

CYPRESS COUNTY

BYLAW 2009/16

A Bylaw of Cypress County in the Province of Alberta to amend the Municipal Development Plan.

PURSUANT TO the provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto, the Council of Cypress County in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. Whereas the Cypress County General Municipal Development Plan being Bylaw 1994/13, as a statement of goals, objectives and policies regarding land use and development in Cypress County requires updating and amendment in conjunction with the Tri-Area Intermunicipal Development Plan.
2. Having held a Public Hearing on the document amendments, the Municipal Development Plan is hereby amended as shown as red underline additions and ~~red strikethroughs~~ as deletions in the attached Schedule "A".
3. This bylaw shall take effect upon the date of the approval from the Alberta Utilities Commission for the Southwest Potable Water Gate Agreement between Cypress County and The City of Medicine Hat.

Read a first time this _____ day of _____, 2009.

Read a second time this _____ day of _____, 2009.

Read a third time and finally passed this _____ day of _____, 2009.

Reeve

Designated Officer

Schedule “A”

Bylaw 2009/16

Amendments to the Municipal Development Plan

CYPRESS COUNTY

**MUNICIPAL DEVELOPMENT
PLAN**

Proposed Amendments
May 15, 09

Adopted July 1994
As Amended to July 2005

Cypress County

Schedule "A"

Municipal Development Plan

July 1994

As Amended to  2009

PREFACE

This document is a statement of goals, objectives and policies regarding land use and development in Cypress County. The statements contained herein provide a basis for the interpretation and application of the Land Use By-law and other municipal legislation.

The jurisdiction covered by the Plan is Cypress County, formerly known as Improvement District No. 1. and more lately, the Municipal District of Cypress. Located in the southeast corner of Alberta, it covers 13,237 square kilometres (5,111 square miles) of land. Figure 1 shows the major land uses. These include large areas of unimproved pasture and dry cropland; extensive irrigated areas; Cypress Hills upland; the South Saskatchewan river valley; and the Suffield Military Experimental Range.

The Plan promotes the continuance of agriculture as the primary land use. Non-agricultural development is directed away from better agricultural land located in the irrigated areas. However, criteria for the establishment of new country residential and rural industrial districts, the principle forms of non-agricultural development, are established and the need for continued periodic expansion of established urban municipalities is recognized. Support is given for the expansion of existing hamlets. General policies for the provision of municipal services, the development of recreation facilities and the preservation of significant natural features are established.

In 2009, the Tri-Area Intermunicipal Development Plan (IDP) was approved by Cypress County, the Town of Redcliff and the City of Medicine Hat. The IDP replaced the 1992 Rural Urban Fringe Plan. The purpose of the IDP is to establish a regional framework for attracting economic opportunities and managing land use, subdivision and development in the IDP area.

