



WHEATLAND COUNTY

Where There's Room to Grow



Nightingale Area Structure Plan



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Part 1: Introduction

1.1. Purpose

An Area Structure Plan (ASP) is a statutory document that provides land use direction for a specified area and must be consistent with the hierarchy of various provincial and municipal planning policy. The purpose of an Area Structure Plan is to provide a framework for long-term land use planning including subsequent subdivision and/or development for a specific area of a municipality. This ASP has been developed to follow these existing policies, which themselves have been subject to public consultation and debate.

The principles and objectives established in each ASP guide future growth by setting out general locations for major land uses, roadways, utility servicing, open spaces, and trail systems. In Alberta, land use planning is administered under the *Municipal Government Act* (MGA) and Section 633 mandates that an ASP must describe the following:

- The sequence of development proposed for the area
- The land uses proposed for the area, either generally or with respect to specific parts of the area
- The density of population proposed for the area either generally or with respect to specific parts of the area, and
- The general location of major transportation routes and public utilities

The Nightingale ASP addresses each of the items required by the *Municipal Government Act*, and reinforces decisions that residents have made when it comes to their community. It is a policy document adopted by County Council that provides general direction for growth over the next 25 years, and with such a long-term forecast, it should be reviewed for accuracy and appropriateness every five years. This ASP does not establish the rate of change that the Plan Area will see over the coming decades, nor does it specify a date when full development ('build-out') will be achieved. The rate of change will be determined by market conditions, including area landowner intentions, and the number of people wishing to live in the Hamlet, which will in turn create demand for homes and services.

The ASP update continues to use the community vision that has been created by residents and facilitated by County Administration. This vision provides the foundation for the planning principles that will be applied as planning and development applications are submitted to the County for consideration. By making incremental decisions that follow the principles in this plan, the goals, objectives and policies of this plan will be implemented, and the Plan Area will continue its course to its ideal future. Using this ASP, the Subdivision Authority will consider all future applications in terms of their conformity to the policy direction outlined here.

1.2. Interpretation and Implementation of the Plan

This ASP contains policies that include the words “shall”, “should” and “may”.

- “Shall” policies are those that are mandatory and must be complied with;
- “Should” policies are those that the County encourages: compliance with the principle is required, but the method and level of compliance is subject to the discretion of the applicable authority;
- “May” policies are discretionary, with the level of required compliance determined by the applicable authority at that point in time.

1.3. Community Vision

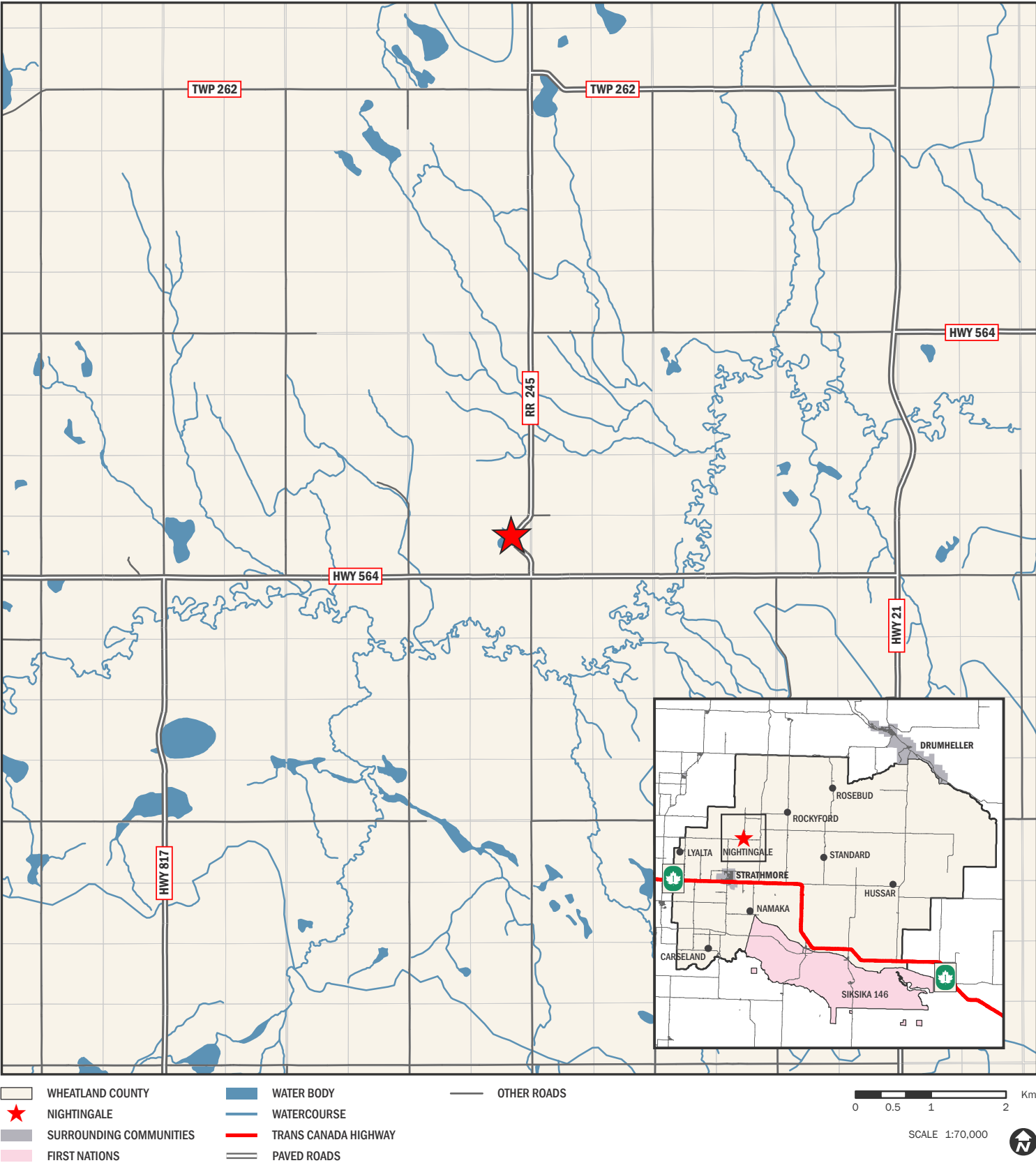
It is commonly believed that in the summer of 1910, settlers at the English Colony northeast of Strathmore were already planning a meeting to choose a permanent place name when they heard that Florence Nightingale (1820-1910) had died. The settlers were all from Great Britain, and they decided to perpetuate her memory by naming their colony, established by Canadian Pacific Railway, after her.

Nightingale is a small, friendly and quiet rural community with access to the amenities of larger urban centres like Strathmore and Calgary. Nightingale is characterized by small and medium rural lots, the feeling of space within a tight-knit community where social gatherings are valued. In the future, Nightingale will maintain its rural character and large lot sizes. It will still be a small, quiet, well-planned community with large residential lots no smaller than 1.0 acre, protected natural spaces and recreational land for all local residents to enjoy.



MAP 1

REGIONAL CONTEXT



Pillar 1: Environmental

Wheatland County has identified environmentally sustainable and responsible development and management as a priority, and this is supported by Nightingale residents. Residents treasure their local environment from a recreational, aesthetic and ecological perspective. Key among these values across the County is the conservation of sensitive areas, wetlands and farmland; the development of trails, parks; and dealing with solid waste and wastewater in environmentally responsible ways.



Trees, birds and wildlife are important to residents and measures will be made to protect them. Also important, is the protection of surface and groundwater, air quality, and from light and noise pollution. Nightingale will protect its environment by discouraging industries that could cause noise pollution and reduce air quality, and encouraging land uses that are compatible with residential land use. Environmentally sensitive areas such as wetlands will be protected as environmental reserve and be used for passive parks.

Pillar 2: Economic

To ensure the economic sustainability of Nightingale and the surrounding area and create an attractive place for economic development, it is important for the County and the community to find a balance between attracting new businesses and maintaining a rural agriculturally based community. The community vision for economic development established in 2010 will continue to be supported.

Due to its proximity to Strathmore, the development of a local economy in Nightingale is not a main priority, but local opportunities such as a local coffee shop or gas station, small home businesses and related small-scale commercial uses will be fostered. Industrial uses and large-scale commercial land uses do not fit the character of Nightingale and should not be encouraged within the Plan Area; those types of development should be planned in a location outside of the existing Plan Area that can be connected to water, sewer and other required infrastructure.

Pillar 3: Social

Community services encompass a broad range of protective and support services provided to the whole community and individuals. These services help make Nightingale a safe place to live, and give residents the opportunity to enjoy a high quality of life. Services to support growth also include 'hard' infrastructure such as roads.

The development of a central depot that provides waste removal, recycling and postal service will be supported within the Hamlet. Community services will be grouped and in a central location that is determined by how and where the community is planned to develop. Services will be located in a central location that is easily accessed by all Hamlet residents.



