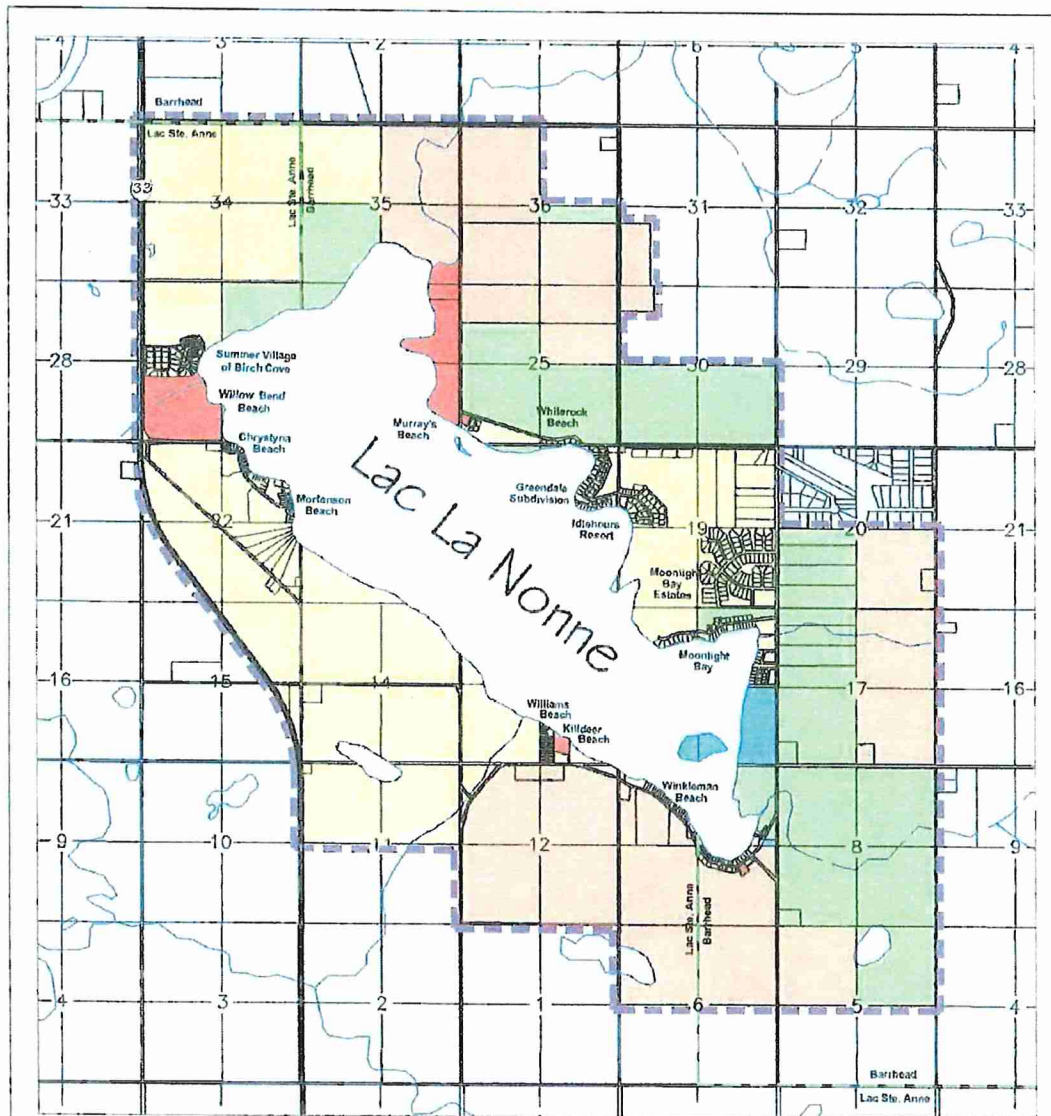


Lac La Nonne

Sensitive Areas
Map 3

Sensitive Areas





Lac La Nonne

Land Use Districting Map

Map 4

- Agriculture Conservation
- Rural Conservation
- Residential Recreation
- Commercial Recreation
- Institutional