Figure 1

Land Use Patterns

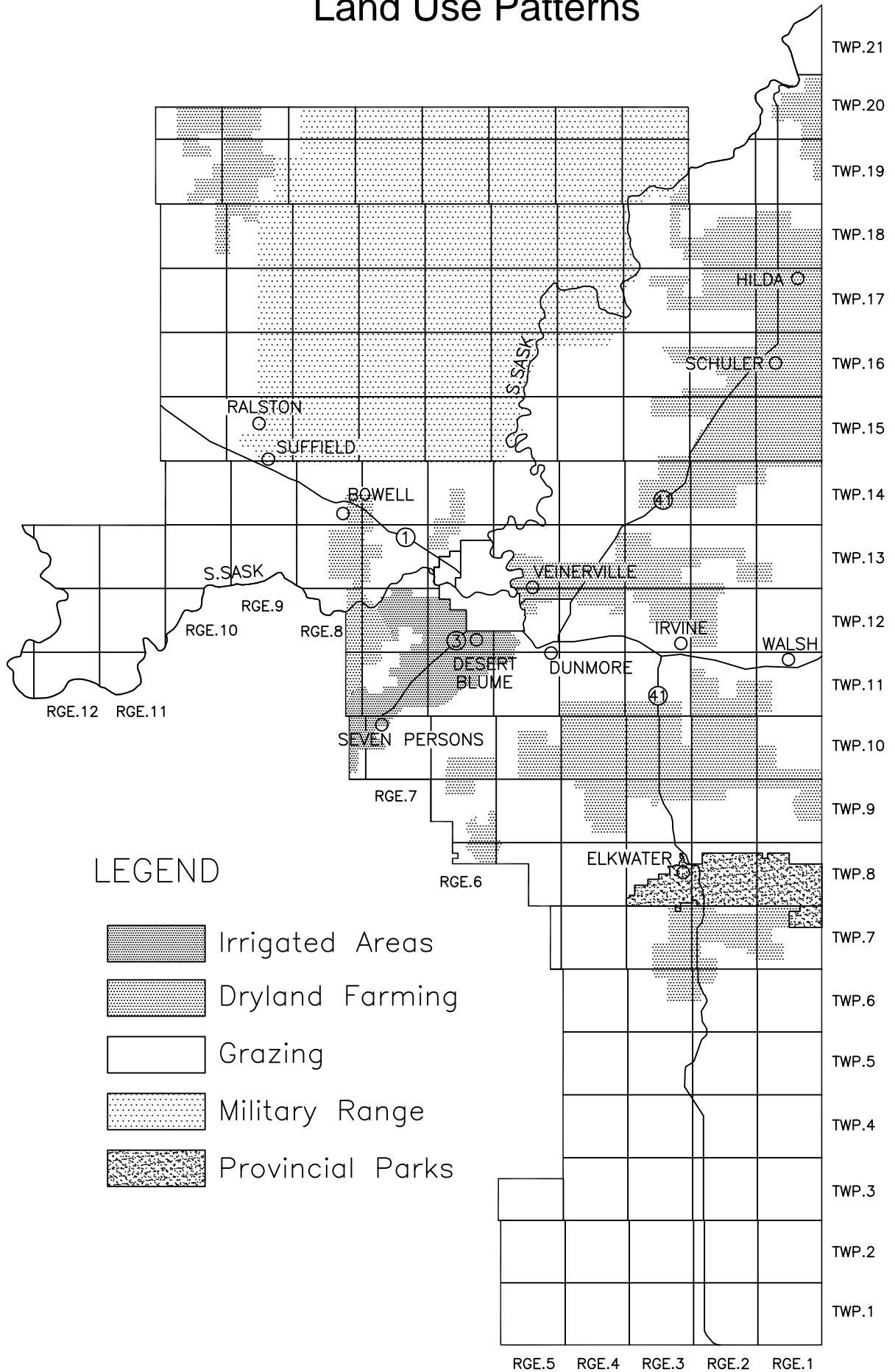


TABLE OF CONTENTS

PREFACE

1.0.....	INTRODUCTION	2
1.1.....	Jurisdiction	2
1.2.....	Authorization	2
1.3.....	Purpose and Application of the Plan	2
1.4.....	Interpretation	2
2.0.....	GOALS AND OBJECTIVES OF THE PLAN	4
2.1.....	Goals	4
2.2.....	Objectives	4
3.0.....	LAND USE POLICIES	8
3.1.....	Extensive Agriculture	8
3.2.....	Intensive Agriculture	8
3.3.....	Farmstead Separations	10
3.4.....	Multi-parcel Country Residences	10
3.5.....	Commercial and Industrial	16
3.6.....	Urban Fringe Development	17
3.7.....	Hamlets	18
3.8.....	Municipal Services	18
3.9.....	Recreation	19
3.10.....	Natural Environment	19
4.0.....	IMPLEMENTATION	22
4.1.....	Regional Plan Conformity	22
4.2.....	Land Use By-law Conformity	22
4.3.....	Subdivision Approving Authority	22

~~APPENDIX B~~

.....	RURAL-URBAN FRINGE PLAN	23
------------------	------------------------------------	---------------

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 Jurisdiction

The provisions of the Municipal Development Plan for Cypress County shall apply to all lands lying within the corporate boundaries of the said Municipality.

1.2 Authorization

The preparation of a Municipal Development Plan was authorized by the Council of Cypress County in order to consolidate existing land use planning policies.

1.3 Purpose and Application of the Plan

The policies contained in the Municipal Development Plan are intended to:

- (a) guide the Council and its Employees in the administration of the Land Use By-law of Cypress County .
- (b) provide guidelines for the orderly and economic development of the municipality.

1.4 Interpretation

In the Municipal Development Plan for Cypress County , all words and expressions shall have meanings assigned to them in the Municipal Government Act, R.S.A., 2000 and the Land Use By-law for Cypress County excepting the following:

- (a) **Extensive Agricultural Use:** a system of tillage and/or animal husbandry by which a livelihood may be obtained from large areas of land used for the raising of crops or the rearing of livestock either separately or in unified operations.
- (b) **Intensive Agricultural Use:** a system of tillage and/or animal husbandry by which a livelihood may be obtained from proportionately smaller areas of land used for the concentrated raising of crops or the concentrated rearing or keeping of livestock and poultry, including the products thereof, eg. beekeeping, feedlots, market gardens, piggeries, poultry keeping operations, etc.
- (c) **Land Use District:** an area of land within the County designated for a prescribed set of uses pursuant to the Land Use By-law.

2.0 GOALS AND OBJECTIVES

2.0 GOALS AND OBJECTIVES OF THE PLAN

2.1 Goals

- (a) To protect better agricultural land and preserve it for agricultural purposes;
- (b) To promote the expansion of agriculture within the municipality;
- (c) To ensure the orderly development of non-agricultural land uses within the municipality;
- (d) To provide a safe, efficient, and economical rural road system;
- (e) To preserve unique natural features within the municipality.

2.2 Objectives

- (a) To give the priority to agriculture as the most important economic activity in the municipality;
- (b) To minimize the fragmentation of agricultural land;
- (c) To promote the expansion of irrigation within the municipality;
- (d) To minimize encroachment of incompatible land uses near intensive livestock operations in order to ensure their continued operation and viability;
- (e) To encourage efficient use to be made of occupied or abandoned farmsteads and/or small parcels isolated by existing natural and/or man-made features (excluding parcels cut off by irrigation canals or pivots), without restricting the agricultural use of the remainder of the larger parcel;
- (f) To locate multi-lot country residential development on land with a low agricultural capability;
- (g) To encourage industrial and commercial development to locate in the municipality;
- (h) To plan for the orderly expansion of the corporate boundaries of urban municipalities within the Municipality;
- (i) To promote the continued existence of major hamlets as residential communities and local service centres;
- (j) To ensure that rural development is appropriately serviced;
- (k) To ensure that the municipal road network is developed to a standard consistent with traffic volume and the needs of local residents for all-weather access;

- (l) To promote development of the recreation potential of the Municipality;
- (m) To conserve the natural environment of the Municipality, especially the river valleys and coulee areas.

3.0 LAND USE POLICIES

3.0 LAND USE POLICIES

3.1 Extensive Agriculture

- (a) The basic unit of land within Agricultural Land Use Districts shall be an unsubdivided quarter section, excluding registered rights-of-way and any involuntary severance.
- (b) The subdivision of land into parcels of less than the basic unit of land for extensive agricultural purposes not otherwise provided for in this plan shall be discouraged unless the subdivision is intended to consolidate the resultant parcels with an adjacent parcel to create a more viable unit.
- (c) The Municipality supports the expansion of irrigation throughout the municipality as a means for strengthening the agricultural economy and shall attempt to maintain those irrigated parcels shown in Figure 3 and any other parcels that are re-classified as irrigable by the Irrigation Division of Alberta Agriculture, Food and Rural Development.
- (d) The Municipality shall discourage the fragmentation of agricultural land by linear facilities such as power transmission lines, roads, and canals
- (e) Notwithstanding sub-section (b) above, the subdivision of agricultural land may be permitted when the proposed parcel is separated from the main part of a previously unsubdivided quarter section by a permanent physical barrier which has the effect of creating an involuntary severance.
- (f) Incompatible types of development will be discouraged in Agricultural Land Use Districts.