Pillar 4: Cultural

The cultural pillar of sustainable development supports diversity, respect, inclusion and encourages the development and maintenance of a community's identity. Culture is defined by the collective values, customs and achievements of a community's residents and is a foundation for future development. Planning policies that help develop and sustain a vibrant culture within the Plan Area can enrich the lives of residents and address the challenges associated with development. This will include regulation of land use that takes into account the unique physical (natural and built) characteristics of the Plan Area, and include maintaining its rural nature. Providing spaces for social interaction required for developing a vibrant culture will be considered, such as leisure and recreation opportunities and supporting the development of small businesses.



Part 2: Policy Context and Framework

In Alberta, land use planning is administered under the *Municipal Government Act (MGA)*. Two documents are set by the Province to provide municipalities with a process to follow: the Land Use Policies and the Subdivision & Development Regulation. The Province has approved a new framework for planning land use at a regional level within the province: the Land Use Framework (LUF). Through this new process, regional land use plans have been created, and all municipal plans are required to conform. Wheatland County is located within the South Saskatchewan River Basin, and the South Saskatchewan Regional Plan (SSRP) is the regional plan that directs growth and land use within the County.

A County's Municipal Development Plan (MDP) serves as its principal statutory plan, and is adopted under the provisions of the MGA. Other planning tools that are used by the County to direct growth and land use include the *Land Use Bylaw (LUB)*, Area Structure Plans (ASPs), Area Redevelopment Plans (ARPs) and Area Concept Plans (ACPs). Wheatland County must have a MDP and LUB, while using ASPs, ARPs, and ACPs is not mandatory. The MDP is the overarching policy document approved by the County – and any other statutory or non-statutory plans should have regard for the MDP. *Figure 1: The Planning Hierarchy in Alberta* outlines the system of planning policy in Alberta.

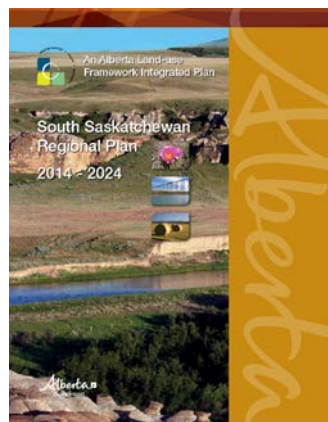
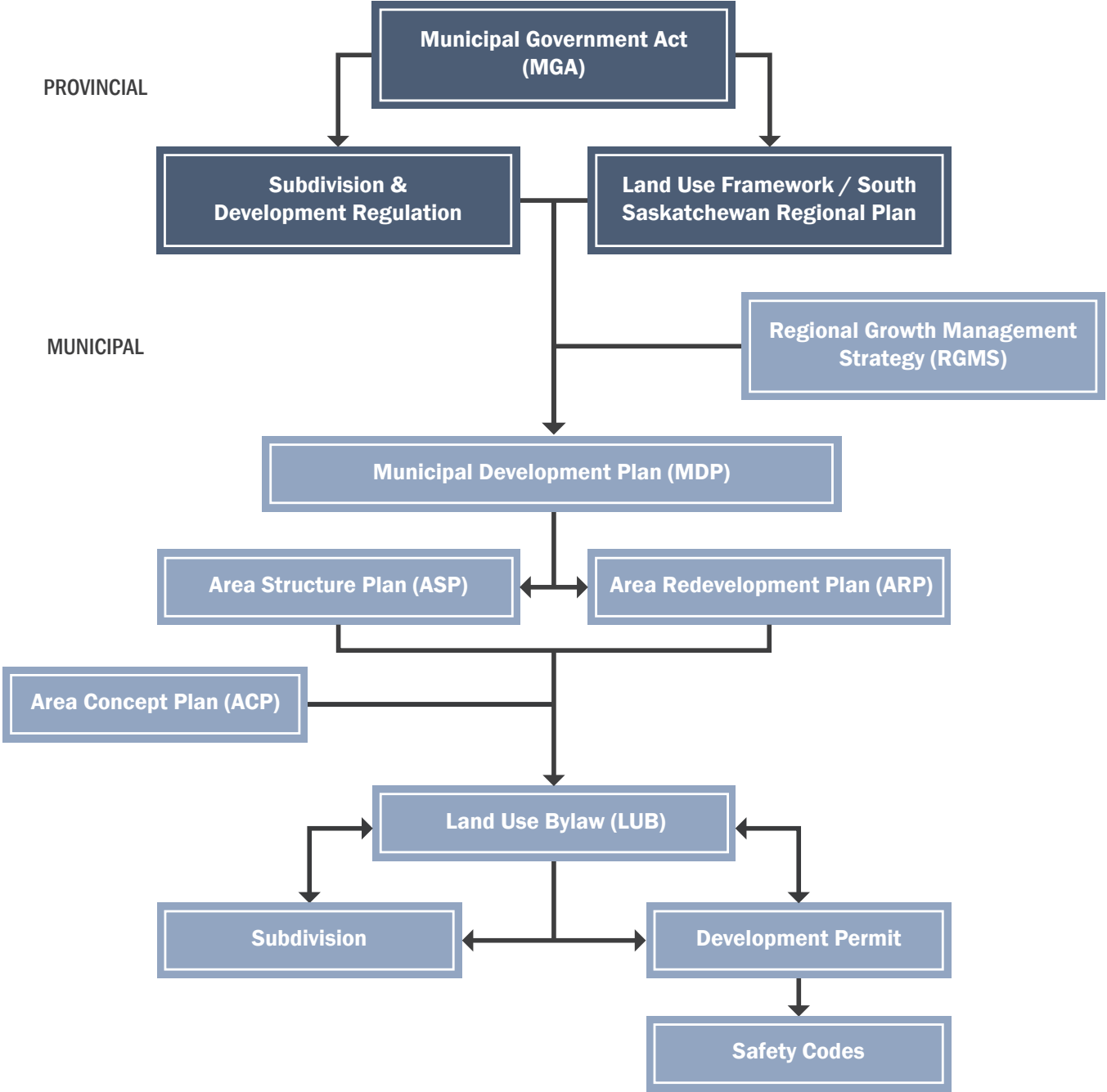


FIGURE 1

THE PLANNING HIERARCHY IN ALBERTA



2.1. Municipal Government Act

The *Municipal Government Act (MGA)* is the provincial legislation that gives municipalities the authority to plan for future development within their boundaries. Section 633(1) of the MGA outlines the role of ASPs in this process:

“...for the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may, by bylaw, adopt an area structure plan.”

An ASP must describe the sequence of development proposed, the land uses proposed for the area, the density of population and the general location of major transportation routes and public utilities. In addition, it may contain any other matters that Council considers necessary. The ASP provides a land use strategy for subsequent redesignation, subdivision and/or development of land in a specific area of the Municipality. As a statutory plan, the County must adopt it by bylaw.

2.2. Alberta Land Use Framework

The Alberta Land-use Framework (ALUF) is a high level policy document to manage growth through sustainable and smart growth policies. This ASP is consistent with the direction provided by the Land Use Framework, and follows the Efficient Use of Land policy which contemplates:

- *Efficient Use of Land*: minimize the amount of land consumed for urban uses and specifically, minimize greenfield development;
- *Using Green Technologies*: using technology in all new development which will reduce the impact of the development on the natural environment and systems;
- *Encouraging Higher Density Residential Redevelopment*: where there is the opportunity for redevelopment to occur, this development should be encouraged to be a higher density than the former use of the land;
- *Supporting Development Where Services Already Exist*: development should be prioritized where there is existing, unused capacity available in water, sewer, road, and other infrastructure services; and
- *Planning Land Uses to Reduce the Frequency and Length of Travel through Mixed-Use Development*: reduce the provision of transportation services by reducing need by encouraging mixed-use development where commercial, residential and industrial land uses are located in close proximity.

2.3. South Saskatchewan Regional Plan

The South Saskatchewan Regional Plan (SSRP) is one of seven regional development plans under the Alberta Land Use Framework. The SSRP, effective September 1, 2014, identifies strategic directions for the region over the next 50 years with a focus on protecting the environment while providing for vibrant communities amid robust growth. The SSRP will be effective until 2024, however it will be assessed and

updated every five years to maintain its relevance and effectiveness while maintaining certain stability and commitment to the regulatory intent. The purposes of the SSRP are to:

- Establish a long-term vision for the region and an ongoing commitment to engage Albertans, including aboriginal peoples, in land-use planning;
- Align provincial policies at the regional level to balance and set the region's economic, environmental and social goals and objectives;
- Describe the strategies, actions, approaches and tools required to achieve the desired outcomes and objectives;
- Use a cumulative effects management approach to balance economic development opportunities with social and environmental considerations;
- Establish monitoring, evaluation and reporting commitments to assess progress; and
- Provide guidance to provincial and local decision-makers regarding land use management for the region.

The Nightingale Area Structure Plan aligns with the following policy objectives set out in the SSRP:

- *Economy*: Sustainable development where economic development takes into account environmental sustainability and social outcomes;
- *Efficient Use of Land*: Minimize the amount of area taken up by the built environment;
- *Biodiversity and Ecosystems*: Conserve and maintain the benefits of biodiversity;
- *Air*: Manage air quality through continued collaboration;
- *Community Development*: Anticipate and accommodate the needs of the community;
- *Outdoor Recreation & Historic Resources*: Provide outdoor recreation and nature-based tourism opportunities and preserve the region's unique cultural and natural heritage;
- *Water*: Manage watersheds to support healthy ecosystems and human needs through shared stewardship.