3.2 Intensive Agriculture *Amended 19/03/02 By-law 2002/01*

- (a) The Municipality may prescribe regulations for the development of intensive agricultural operations such as greenhouses, or specialty crops.
- (b) Pursuant to the Agricultural Operations Practices Act, the County may designate areas where confined feeding operations are to be encouraged or excluded.
- (c) New confined feeding operations will be excluded from the areas shown on Figure No. 2.
- (d) ~~Existing confined feeding operations within the areas shown in Figure No. 2 may expand if they meet the requirements of the Agricultural Operations Practices Act, and the proposal is acceptable to Council.~~ Existing confined feeding operations within the areas shown in Figure No. 2, excluding the Tri-Area Intermunicipal Development Plan Area (IDP), may expand if they meet the requirements of the Agricultural Operations Practices Act, and the proposal is acceptable to Council.

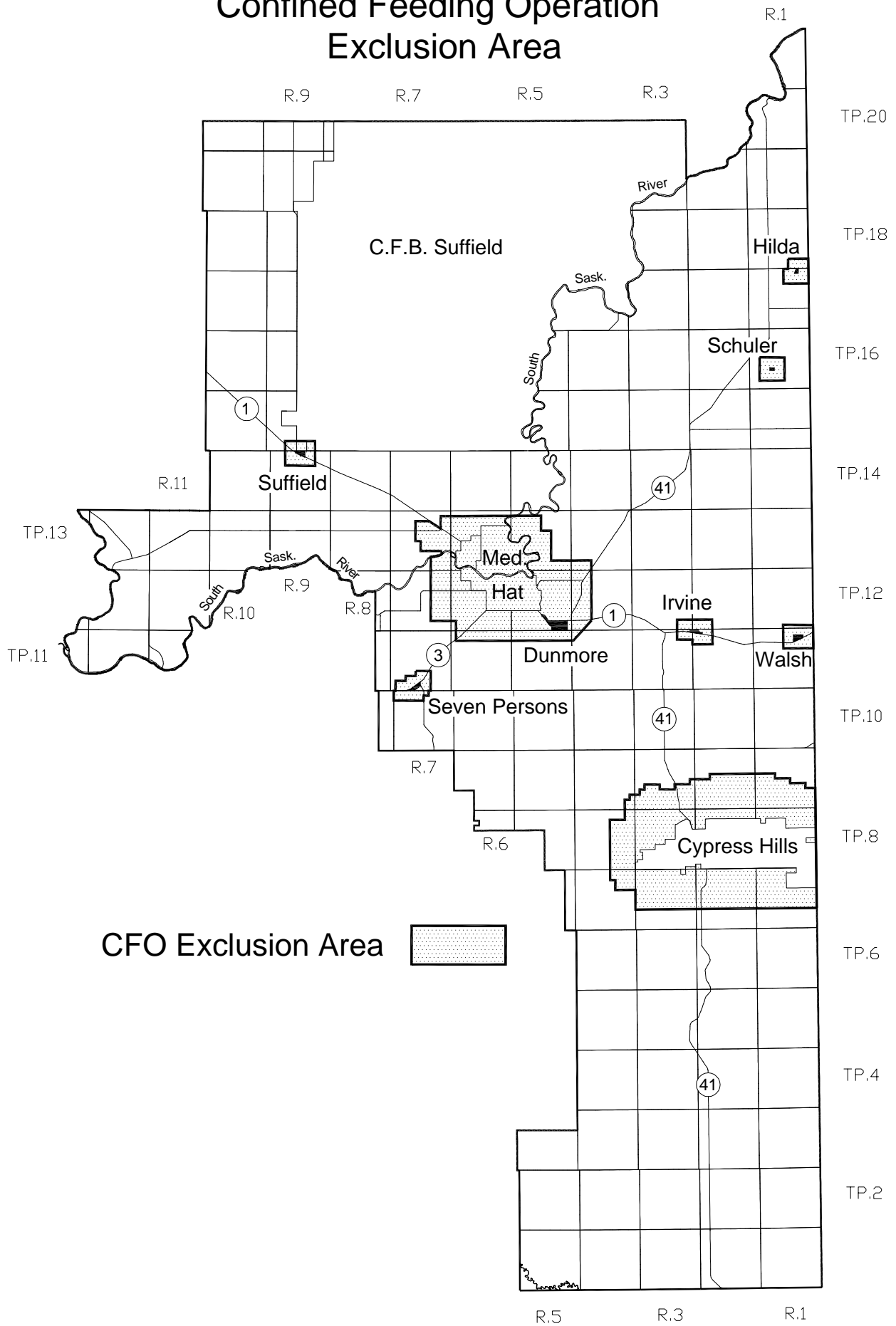
Applications for the expansion of any existing confined feeding operations within the Tri-Area Intermunicipal Development Plan (IDP) are not supported within the

ILO exclusion district first identified in the 1992 Rural Urban Fringe Plan. Expansion of existing CFO's will require approval under the Natural Resources Conservation Board (NRCB) regulations. The County Council and the Tri-Area Intermunicipal Development Plan Liaison Committee will review the applications for the confined feeding operation expansion of existing operations and submit joint comments to the NRCB on a case by case basis.

- (e) Intensive agricultural operations not requiring a full quarter section of land for continued operation are encouraged to locate on existing smaller parcels.
- (f) Where other arrangements are not possible, the Municipality will support the subdivision of a parcel of better agricultural land for intensive agricultural uses such as greenhouses, market gardens, or exotic livestock if the following conditions are met:
 - (i) the proposed use depends directly on the soil properties of better agricultural land.
 - (ii) there is an adequate supply of water for the development.
 - (iii) the proposed development is viable and compatible with other uses in the area.
 - (iv) the proposal complies with the requirements of the land use by-law.