2.4. Municipal Development Plan

A County's Municipal Development Plan (MDP) serves as its principal statutory plan, and is adopted under the provisions of the Municipal Government Act. Other planning tools that are used by the County to direct growth and land use include the Land Use Bylaw (LUB), Area Structure Plans (ASPs), Area Redevelopment Plans (ARPs) and Area Concept Plans (ACPs). Wheatland County must have a MDP and LUB, while using ASPs, ARPs, and ACPs is not mandatory.

The MDP is an overarching policy document approved by the County, intended to provide a general picture of what the County is to look like in the future and overall directions on how this can be achieved. The MDP is a policy document adopted by Council that provides general direction for growth over the next 25 years and all other plans, including this ASP must conform to it. While this MDP provides County-wide community planning and development policies, it is not a detailed plan.

Adopted in 2013, the Municipal Development Plan (MDP) is a primary level statutory plan and any Area Structure Plan (ASP) developed within the County must adhere to its policies and objectives. The Vision of the MDP states:

Wheatland County seeks a balanced approach to sustainable, well planned development which enhances and protects our agricultural and natural areas and resources over the long-term. We will promote a quality of life that reflects our rural heritage and ensures a County that we can all be proud of. Sustainable levels of services and infrastructure will help our communities to grow for the benefit of all, promoting our community spirit.

Challenges and opportunities for the County in meeting their vision outlined in the MDP include:

- The need to ensure plans, policies, and procedures are in place to manage growth;
- Preservation of agricultural lands;
- Accommodation of growth and development in appropriate areas, while minimizing its impact on the agricultural land base, natural environment and water resources, existing communities, and quality of life;
- Reducing the strains growth puts on existing infrastructure including roads and waste management services; and
- Safe and sustainable water sources for our community and to ensure water and wastewater facilities are able to keep up with growth.

In order to address the aforementioned challenges and plan for a sustainable and dynamic future, the MDP outlines a vision for sustainability focused on four key pillars:

1. Environmental
2. Economic
3. Social
4. Cultural

The four pillars of sustainability are used to encourage and advance sustainability within communities such as Nightingale. This approach to sustainable communities recognizes the complex, interdependencies between economic, environmental, and social systems and that the vibrancy of a community is strongly linked to the vitality of its cultural engagement, expression and celebration.

2.5. Land Use Bylaw

The County's Land Use Bylaw (LUB) governs development within the Plan Area and throughout the County. Its purpose is to regulate the use and development of land within the County. The LUB will be consulted when considering development in the Plan Area. The LUB and this ASP work in conjunction with each other; the first providing the detailed control regulations within the land uses proposed in this ASP. However, the ASP may recommend future land use, which will require a bylaw amendment for a land use redesignation prior to approval of a development.

Part 3: Land Use

This section first describes the existing conditions in Nightingale under which current and future land use designations will be determined within both the Hamlet's Area and surrounding Plan Area, followed by the specific land use policies to direct growth and development. Each new land use (e.g., residential, agricultural, institutional, commercial, and industrial) was considered in terms of its merits and whether it would meet the goals and objectives of the community. Consideration for development should include the following:

- Land Use: uses within the context of adjacent parcels and the surrounding area
- Servicing: transportation networks, potable water, sanitary sewer, stormwater management, and emergency servicing
- Natural Features: topography, geology, soils, hydrology, and environmentally significant areas.
- Human-built: oil and gas operations.

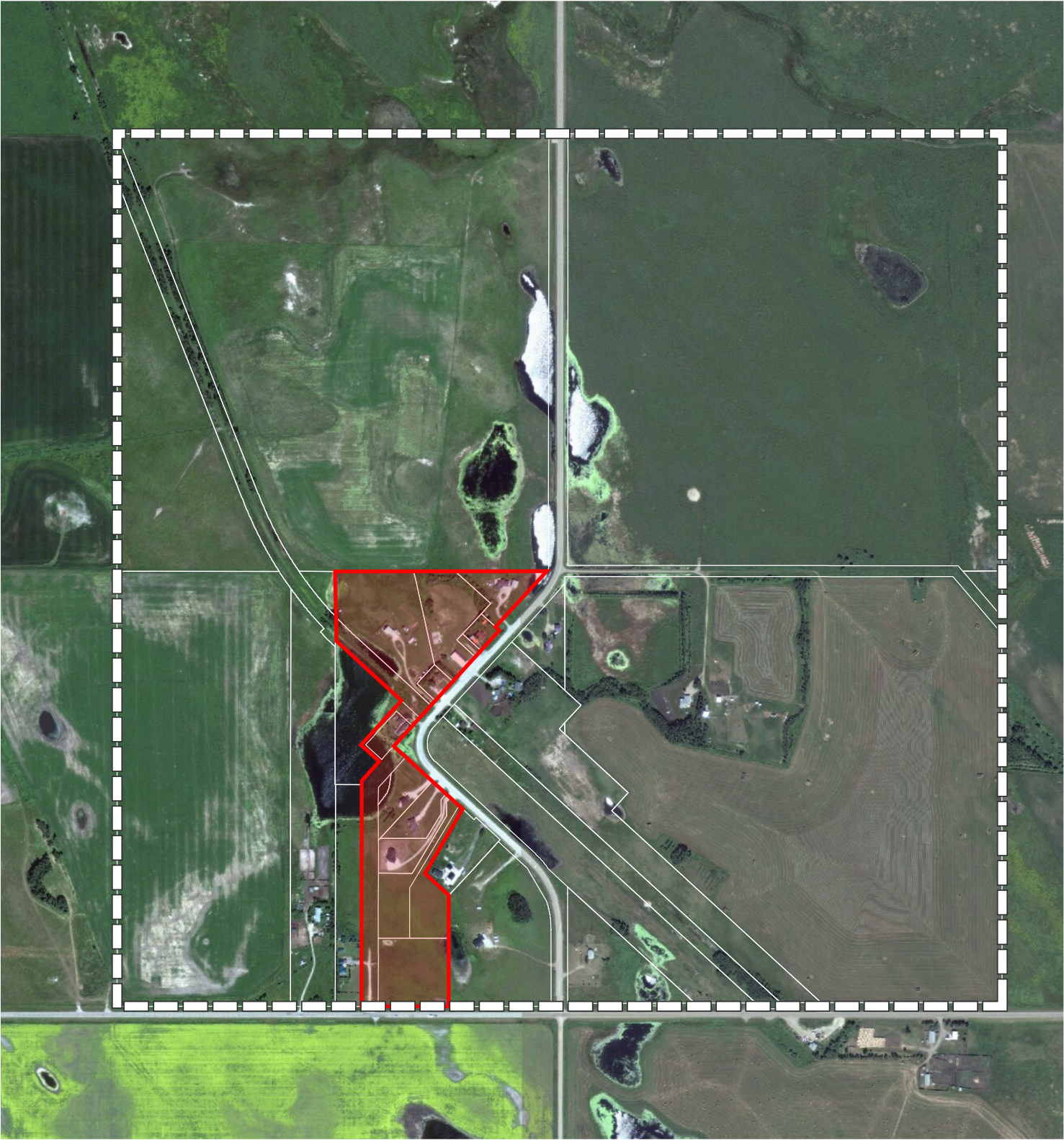
3.1. Plan Area and Hamlet Area



The Plan Area contains approximately +/- 259 ha (640 ac) of land and is separated into two zones, 1) the Hamlet Area and 2) the Plan Area, the area located outside of the Hamlet Area (*see Map 2: Plan Area*). The Hamlet Area contains approximately +/- 15.2 ha (37.71 ac) of the Plan Area, and the majority of uses are residential and agricultural. The purpose of recognizing these two zones is to outline an area where redevelopment of existing parcels, or subdivision of existing parcels into smaller residential parcels would be supported in the Hamlet, within the confines of regulations in the Land Use Bylaw.

- The Hamlet Area includes all land within the existing Hamlet. It includes residential, agricultural, community service, open space and recreation land uses.
- The remaining lands include all land within the Plan Area, but outside of the Hamlet Area and is set aside to facilitate future expansion once the Hamlet Area has reached full build out. It is important that the Hamlet remain within a contiguous planning unit in order to promote efficient transportation and servicing linkages (where required).

MAP 2

PLAN AREA



 HAMLET AREA
 PLAN AREA



3.2. Existing Conditions

Wheatland County is a large rural municipality located approximately 25 km (15.5 mi) east of Calgary with a population of 8,285, according to the 2011 census. Within Wheatland County, the Hamlet of Nightingale is a small community (population of approximately 21 people) located northeast of the Town of Strathmore along Highway 564 (see *Map 1: Regional Context*). It is predominantly made up of rural acreages and small agricultural parcels. In addition to this, the Hamlet is also home to a community hall, a ball diamond, playground and new basketball/volley ball court. Many of the residents are connected with the agricultural industry as their primary employment.

3.2.1. Population and Demographics

Wheatland County's population has been growing slowly but steadily over the past few decades. Based on the 2011 census data, estimates of population growth in the County were developed for the 2011 Regional Growth Management Strategy (RGMS), and are illustrated in *Figure 2*.

Figure 2: Wheatland County Population Growth

Year	2006	2011	2021	2031	2041	2051
Population	8,164	9,728	12,821	16,899	20,599	25,111

As a small and rural county, population records are not collected for its Hamlets; however, Nightingale has been growing slowly over the past few decades. Nightingale is identified in the RGMS as one of the County's growth nodes, which would mean it is likely to see annual growth rates around 1.0 %. Current and projected population growth for Nightingale is shown in *Figure 3* below.

Figure 3: Hamlet of Nightingale Population Growth

Year	2010	2021	2031	2041	2051
Population	21	23	26	27	29

3.2.2. Topography

Much of Wheatland County is generally flat, with some rugged topography in the east entering into the Badlands and Drumheller. The Nightingale ASP Plan Area lies within a typical flat prairie landscape with minimal variation.

3.2.3. Soils

The agricultural capability surrounding Nightingale ranges from having moderately severe limitations to severe/very severe limitations for crops. Sustainable agriculture requires conservation practices, and in some areas is not feasible.

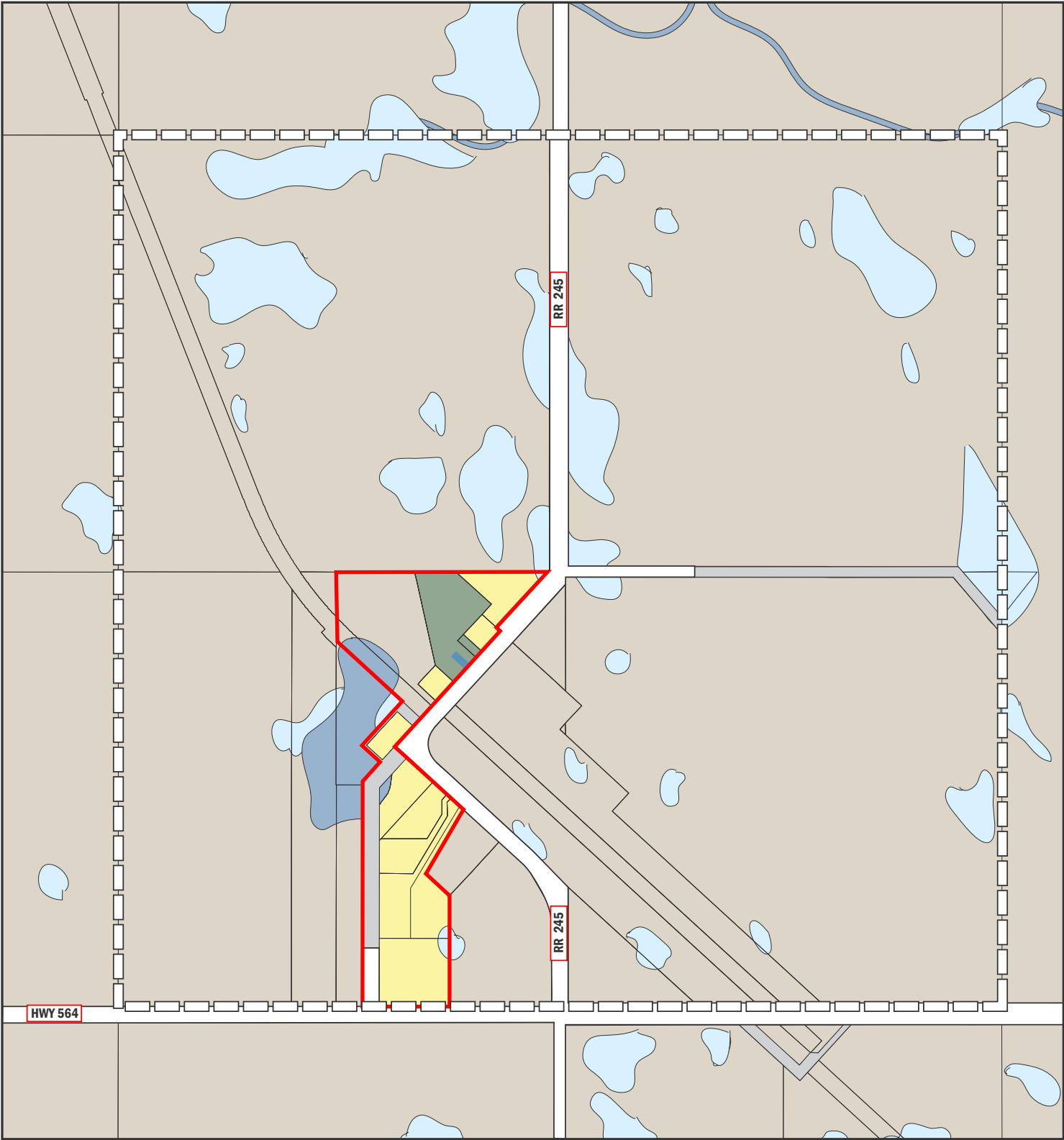
3.2.4. Hydrology

Hydrology plays an important role within the Plan Area as there are a number of wetlands in the form of open water and marsh lands. One wetland was identified by residents through the public engagement process in 2010, however new data since then has confirmed that the Plan Area has considerable wetland elements throughout the Plan Area (see Map 4: Opportunities and Constraints)

3.2.5. Current Land Use Designation

Current land use in Nightingale is predominantly single family residential, with one community services site, which is used for recreational purposes and also contains a community hall. All land bordering the current Hamlet Area is designated/zoned for agricultural use (see *Map 3: Current Land Use*).

CURRENT LAND USE



HAMLET AREA

PLAN AREA

DEVELOPED ROADS

UNDEVELOPED ROADS

WETLAND - OPEN WATER

WETLAND - MARSH

RESIDENTIAL

INSTITUTIONAL

AGRICULTURAL

OPEN SPACE

0 0.125 0.25 0.5 Km

SCALE 1:10,000

3.3. Natural Environment

Wheatland County has identified environmentally sustainable and responsible development and management as a priority, and this is supported by Nightingale residents. Residents treasure their local environment from a recreational, aesthetic and ecological perspective. The natural environment generally includes landscapes that have not been previously altered by human activity. These areas provide many important environmental services to the County, including wildlife habitat, recreation opportunities, clean water, and air.

Objectives

- a) Maintain a high quality of life through the protection and preservation of significant natural features;
- b) Wherever possible, conserve and incorporate environmentally significant features into open space, utility and transportation systems;
- c) Promote environmental sustainability principles (such as clustering) in land use planning decisions and development practices; and
- d) Support initiatives that increase awareness and public involvement in environmental management and conservation.

Policies

- 3.3.1. The County encourages new projects in Nightingale to incorporate environmental sustainability initiatives and trends such as green building, and reusable energy sources (e.g. solar-powered street lights & sign boards).
- 3.3.2. The County encourages protection of existing wetlands and natural features in Nightingale through designation as Environmental Reserve, or environmental easement.
- 3.3.3. Aligning with the South Saskatchewan Regional Plan, the County encourages ensuring that air quality is addressed in all new development.

3.4. Environmentally Significant Areas

Environmentally Significant Areas (ESAs) are defined as “landscape elements or places, vital to the long-term maintenance of biological diversity, soil, water or other natural processes, both on-site and in a regional context.” Most ESAs contain special features and/or themes that relate to the protection and conservation of biodiversity, and can be classified as being of regional, provincial or national significance. While there are no ESAs located in the Plan Area there are a number of ESAs within a 1 km distance of the Plan Area, and it is important to consider the impact adjacent land uses may have on these ESAs. Either a biophysical impact assessment or environmental assessment is recommended prior to development to identify potential impacts to the natural features and possible mitigation measures.

The Nightingale Plan Area is surrounded by sections of land determined to be of provincial and national significance, and contain habitat “highly suitable” and “suitable” for species-at-risk. The burrowing owl, which is an endangered species, has been previously observed in the area (ASRD 2010) and protecting the habitat for this species is in accordance with section 33 of the *Species at Risk Act*. Serviceberry Creek is located to the south and east of the Plan Area, and an unidentified creek is located north of the Hamlet. Although these creeks are not official ESAs, they should be considered in any future land use plans. A biophysical impact assessment or environmental assessment is recommended prior to development to further classify these areas and determine the presence/absence of the burrowing owl and suitable habitat for this and other species-at-risk.