Figure 2

Confined Feeding Operation Exclusion Area



3.3 Farmstead Separations

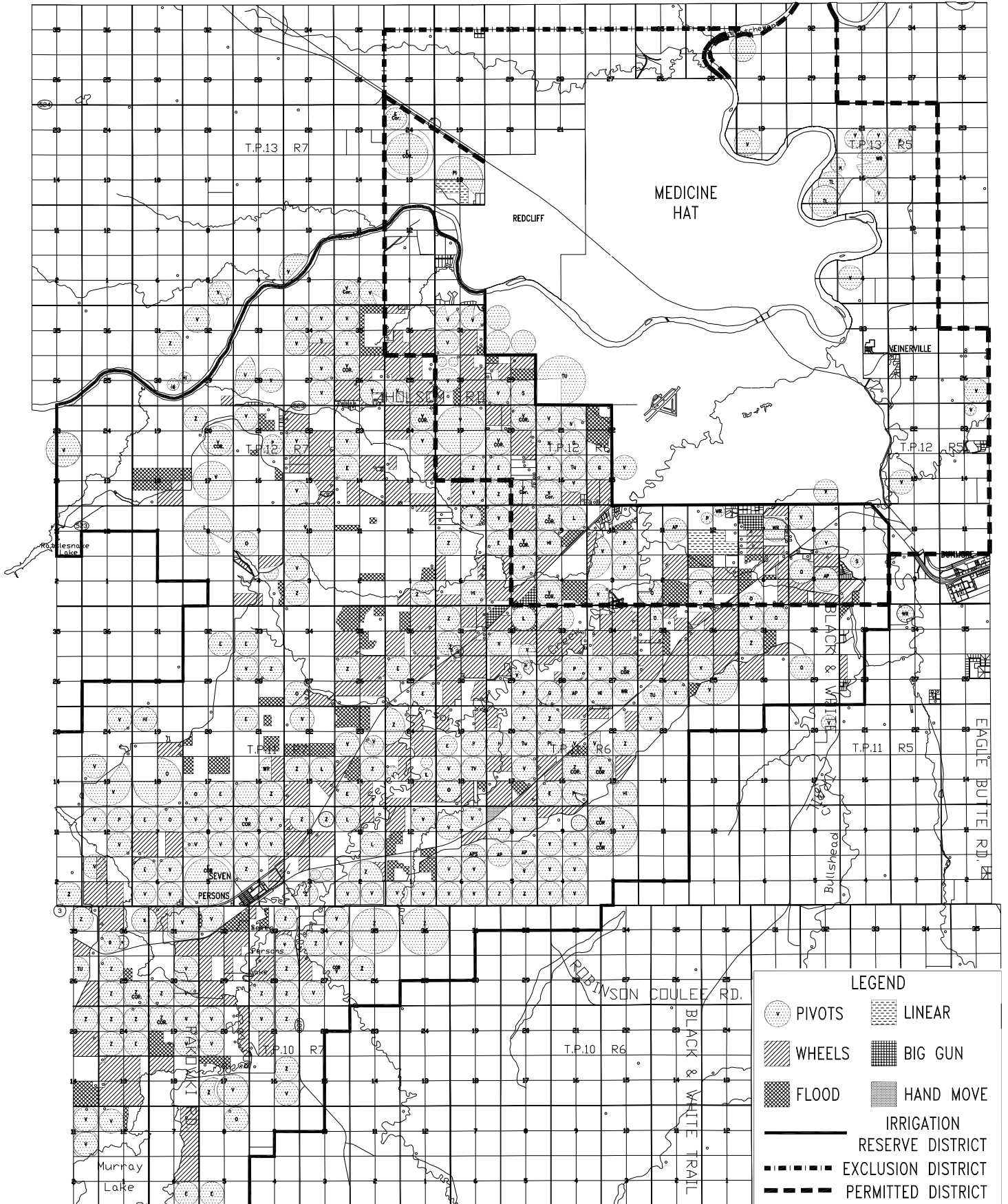
- (a) A farmstead separation may be approved if:
 - i) the proposed parcel is the first parcel out of a previously unsubdivided quarter section;
 - (ii) the building site has been in existence for a minimum of five years as determined from municipal assessment records; *Amended 7/05/02 By-law 2002/08*
 - (iii) legal and physical access is available to the remnant and proposed parcel;
 - (iv) the proposal will not restrict agricultural use of the balance of the quarter section or any adjoining parcels;
 - (v) the size of the proposed parcel does not exceed the area utilized for the building site unless there are physical boundaries which define a larger parcel;
 - (vi) the minimum distance separation calculation for intensive livestock operations can be met.
 - (vii) the proposal conforms with the Farmstead Separation provisions of the Tri-Area Intermunicipal Development Plan.

3.4 Multi-parcel Country Residences

- (a) Multi-parcel country residential districts will generally be permitted in the following areas where not in conflict with existing land uses or other provisions of this plan provided they are in conformity with the Limited Country Residential Subdivision provisions of the Tri-Area Intermunicipal Development Plan where applicable.
 - (i) low capability dry agricultural land (CLI Class 4-6);
 - (ii) land outside designated urban development areas;
 - (iii) land outside designated highway or utility corridors,
- (b) Parcels classed as irrigated land will only be considered for multi-parcel country residential subdivisions if it can be shown that:
 - (i) the land has a low capability for irrigated agriculture as determined by an irrigation feasibility study and the water rights can be transferred to another parcel, or;

Figure 3

Country Residential & Irrigated Parcel Map



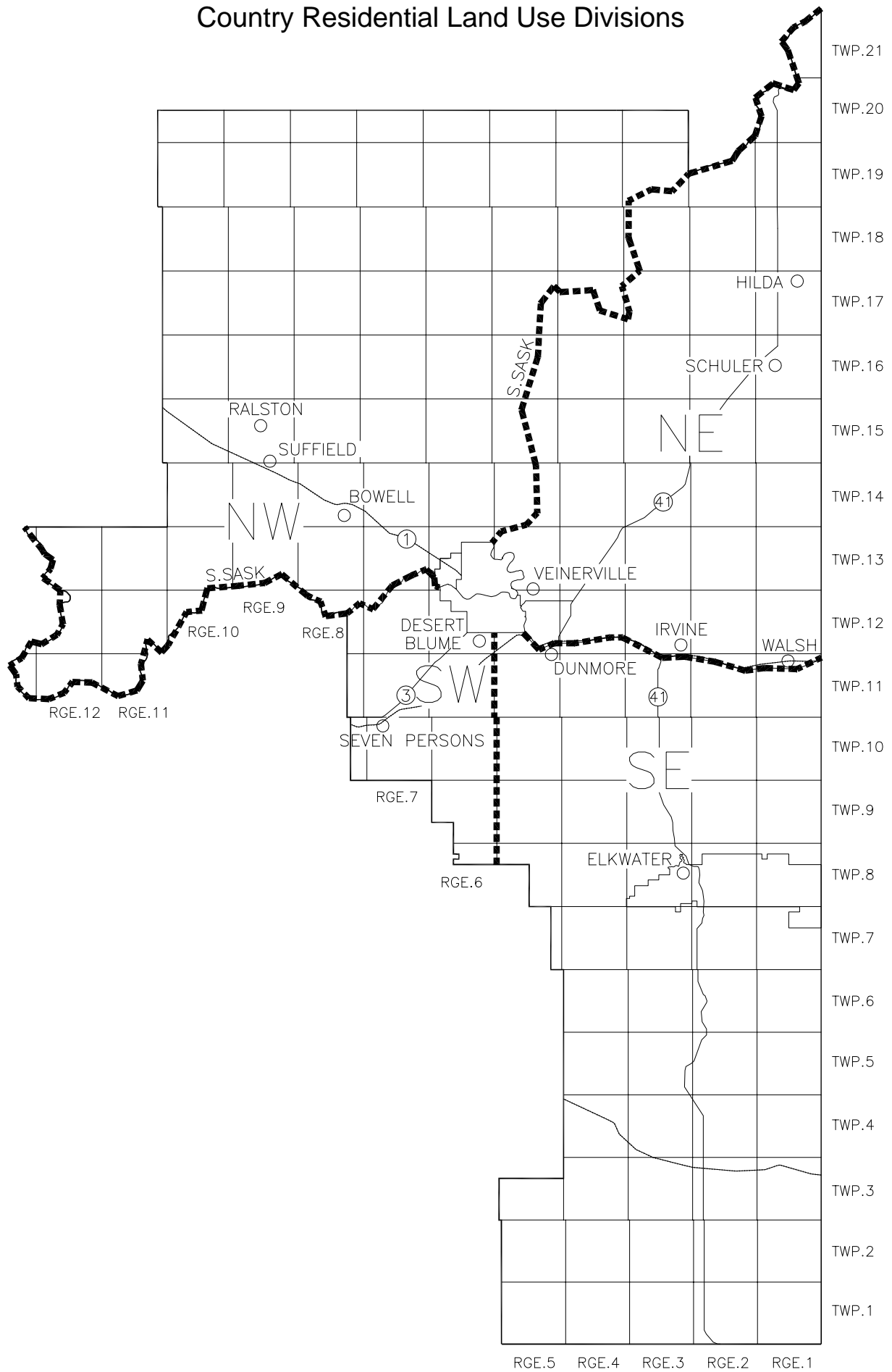
- (ii) the land to be subdivided cannot be irrigated, is remote from existing livestock activities, and is unlikely to ever be located near an intensive livestock operation.
- (c) Proposals for country residential districts will receive preference for approval where the following services are currently available or can readily be made available:
 - (i) an established school bus route;
 - (ii) electrical, gas, and telephone distribution;
 - (iii) solid waste disposal;
 - (iv) firewater reserves capable of supplying a minimum of 400 gallons per minute for one hour.
- (d) Most acreage development is located in agricultural areas. From time to time adjacent landowners must perform farm operations that create dust, noise, smell, and extra traffic. Recognizing that these conditions are a normal and accepted fact in an agricultural community, acreage owners must not interfere in the activities of farmers that meet the standards generally accepted within Cypress County.
- (e) There will be three classes of country residential development:
 - i) The Country Residential "CR" District is intended for relatively higher density development, preferably with a piped water supply or an established supply of groundwater. The minimum parcel size will be 0.4 hectare.
 - ii) The Country Residential "CR-2" development will be for lower density development. The minimum parcel size will be 2 hectares.
 - iii) The Limited Country Residential "CR-IDP" development will be for lower density development specifically within the Potential Growth Area and the Urban Reserve (Redcliff) Policy area of the Tri-Area Intermunicipal Development Plan (IDP). The minimum parcel size will be 0.60 hectares (1.5ac) and applications will be subject to parcel and lot density criteria as per the Limited Country Residential Use provisions of the IDP.
- (f) Prior to approval of a land use amendment for country residential development, Council shall consider the character of the area and the compatibility with existing land uses. To minimize disturbance of adjacent lands, setbacks or site specific development standards may be imposed for the following uses:
 - (i) intensive agricultural operations;
 - (ii) other country residential subdivisions;
 - iii) existing farmsteads;

- iv) oil and gas extraction facilities;
 - (iii) noxious rural industries;
 - (iv) Cypress Hills Inter-provincial Park;
 - (v) kennels.
- (g) For sensitive developments, Council may request an Area Structure Plan to be prepared in conjunction with the Land Use Amendment. The Plan should address the following concerns:
- i) water supply and sewage disposal;
 - ii) control of traffic;
 - iii) slope stability and setbacks from water bodies (where applicable);
 - iv) the proposed land use classification(s) and/or restrictive covenants to be imposed on the proposed development;
 - v) methods for achieving compatibility with adjoining development(s) including but not limited to land use, open space buffers, or development standards.
- (h) If a proposed "CR" or "CR-2" application for 2 or more parcels causes there to be more than 29 "CR" or "CR-2" parcels within a radius of 0.8 kilometres of that application, the applicant must submit an Area Structure Plan in conjunction with the Land Use Amendment.
- (i) Multi-parcel country residential districts shall be located adjacent to an established all-weather road with access to multi-parcel developments by means of a service road.
- (j) Multi-parcel country residential districts shall have a potable domestic water supply capable of providing at least 1250 cubic metres per year (753 gallons per day, 0.5 gallons per minute) per parcel from one of the following sources:
- (i) proven groundwater reserves;
 - (ii) domestic water supply agreement with an established irrigation district accompanied by a proposal for a storage reservoir with sufficient volume to hold a 200 day winter supply;
 - (iii) Where groundwater reserves are unproven, or the long term supply is questionable, Council may require the applicant, as part of the subdivision process, to obtain a report certified by a professional engineer, geologist, or geophysicist that states that the diversion of 1250 cubic metres of water per year for household purposes for each of the households within the subdivision will not interfere with any existing household users, licensees, or traditional agriculture users.