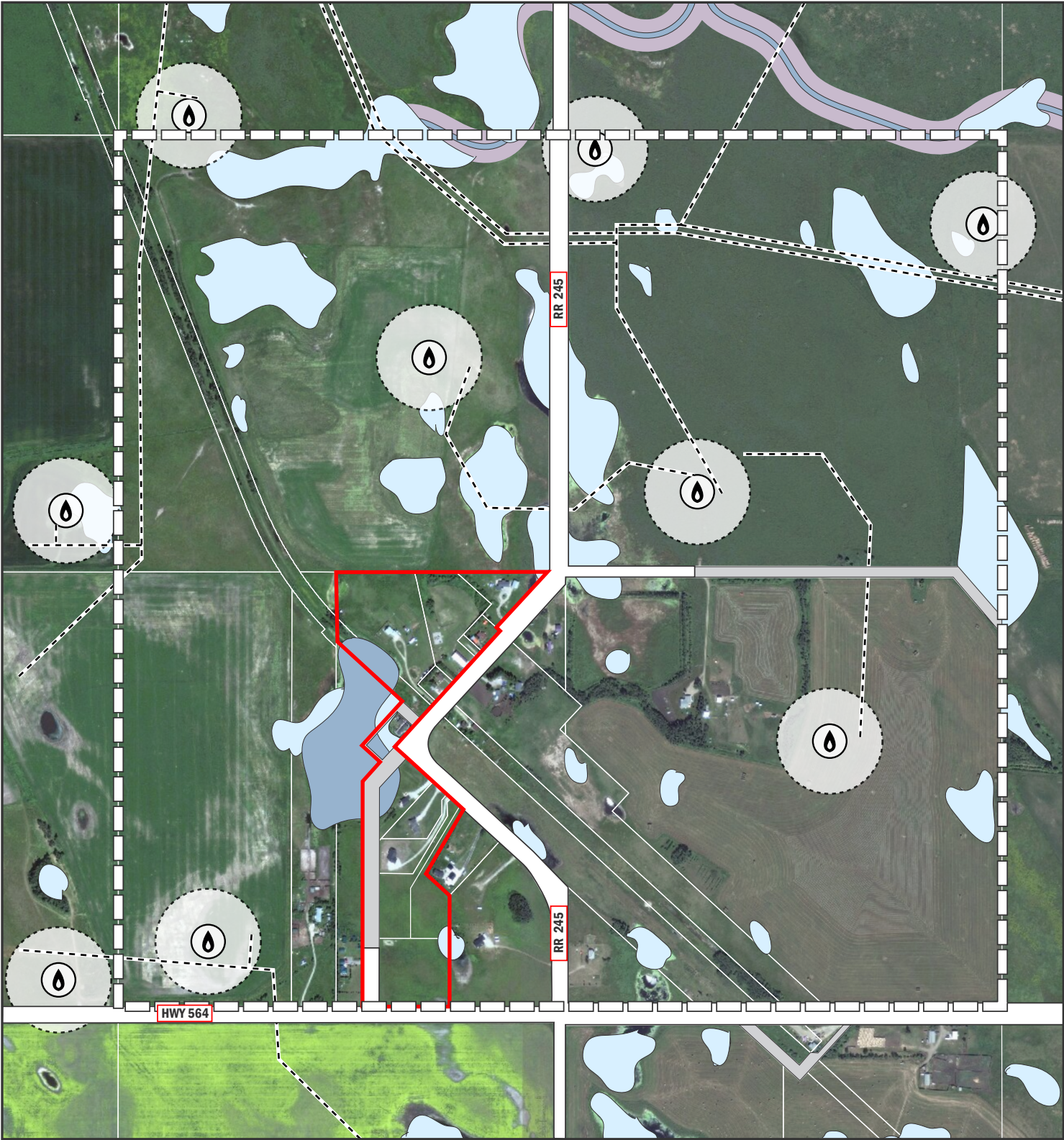
Objectives

- a) To conserve environmentally significant lands.
- b) To promote appropriate responsible development within and adjacent to environmentally significant features.
- c) To guide development in a sustainable manner to protect, preserve and conserve surface and groundwater resources.
- d) To ensure land use activities do not compromise the conservation of the environment.
- e) To encourage vegetation buffers wherever possible.

Policies

- 3.4.1. The riparian setback area from a protected watercourse shall be determined using the Province’s “Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta’s Settled Region” and the Provincial Wetland Policy (2015) and any pertinent County policy. The riparian setback area shall be protected by designation as environmental reserve, environmental reserve easement, municipal reserve or by other means satisfactory to the County.
- 3.4.2. The Plan Area is surrounded by nationally significant ESA’s. All proposals that meet the below criteria shall be required to perform a biophysical impact assessment or environmental assessment in support of an application:
 - Subdivision applications for residential development that contains more than two (2) lots.
 - All redesignation applications for Commercial, Institutional & Industrial development.

OPPORTUNITIES AND CONSTRAINTS



- | | | |
|----------------------|----------------------------------|-------------------|
| HAMLET AREA | WATERCOURSE / 30m BUFFER | DEVELOPED ROADS |
| PLAN AREA | PIPELINE | UNDEVELOPED ROADS |
| WETLAND - OPEN WATER | WELLS / 100m DEVELOPMENT SETBACK | |
| WETLAND - MARSH | | |

0 0.125 0.25 0.5 Km
SCALE 1:10,000

3.5. General Principals and Policies for Development

It is not the intention of the Plan to promote the premature conversion of agricultural land to non-agricultural uses. In line with the County's MDP, future development will be concentrated within the Hamlet Area and will utilize a clustered development approach.

The continuation of agricultural uses is encouraged throughout the Plan Area (see *Map 2: Plan Area*); however, this area is suitable for long-term residential, and commercial/industrial use, once land within the Hamlet Area has reached full build-out. In determining growth of the Hamlet Area, it is important that the Hamlet remain within a contiguous planning unit to promote efficient transportation and servicing linkages. The main principles for future development within the Plan Area are as follows:

General Development Objectives

- a) Provide a high quality of design and development for all components of the Plan Area.
- b) Address standards of servicing that, in the long-term, are environmentally sustainable.
- c) Minimize the fragmentation of agricultural land outside of the Hamlet Area
- d) Provide, where appropriate, recreational uses within the Plan Area.
- e) Encourage recreational development that is compatible with the surrounding development and takes advantage of natural physical features and large areas of land.
- f) Ensure the provision of Municipal Reserves through dedication of land versus cash-in-lieu of land.
- g) Ensure that Environmental Reserve dedication is provided on lands that qualify in accordance with County policy and the Municipal Government Act.
- h) Address future development in a logical and efficient manner.

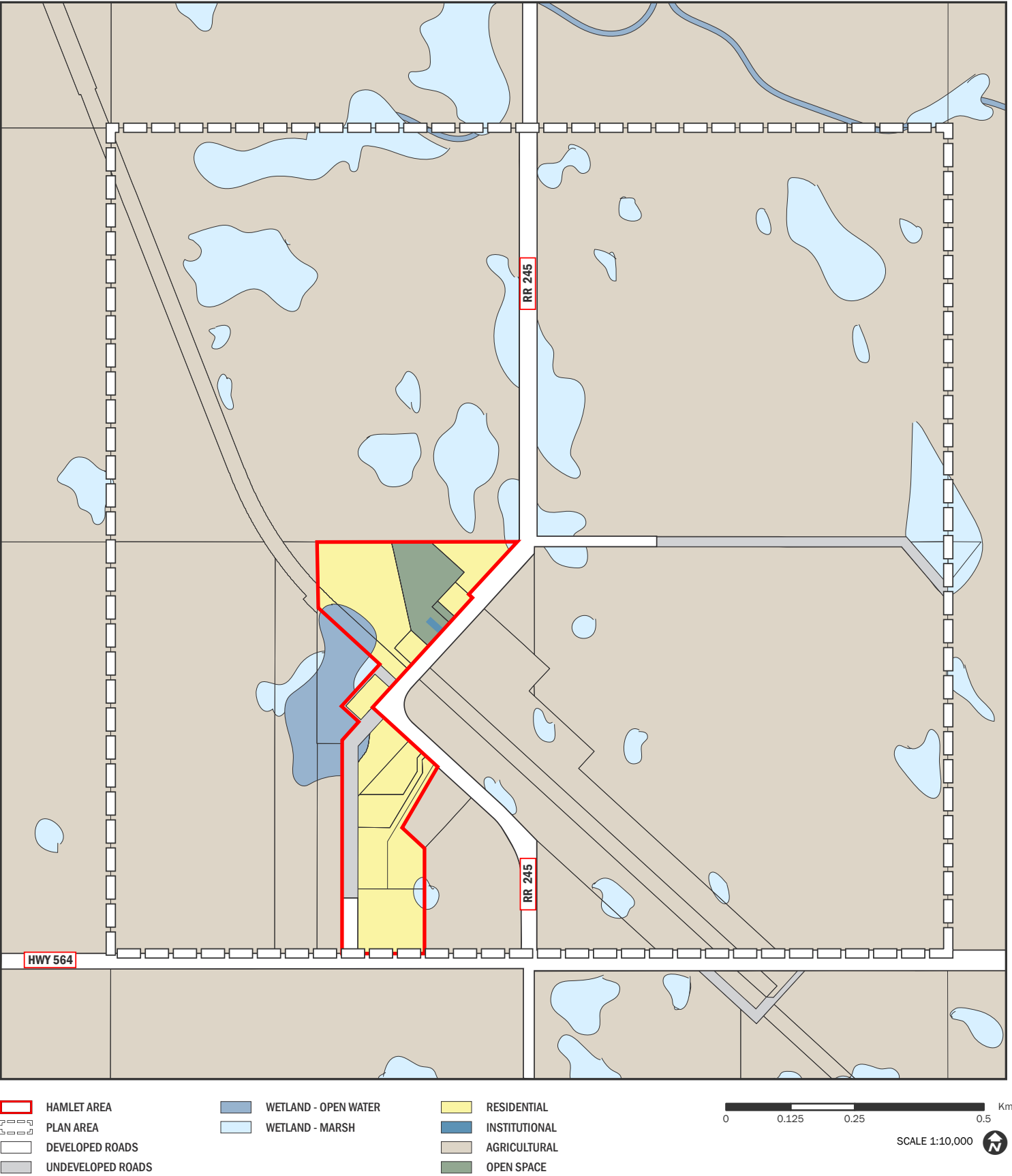
General Development Policies

The land use policies contained within the Plan are to be applied within the Plan Area identified on *Map 5: Future Land Use*, and prioritize development within the Hamlet Area. All proposals for redesignation, subdivision and/or development shall conform to this Area Structure Plan, and shall meet all municipal regulations and standards for development.