- (k) Where a subdivision meets all other criteria but groundwater or irrigation water is not available, approval may be given to a single residential parcel using trucked water for a potable domestic supply.
- (l) Council will consider all requests for amendment of the Land Use By-law which meet the above criteria provided that a previous amendment has not been refused within the past 6 months.
- (m) Notwithstanding any of the above provisions, the Council reserves the right to limit the number of country residential districts within the confines of a Division as established in Figure 3 when 40% or more of the existing lots are vacant.
- n) Multi-parcel country residential applications must comply with the Limited Country Residential Use provisions for the Potential Growth Area and Future Urban Reserve (Redcliff) Area of The Tri-Area Intermunicipal Development Plan (IDP).

Figure 4

Country Residential Land Use Divisions



3.5 Commercial and Industrial

Local and Highway Commercial Development

- (a) Commercial and industrial development will be encouraged in existing hamlets where appropriate land use districts are present and as identified within the Tri-Area Intermunicipal Development Plan (IDP)
- (b) Where development is proposed adjacent to a primary highway but outside of an existing hamlet, Council may require an area structure plan to establish future right-of-way and access requirements.

Rural Industrial Development

- (c) Industrial development within Cypress County will be encouraged. The Tri-Area Intermunicipal Development Plan (IDP) also specifies locations where Rural Industrial uses are appropriate at varying levels of servicing capability;
- (d) Industrial uses should be located in designated Industrial Districts wherever possible;
- (e) Designation of additional Industrial or Commercial Districts may be considered if:
 - (i) there is a shortage of suitable commercial or industrial land in the Municipality;
 - (ii) there is a minimum impact on good agricultural land, environmentally sensitive areas, or land suitable for recreation;
 - (iii) there are roads of adequate standard for the intended use, or the applicant is willing to upgrade or pave the road to an adequate standard;
 - (iv) there are the necessary utilities, including an adequate supply of water for fire protection;
 - (v) the proposed use would not interfere with the quiet enjoyment of adjacent properties.
 - (vi) the proposed use is located within the boundaries or identified locations of an Area Structure Plan which has been previously approved by By-Law.

Signage

- (f) Cypress County acknowledges the need for directional signage where traffic volume to a particular attraction warrants, or where necessary to maintain the viability of a local business, but the development of large third party billboards adjacent to major roadways will be prohibited.

- (g) Types of Signs Permitted
 - (i) Identification signs on property owned by the applicant.
 - (ii) Directional signs for large developments or groups of developments such as industrial parks, mobile home parks, country residential subdivisions etc., which generate significant traffic.
 - (iii) Directional signs for greenhouses, nurseries, market gardens and rural businesses which are approved for sale to the public and located off a main road.
 - (iv) Identification signs for local tourist attractions and businesses within designated tourist signage strips adjacent to County hamlets.
- (h) All signage must be developed in accordance with the requirements of the Land Use By-law. Alberta Transportation approval is required adjacent to primary highways

3.6 Urban Fringe Development

- (a) The Council acknowledges the need for growth and development of the urban communities within the Municipality. To that end, the Tri-Area Intermunicipal Development Plan (IDP) will be considered the primary policy document within the IDP boundaries. The Municipal Development Plan (MDP) recognizes the policy designations, the policies and the Implementation steps that will govern this portion of the County. The intent of the IDP is to identify overall compatibility of land uses within Policy Areas established in the IDP and do so within the context of an overall strategy. The intent of the MDP is to examine the site-specific suitability of an application for land use, subdivision or development permit. If a conflict between the two documents is identified, the provisions of the IDP will govern.
- (b) All applications for land use reclassification, subdivision applications, area structure plans, and any discretionary use development applications within the Tri-Area Intermunicipal Development Plan Districts shall be referred to the appropriate municipality within the Tri-Area IDP for comment prior to approval as required within the Implementation provisions of the Tri-Area IDP.
- (c) In reviewing subdivision and development proposals within the IDP area, the policies of the Tri-Area Intermunicipal Development Plan (IDP) shall be applied. In addition, the following issues shall be considered:
 - (i) potential land use conflicts;
 - (ii) expected patterns of urban expansion;
 - (iii) the impacts of the proposed use on the surrounding area.

- (d) When reviewing an application for annexation of lands under the jurisdiction of the Municipality, the following factors shall be considered:
- (i) the direction and amount of growth projected by existing statutory plans for the affected areas including the Tri-Area Intermunicipal Development Plan (IDP);
 - (ii) the agricultural capability of the land to be annexed relative to other areas of land available for annexation;
 - (iii) the desire by existing residents for annexation;
 - (iv) the implications for the rural tax base;
 - (v) other matters deemed necessary by Council.
- (e) The Municipality supports inter-municipal liaison and co-operation in the planning with other area municipalities in the IDP area.
- (i) the Tri-Area IDP is both a communications tool as well as a policy tool;
 - (ii) an Intermunicipal Liaison Committee will be established to monitor the Tri-Area IDP policies and effectiveness and to ensure that it is implemented appropriately, to serve and make recommendations to municipal approving authorities for emerging intermunicipal issues such as certain planning applications (where they substantially may have an effect on another municipality), regional opportunities, and future Tri-Area IDP reviews, and to participate in dispute resolution;
 - (iii) the Intermunicipal Liaison Committee may establish one or more technical sub-committees as required;
 - (iv) a municipality receiving a referral may request that the Intermunicipal Liaison Committee meet to review an intermunicipal issue or application, and the Intermunicipal Liaison Committee will comment on the issue and then refer it to the Tri-Area Councils for official comment.
 - (v) any disputes between municipalities within the Tri-Area IDP will be resolved in accordance with the Dispute Resolution/Mediation Procedures of the Tri-Area IDP.