- 3.5.1. Development within the ASP should promote a balanced range of uses to provide services and amenities to the surrounding residential and agricultural community.
- 3.5.2. Development within the Plan Area should be sensitive to adjacent land uses, while recognizing the direction/type of future growth. Development should occur in a manner that provides an appropriate transition between land uses.
- 3.5.3. Panhandle shaped lots shall be discouraged throughout the Plan Area.
- 3.5.4. Where applications for redesignation, subdivision and/or development propose a use not contemplated by this ASP, or in the opinion of County Council, is not in conformity with this ASP, Council may:
 1. Request the proponent initiate an amendment to this ASP that would accommodate the proposal;
 2. Request that the proposal be amended to bring it into conformity with this ASP; or,
 3. Refuse the proposal
- 3.5.5. Where an amendment to this Plan is proposed, it shall be in accordance with Section 5.1 Implementation of the Plan.
- 3.5.6. Residential and commercial infill development on vacant parcels or redevelopment of under-utilized lots is encouraged to maximize the use of existing roads, utilities, parks and other community services.
- 3.5.7. All new development shall enhance or complement existing streetscapes by providing appropriate landscaping, site and building design and adhere to the rules and regulations set out in the Land Use Bylaw.
- 3.5.8. All future development shall provide adequate on-site parking that is accessible and convenient to users and designed in accordance with the provisions of the Land Use Bylaw. All parking shall be designed in a manner that complements the proposed development, provides clear and easy access to the local road system, and discourages “overspill parking” into adjacent areas and streets.
- 3.5.9. All future development shall provide appropriate site lighting in accordance with the provisions of the *Land Use Bylaw’s* Dark Sky considerations.
- 3.5.10. Signage will be in accordance with the Land Use Bylaw and should be sensitive to the character of the community.
- 3.5.11. Future development shall be designed with best practices to provide access for emergency vehicles (i.e. fire, ambulance and police).

MAP 5

FUTURE LAND USE



3.6. Residential Land Use

New residential development will be encouraged and facilitated through this ASP. Accordingly, all residential development in the Plan Area must conform to the planning policies contained in the ASP and the Land Use Bylaw and are encouraged to locate in areas indicated on *Map 4: Future Land Use*.

Objectives

- a) Provide for primarily small to medium sized country residential parcels to maintain the rural character of Nightingale;
- b) Provide for a mix of housing types to meet the needs of different lifestyles, ages, income levels and market demands.
- c) Discourage new residential development from occurring in environmentally sensitive areas.
- d) Regulate and control negative impacts of new residential development and subdivision in the Plan Area, by encouraging compatibility with the natural environment.
- e) Encourage the proper scale and density of residential development that the land is capable of supporting.

Policies

- 3.6.1. Residential land uses are considered appropriate within areas identified as 'residential' on *Map 5: Future Land Use*.
- 3.6.2. An Area Concept Plan shall be submitted in support of any application for subdivision that contains more than two (2) lots.
- 3.6.3. A variety of housing types shall be supported by the County, including single and semi-detached dwellings, as well as secondary suites in accordance with the provisions of the Land Use Bylaw.
- 3.6.4. Residential infill should enhance and complement the existing streetscape by providing landscaping, site and building design appropriate to adjacent residential development.

3.7. Commercial Land Use

While there currently is no land designated for commercial purposes within the Plan Area, all future development/re-designation in the Plan Area must conform to the policies set out in this ASP and the LUB. Home-based businesses and other small businesses that provide residents with some convenient local retail or service options will be encouraged in the community, however such applications will require an amendment to the ASP.

Objectives

- a) Provide for the development of commercial uses that provide services and amenities for area residents.
- b) Provide guidelines for maintaining separation between land uses.

Policies

- 3.7.1. Small scale commercial land uses are considered appropriate within the Plan Area; however, *Map 5: Future Land Use* will require amendment if an application were to be made.
- 3.7.2. All new and/or proposed commercial development should be compatible in form and scale to existing residential/nonresidential development and adjacent land uses which meet the criteria established in the Land Use Bylaw.

3.8. Industrial Land Use

Based on the Community Vision (see Section 1.3), industrial land use is not encouraged within the Plan Area. However, this ASP recognizes that some light industrial uses related to the agriculture industry, such as a warehouse or staging facility, may be warranted and/or supported in Nightingale within the 25 year timeframe of this plan. All future industrial development within the Plan Area must conform to the planning principles set out in this ASP and the LUB, and are encouraged to locate outside of the Hamlet Area.

Objectives

- a) Accommodate light industrial land use in appropriate locations.
- b) Accommodate agriculture related industrial uses.
- c) Provide guidelines for maintaining separation between land uses.

Policies

- 3.8.1. Some types of light industrial development are considered appropriate within the Plan Area; however, *Map 5: Future Land Use* will require amendment if an application is to be made.
- 3.8.2. All new industrial development should be compatible in form and scale to existing residential development.
- 3.8.3. All industrial development shall be light industrial in nature, appropriately separated, screened and buffered from adjacent non-industrial land uses, and meet the criteria established in the Land Use Bylaw.

3.9. Institutional Land Use

Current and future institutional land uses within the Plan Area can include public (civic buildings and public works facilities) and non-public (churches, social organizations, clubs and private schools) buildings. All institutional developments within the Plan Area must conform to the policies set out in this ASP and the LUB.

Objective

- a) Support the development of institutional uses that will provide services to area residents.

Policy

- 3.9.1. Institutional uses are considered an appropriate land use within areas identified as Institutional on the *Map 5: Future Land Use*.

3.10. Agricultural Land Use

Agriculture is the economic backbone of Wheatland County and agriculture remains the single largest land use within the County. While soil conditions create moderate to severe limitations on agricultural crop production of the land within and surrounding the Plan Area, the County encourages the development of agri-related businesses.

Objectives

- a) Protect the premature conversion of agriculture lands and ensure they remain a strong basis of the community.
- b) Avoid conflicts between agricultural and other land uses.

Policies

- 3.10.1. Support agricultural land uses within the Hamlet Area as an interim use.
- 3.10.2. Support agricultural land use within the Plan Area but outside the Hamlet Area.

3.11. Open Space/Recreation Land Use

Open spaces and recreation facilities foster and encourage interaction among residents and visitors to the area, as well provide venues for individual development. There are many benefits of open space for recreation in a community, including contributions to resident health, wellness, and quality of life. The Hamlet is currently well serviced with opportunities for open space and recreational land use. Amenities are centrally located in areas designated as Open Space (see Map 3: Current Land Use) and provide social gathering spaces for residents.

Objectives

- a) Protect natural and unique features.
- b) Support recreation opportunities for local residents.
- c) Support access to green space, open space and nature.
- d) Support visually interesting and socially vibrant amenities accessible to all residents.

Policies

3.11.1. Any future recreation facilities shall be:

- Strategically located, providing easy accessibility within the Hamlet boundaries;
- Allow for integration of indoor and outdoor recreation opportunities;
- Be easily accessible to all areas of the community by pedestrian and vehicular traffic; and
- Compatible with the local neighbourhood design.

3.11.2. Parks, trails and green spaces should be designed to engage all age groups and community interactions and are considered an appropriate land use

3.11.3. Paths and trails should be constructed in conjunction with new development (i.e. constructed by the Developer at their cost) to link residential areas to community recreation sites. Pathway construction may be gravel or crushed limestone (pavement is not recommended) and will be of a width to accommodate multiple users.

3.12. Municipal Reserve

Future Municipal Reserve (MR) dedication should be directed to the development of open spaces, recreation facilities, and pathways/linkages between these facilities. Where possible future MR should be taken as land or a combination of land and cash-in-lieu of land as opposed to only cash-in-lieu of land.

Objectives

- a) To ensure the dedication of public land consisting largely of Municipal Reserve land that has been dedicated to the County upon development approval.
- b) Municipal Reserve should be integrated into the overall open space.