3.7 Hamlets

- (a) The Municipality supports the growth of existing hamlets as residential communities and local service centres for surrounding agricultural areas.
- (b) The hamlets of Dunmore, Hilda, Schuler, Seven Persons, Suffield, Irvine and Walsh may be permitted to develop as large a variety of land uses as is necessary to accommodate the needs of residents and the surrounding rural

communities.

- (c) The Council may authorize the preparation of an Area Structure Plan for hamlets experiencing growth or highway redevelopment.
- d) The future growth pattern for the Hamlet of Dunmore is specifically addressed in the Tri-Area Intermunicipal Development Plan (IDP). The IDP is the primary reference document for applications for lands use, subdivision and development.

3.8 Municipal Services

- (a) The Municipality will maintain a priority list for construction and/or upgrading of secondary roads.
- (b) The Municipality will maintain a priority list for the upgrading of local roads.
- (c) Companies involved in the exploration and development of natural resources will be required to construct access roads on existing road allowances where physically possible, in accordance with standards set by the Municipality.
- (d) The Municipality will maintain a system for solid waste disposal in an approved landfill or in a designated transfer station.
- (e) The Municipality will continue to support the development of communal water supply and sewage disposal systems in existing hamlets where population warrants.
- (f) The Municipality supports the establishment of Fire Protection Areas in all parts of the County for the operation of rural fire departments.
- (g) A supply of water for firefighting will be encouraged for all non-agricultural buildings in excess of 6,456 square feet (600 m²).
- (h) The Municipality favours the development of utility corridors for compatible forms of transmission lines. The construction of major utility routes should meet the following criteria:
 - (i) alignment of new facilities parallel to existing roads or utility rights-of-way;
 - (ii) multiple use of existing rights-of-way;
 - (iii) alignment of new facilities along property boundaries or physical features which act as barriers to farming operations.
- (i) Where it is necessary to locate a utility right-of-way on cultivated cropland, sufficient setback should be provided between any above ground facility and the cropland boundary to permit the passage of large farm machinery.

3.9 Recreation

- (a) The Municipality supports recreational development in the area.
- (b) The Municipality encourages co-operation with other municipalities located within or adjacent to the County regarding recreation facility development and programming.
- (c) The Municipality encourages the development and operation of regional parks and campgrounds such as the Sandy Point Recreation Area and the Cavan Lake Recreation Area by local community organizations.
- (d) The Municipality encourages compatible development near Cypress Hills Provincial Park and may refer any development proposal to Alberta Environmental Protection for comment prior to any public hearing on the matter.
- (e) The Municipality supports the preservation of historic buildings and sites as Council may determine.
- (f) The Municipality supports the continuance of the 10% reserve requirement on multi-parcel subdivisions for the acquisition of park facilities or school sites except where a proposed parcel is to be used for a Utility Lot or similar municipal use. The reserve requirements for land within the Tri-Area Intermunicipal Development Plan (IDP) are specified within the IDP.

3.10 Natural Environment

- (a) Unique or scenic areas of the Municipality shall be protected.
- (b) The Municipality supports measures to conserve and protect surface run-off and groundwater resources.
- (c) River valley and coulee escarpments shall generally be maintained in their natural state, with appropriate development setbacks where warranted to limit damage to property caused by subsidence.
- (d) Disturbance to natural or man-made waterbodies shall be minimized by requiring adequate development setbacks.
- (e) Non-agricultural development on flood plains or flood hazard areas shall be discouraged.
- (f) The reclamation of resource extraction sites shall be required.
- (g) Development proposals within the Tri-Area Intermunicipal Development Plan area which are situated in or near identified environmentally significant areas.

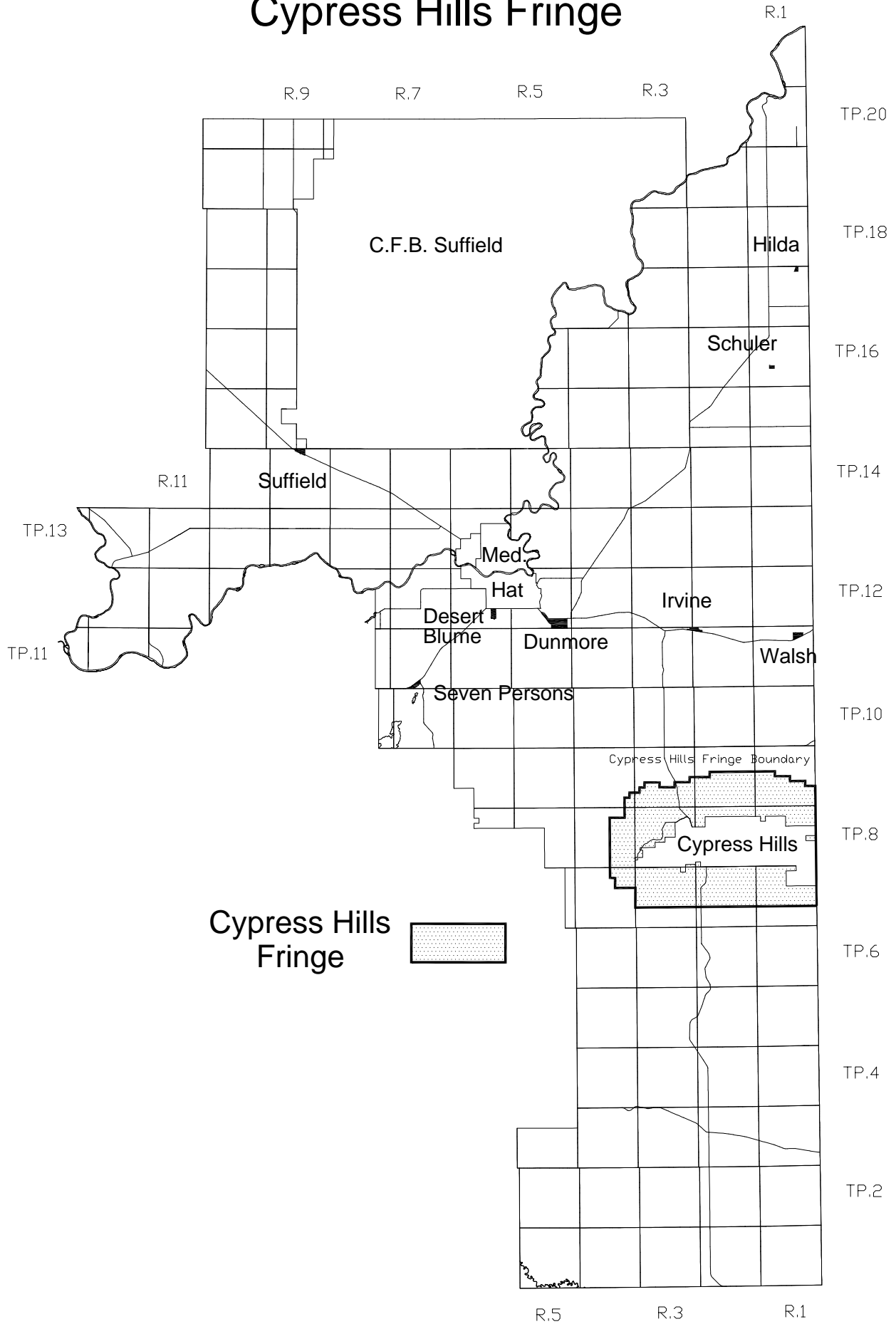
and may be considered to have an effect on the environmental integrity of the landscape, will have a requirement for an environmental review as required within the Environmental Protection policies and provisions of the Tri-Area IDP.