Policies

- 3.12.1. Municipal reserve shall be taken in accordance with the provisions of the Municipal Government Act and shall not comprise less than 10% of net developable land or cash- in-lieu. Within the Plan Area, MR may be used to create additional protection along natural features where appropriate.
- 3.12.2. The dedication of municipal reserve, either by dedication of land or cash-in-lieu of land, deferred reserve caveat, or combination thereof shall be determined by the County in accordance with the policies in this Plan, the Municipal Development Plan and the Municipal Government Act Lands dedicated for Municipal Reserve should be of similar quality as lands being utilized for development.

3.13. Environmental Reserve

This ASP aims to ensure that areas that should be protected as Environmental Reserve (ER) are identified and dedicated at the discretion of the County. Environmental Reserve shall be dedicated so it provides comprehensive protection of natural features as set out in the Municipal Government Act and the Municipal Development Plan.

Objectives

- a) To protect environmental areas or unstable land through the dedication of environmental reserve (ER) or environmental reserve easements (ERE).

Policies

- 3.13.1. Land that qualifies as Environmental Reserve under the MGA shall be identified at the Area Concept Plan and/or subdivision stage (by the Developer) and dedicated at the discretion of the County.
- 3.13.2. The dedication of Environmental Reserve and/or Environmental Reserve Easement in the Plan Area shall be considered by the County at the time of subdivision approval. The County shall take Environmental Reserve as opposed to Environmental Reserve Easement on lands within the Plan Area boundaries.
- 3.13.3. Environmental Reserve and/or Environmental Reserve Easement shall be designated in accordance with the MGA.

Part 4: Infrastructure

4.1. Transportation

Transportation corridors and networks are important when looking at development within the Plan Area and Wheatland County as a whole. These networks are the arteries that allow for safe and efficient movement of people and goods, and are an important consideration that impact a residents' quality of life. The roadway transportation network surrounding Nightingale consists of Provincial Highway 564 running along the southern boundary of the Plan Area and Range Road 245 which runs through the center of the Hamlet and Plan Area. It is important to ensure that future land uses within the Plan Area do not impair the function, safety and integrity of Highway 564 and Range Road 245

Objectives

- a) Provide for the safe and efficient movement of people and goods within Wheatland County and throughout the Plan Area.
- b) Enhance the mobility of residents by encouraging an integrated network of roads and pathways.

Policies

- 4.1.1. All new roads will be constructed to a paved standard as outlined in the County's design standards.
- 4.1.2. Range Road 245 should serve as the main collector road through the Hamlet of Nightingale.
- 4.1.3. In accordance with provincial regulations, there shall be no new direct access considered onto Highway 564 for lands located within the Hamlet boundaries.
- 4.1.4. The County shall integrate pedestrian and bicycle pathways into street right of ways and utility corridors where possible.
- 4.1.5. In accordance with County policies/standards, developers shall be responsible for 100% of the cost any new roads or upgrades to existing roads required to service an area within the Plan Area proposed for subdivision and/or development.
- 4.1.6. A Transportation Impact Assessment (TIA) may be required for any proposed development (containing more than two (2) lots) by the Developer (at their cost).

4.2. Stormwater

Within the Plan Area, stormwater is retained on the surface in ditches. Any proposed development of more than two lots within the Plan Area shall require supporting studies to address potential drainage issues. The County will ensure it is able to recover costs for any stormwater management infrastructure through securities.

Objectives

- a) Ensure efficient and orderly stormwater management within the Plan Area.
- b) Ensure future development manages stormwater appropriately, and that post development flows do not exceed pre-development flows.
- c) Use “best management practices”; methods that seek to retain as much of the natural runoff characteristics of the stormwater system as possible. These methods can include, but are not limited to, such practices as grassed swales, wet ponds, dry ponds or filter strips.

Policies

- 4.2.1. For any proposed multi-lot development of more than 2 lots, or redesignation applications for commercial, institutional or industrial development, Council may require a Storm Water Management Plan to be prepared by a qualified professional.
- 4.2.2. Stormwater management infrastructure, necessary to implement any recommendations of the Stormwater Management Plan shall be:
 - Constructed to the satisfaction of the County
 - Constructed by the Developer (at their cost), and ultimately owned by the County; and
 - Located on County owned Public Utility Lots (PUL)
- 4.2.3. Applications for subdivision and/or development within the Plan Area shall address stormwater runoff on a site-specific basis, utilizing, where appropriate, existing stormwater infrastructure.

4.3. Sanitary

Nightingale currently treats wastewater through individual septic systems located on each owner’s property. As the Plan Area develops there may be a need to move toward a communal collection and treatment system. This is important to consider for future growth and expansion of wastewater services in the Hamlet.

Objectives

- a) Ensure efficient and orderly provision of sanitary services and utilities to Hamlet residents and future businesses.
- b) Ensure sanitary utility infrastructure and capacity is available, when required, to accommodate growth.
- c) Ensure sanitary utilities are maintained in an efficient manner that minimizes their impact on the environment and protects the health and safety of residents.

Policies

- 4.3.1. Should a wastewater treatment facility be built and become regulated by Alberta Environment and Parks, all development shall adhere to the required setbacks.
- 4.3.2. A Deferred Servicing Agreement shall be registered against each new certificate of title (lot) created within the Plan Area, requiring the Owner to tie into municipal services when they become available.
- 4.3.3. Development applications for redesignation, subdivision or development in proximity to a future wastewater treatment facility shall be circulated to Alberta Environment and Water for comment and review in accordance with the “Standards and Guidelines for Municipal Waterworks, Wastewater and Storm Drainage Systems”.
- 4.3.4. In accordance with County policies/standards, Developers shall be responsible for 100% of the cost of any new wastewater/sewage upgrades required to service an area proposed for subdivision and/or development within the Plan Area.

4.4. Water

As an important part of the natural environment, the County’s water is not only a resource, but it plays an integral role in quality of life that residents enjoy. As part of the Province’s commitment to manage Alberta’s water resources, groundwater and surface water quality must be preserved while pursuing economic and community development. Alberta’s Water for Life Strategy guides the management of water in the province to ensure the availability of safe, secure drinking water supplies. All County residents share the responsibility to ensure a healthy, secure and sustainable water supply for our communities, environment, and economy. Within the Plan Area each resident typically has their own individual well which discharges into a personal holding tank for on-demand use.

Objectives

- a) Manage development to protect the County’s surface and groundwater quality and quantity.
- b) Encourage the conservation and best use of the County’s surface and ground water.

Policies

- 4.4.1. The County encourages protection of existing wetlands and natural features in Nightingale through designation as Environmental Reserve, or environmental easement.
- 4.4.2. To guide development in a sustainable manner to protect and preserve surface and groundwater resources.
- 4.4.3. To guide development in a sustainable manner to protect, preserve and surface and groundwater resources.
- 4.4.4. Piped water servicing may be available in the future within Nightingale, but until that time, all new development shall be required to enter into a Deferred Servicing Agreement.
- 4.4.5. A Deferred Servicing Agreement shall be registered against each new certificate of title (lot) created within the Plan Area, requiring the owner to tie into municipal services when they become available.
- 4.4.6. In accordance with County policies/standards, developers shall be responsible for 100% of the cost for engineering, construction and initial maintenance of any new service extensions or upgrades required to service an area within the Plan Area proposed for subdivision and/or development.

4.5. Solid Waste Management

Solid waste management is the responsibility of individual landowners via the transfer station located near the Town of Strathmore.

Objective

- a) Maintain current solid waste management practices.

Policy

- 4.5.1 Solid waste disposal for each lot shall be the responsibility of individual landowners.

4.6. Utilities

Shallow utilities provide services to the Plan Area via private distribution systems. 'Shallow Utilities' refers to the accommodation and provision of distribution systems for electric power, natural gas, telephone and cable within the Plan Area.

Objectives

- a) Ensure efficient and orderly provision of services and utilities to Hamlet residents and businesses.
- b) Ensure the utility infrastructure and capacity is available, when required, to accommodate growth.

- c) Ensure utilities are maintained in an efficient manner that minimizes their impact on the environment and protects the health and safety of residents and visitors.

Policies

- 4.6.1. Shallow Utilities shall be provided by the appropriate utility company providing services to the Plan Area and shall be extended at the sole cost of the Developer when subdivision/development occurs. The County may impose conditions at time of subdivision or development approval to ensure that the required rights-of-way and/or easements to accommodate shallow utilities are provided.
- 4.6.2. The County shall facilitate the provision of utility services as development of land occurs, and in advance of anticipated development. Utility services shall be extended in a logical and economically practical manner, and in a manner having regard to the available capacity in the overall system or portions of the system.
- 4.6.3. When considering applications for subdivision approval and or development proposals, the County shall consider the provision of public and private utilities, and may impose conditions of subdivision and/or development approval to ensure that any required rights-of-way and/or easements are provided concurrent with the endorsement of a Final Plan of Subdivision or issuance of a Development Permit and that any costs or responsibility for the extension of these services are the sole responsibility of the proponents of the proposal.
- 4.6.4. In accordance with County policies/standards, developers shall be responsible for 100% of the cost of engineering, construction and initial maintenance of all utility service extensions and upgrades required to service an area within the Plan Area proposed for subdivision and/or development.