3.11 Wind Energy

- (a) The municipality shall encourage the integration of renewable wind energy with other land uses in the County.**
- (b) The County may designate areas where Wind Energy Facilities are to be encouraged or excluded.**
- (c) Except as indicated in sub-section 3.11(g), the Wind Energy Facility (WEF) District shall take the form of an overlay district in which the requirements of the existing Land Use District will continue in effect for all uses other than Wind Energy Facilities and associated uses.**
- (d) All Land Use Amendment applications for a WEF District shall be accompanied by:**
 - i) an accurate site plan showing and labeling the location of the site, the projected number of towers, the location of overhead utilities and access roads on or abutting the subject lot or parcel, and the contours of the land;**
 - ii) a visual representation of the proposed WEF, including scale elevations, photographs and/or digital information showing total height, tower height, rotor diameter, colour and the impact on the landscape;**
 - iii) the manufacturer's specifications indicating:**
 - 1. the approximate rated output of each WEF in kilowatts,**
 - 2. safety features and sound characteristics,**
 - 3. type of material used in tower, blade, and/or rotor construction;**
 - iv) a report regarding any public information meetings or other process conducted by the developer;**
 - v) any impacts to the local road system including required approaches from public roads having regard to County standards;**
 - vi) preliminary reclamation/decommissioning plans;**
 - vii) Other information as required by the Approving Authority.**
- e) (Prior to making a decision on a Land Use Amendment application for a WEF, the Council shall refer and consider the input from the following:**
 - i) an adjacent jurisdiction if its boundaries are located within 2 km (1.2 miles) of the proposed WEF,**
 - ii) County landowners within a 2 km (1.2 mile) radius.**
- (f) Prior to a decision being made, the Council shall hold a public hearing in order to solicit the views of the public in regard to the application.**

- (g) **Within the Cypress Hills Fringe Area shown in Figure No. 5, all land use designations for Wind Energy Facilities shall take the form of a Wind Energy Facility (Direct Control) WEF(DC) District with all decisions to be made by Council.**
- i) The development standards for each WEF(DC) District shall be attached as a separate schedule to the Land Use Bylaw.**
 - ii) There will be no appeals on any WEF(DC) decisions within the Fringe area. In making their decision on WEF applications within the Fringe Area, Council shall act in a quasi-judicial manner, hearing evidence from both sides of the issue, and issuing written reasons for their decision.**
 - iii) The requirements of the existing Land Use District will continue in effect for all uses other than Wind Energy Facilities and associated uses. Development approvals shall be undertaken by the normal Development Authority, and on matters of law and jurisdiction, appeals may be heard by the Subdivision and Development Appeal Board.**
 - iv) As part of their submission for the land use amendment application within the fringe, all applicants shall submit an environmental review of the WEF, and a digital terrain model that assesses the visual impact on the natural scenery, landscape character, and cultural landscape of the Cypress Hills Fringe Area and adjacent lands.**
 - v) In making their decision, Council will have due regard to the policies, guidelines and intent of the Cypress Hills Fringe Area Structure Plan.**
 - vi) WEF should not be permitted in those portions of the fringe area that in the opinion of Council are prominent for their scenic character and natural values, but may be considered in less sensitive areas of the fringe area.**
 - vii) WEF must be designed and located to minimize the impact on the environment and be consistent with the objectives of the Cypress Hill Fringe Area Structure Plan.**

Figure 5 Cypress Hills Fringe



4.0 IMPLEMENTATION

4.0 IMPLEMENTATION

4.1 Tri-Area Intermunicipal Development Plan (IDP) Conformity

It is intended that this Plan be in conformity with the policies contained in the Tri-Area Intermunicipal Development Plan (IDP) If a conflict between the two documents is identified, the provisions of the IDP will govern.

4.2 Land Use By-law Conformity

Decisions on development permit applications by the Development Officer, the Municipal Planning Commission, or the Development Appeal Board should comply with the purpose, scope, and intent of the Plan.

4.3 Subdivision Approving Authority

- (a) The authority to recommend and/or approve subdivision applications shall be established in accordance with the Planning Act by separate by-law.
- (b) All decisions of the subdivision approving authority shall be in conformity with provisions of this Municipal Development Plan.

~~APPENDIX B~~
~~RURAL-URBAN FRINGE PLAN~~

~~APPENDIX "A"~~

~~CYPRESS COUNTY
CITY OF MEDICINE HAT - TOWN OF REDCLIFF~~

~~RURAL-URBAN FRINGE PLAN~~