4.7. Community Services

Emergency services are another component that is extremely important to a growing community and community protective and emergency services are provided to the Plan Area. At the time of adoption of this Plan, services are provided by:

- **Police Services:** Police service in the Plan Area is provided by the Town of Strathmore RCMP detachment.
- **Fire Services:** Fire response for the Plan Area is provided by the Wheatland County Fire Department.
- **Ambulatory Services:** Ambulatory services in the Plan Area are provided by WADEMSA (Wheatland and Adjacent Districts Emergency Medical Services Association) and accessed from the Town of Strathmore EMS.

Objective

- a) To maintain adequate levels of service in the Plan Area, all new development must consider requirements for Police, Fire and Ambulatory Services.

Policy

- 4.7.1. The County shall continue to ensure that sufficient levels of fire and police services are provided to area residents and should be addressed during the evaluation of future subdivision and/or development applications.

4.8. Oil and Gas

The oil and gas industry is a key economic sector of Alberta, and the wells and pipelines in Wheatland County are a testament to this. While oil and gas development can often limit the development potential of surrounding land, it can also be directly impacted by other types of development. For mainly health and safety reasons, the Alberta Energy Regulator (AER) sets standards and policies that must be adhered to when a parcel of land is developed.

Although there are no wells or pipelines within the current Hamlet Area, there are six (6) natural gas wells with related pipelines within the Plan Area gas (see Map 4: *Opportunities and Constraints*). As regulated by the AER, active wells have a development setback of 100 meters (approximately 328 feet), and development around pipelines is permitted up to the right-of-way. All wells in the vicinity are 'sweet' gas, which is generally less harmful in the event of an emergency than sour gas. In accordance with provincial policy, (section 10 of the *Subdivision and Development Regulation*), all development and subdivision applications that meet the AER referral criteria must be submitted to the AER. Pipeline/well carriers are also required to be notified of any development applications within the vicinity of their infrastructure to review and ensure that setbacks are met prior to development.

Objectives

- a) Ensure appropriate and safe land development in relationship to petroleum facilities and wells.
- b) Allow for the continued safe operation of petroleum facilities and wells.

Policies

- 4.8.1. Applicants proposing to develop land in the vicinity of petroleum facilities and wells shall adhere to the setback requirements and policies of this Plan and the Directives and Bulletins of the Alberta Energy Regulator.
- 4.8.2. All setbacks from a pipeline shall be in accordance with Provincial regulations.

Part 5: Implementation

5.1. Implementation of the Plan

The Nightingale Area Structure Plan (approved as a bylaw of Wheatland County) meets the requirements of Section 633 of the *Municipal Government Act* by addressing:

- The sequence of development proposed for the area;
- The land uses proposed for the area, either generally or with respect to specific parts of the area;
- The density of population proposed for the area either generally or with respect to specific parts of the area; and,
- The general location of major transportation routes and public utilities.

Other Statutory Documents:

There are many other documents and policies that have been approved by Wheatland County, and in some cases the Government of Alberta, that apply to development in the Plan Area. While this Plan has been developed to be consistent with these, it does not supersede provincial policies, legislation or regulations, and not higher-order Municipal legislation and policy such as the Municipal Development Plan and *Land Use Bylaw*.

5.2. Planning and Development Processes

As a statutory plan approved by Council, this ASP establishes long term growth management policies for the Plan Area. However, changes in the economy, social fabric, and environmental conditions may alter the sequence or relevance of the policies set forth in this ASP. It is prudent to review this document every five (5) years or as deemed necessary by Council, to ensure it meets current development conditions

Objectives

- a) Implement the ASP through land use redesignation, subdivision and development applications, and ensure consistency between those and the ASP.
- b) Provide guidance on interpreting and applying the ASP policies.
- c) Provide for periodic review and amendment of ASP.

Policies

- 5.2.1. County Council exercises its authority prescribed by the Municipal Government Act, and Council has the responsibility of adopting the ASP and future amendments to it. Council has the authority to approve the subsequent plans, policies, programs and activities to implement the ASP and to approve the budgets associated with these implementation activities.
- 5.2.2. All development and subdivision applications shall follow the application process as outlined in the *Land Use Bylaw*, and County policy as appropriate.
- 5.2.3. When considering land use redesignation, subdivision and development applications within the Plan Area, the County shall ensure their compliance to the ASP.
- 5.2.4. The County or a landowner may initiate an amendment to this ASP. The County shall assemble or require the submission of such background information as is considered necessary to support the amendment prior to the start of the amendment process. Amendment of the ASP shall follow the appropriate procedures as outlined in the Municipal Government Act.

Part 6: Appendix

6.1. Definitions

Area Concept Plan (ACP) is a non-statutory plan, adopted by Council resolution which relates to a proposed future development.

Area Structure Plan (ASP) is a statutory plan, adopted by Bylaw which provides a long-term land use strategy for subsequent redesignation, subdivision and development of a defined area of land (as per the Act).

Biophysical Assessment means an assessment of the biological and physical elements of an ecosystem, including geology, topography, hydrology and soils.

Council means the elected Council of Wheatland County

County means Wheatland County.

Development Authority means the development authority provided by Council, the Development Officer(s), Planners and the Municipal Planning Commission Department from time to time pursuant to the Act to exercise development powers and duties on behalf of the County. See Development Authority Section for more information.

Development Proposal means a proposed redesignation and / or subdivision of land within the Plan Area to accommodate residential, commercial, business industrial, recreational, institutional or public utility uses.

Environmental Assessment refers to an area-specific study that may include, but is not limited to:

- The identification and analysis of natural factors for the study area;
- An evaluation of the potential impact that a subdivision or development proposal may have on the factors identified; and
- An implementation program comprising measures for impact avoidance and/or mitigation.

Environmental Reserve (ER) is determined in accordance with the Act. Land that is undevelopable because of its natural features or location, such as unstable slopes or flood-prone characteristics. It may contain environmentally sensitive aspects such as a gully, ravine or coulee; or a strip of land abutting the bed and shore of a body of water or watercourse that a developer may be required to dedicate at the time of subdivision. Environmental Reserve must be maintained in its natural state or used as a park.

Environmental Reserve Easement (ESA) is a caveat registered with Land Titles in favour of the municipality for lands that would be normally taken as environmental reserve in accordance with Section 664 of the Municipal Government Act.

Environmentally Significant Area (ESA) are generally defined as areas that are important to the long-term maintenance of biological diversity, physical landscape features and/ or other natural processes, both locally and within a larger spatial context

Hamlet Area means all the land within the Hamlet core as outlined in the noted limits of Map 2 ‘Plan Area’. It includes residential, institutional, commercial, industrial and community service areas.

Infill Development means development in mature or built-up areas of the Hamlet occurring on vacant or underutilized lands, behind or between existing development, and which is comparable with characteristics of surrounding development.

Infrastructure means public and private utility facilities and systems in the ASP that may include, but are not limited to, the transportation network, water and sewer systems, stormwater and solid waste management facilities.

Land Use Amendment means a change in zoning / land use / designation.

Land Use Bylaw (LUB) means a Bylaw of Wheatland County, adopted by Council as a Land Use Bylaw, pursuant to the provisions of the Municipal Government Act which is intended to control, and/or regulate the use and development of land and buildings within the County.

Land Use District means one or more divisions of the Wheatland County’s Land Use Bylaw establishing permitted and discretionary uses of land or buildings with applicable rules and regulations.

Municipal Development Plan (MDP) means the statutory plan adopted by Council as a Municipal Development Plan and any amendments thereto.

Municipal Government Act (MGA) is the legislative framework in which all municipalities and municipal entities across the Province of Alberta operate.

Municipal Planning Commission (MPC) means the Municipal Planning Commission established under Division 3 of the Act

Municipal Reserve (MR) is determined in accordance with the Act.

Municipality means the area contained within the municipal boundaries of the Municipality of Wheatland County.

Natural Features includes landscapes that are found in their natural state and may be remnant, undisturbed, diverse or contain unique environmental characteristics.

Plan Area means the area outlined within the noted limits of Map 2 ‘Plan Area’.

Private Utility means a utility service offered to the public by a private utility company or co-op including, but not limited to; the provision of gas, electricity, or telephone services.

Provincial Highway means a highway designated by Ministerial Order pursuant to the Alberta Highway Traffic Act. Such highways are under the jurisdiction of Alberta Transportation.

Qualified Professional means an individual who has specialized knowledge of a particular subject area and is licensed to practice in the Province of Alberta under a professional designation. Examples of qualified professionals include, but are not limited to Agrologists, Architects, Engineers, Geologists, Hydrologists, Landscape Architects and Surveyors.

Redesignation means the reclassification by the Municipality of a land use designation in the Land Use Bylaw applicable to a specific area of the Municipality.

Stormwater Management Plan means an integrated approach to stormwater management which is premised on providing control at the lot level and in conveyance (to the extent feasible) followed by end-of-pipe controls.

Subdivision Authority means the authority established by Council by bylaw to make decisions on subdivision applications and other subdivision-related matters in accordance with the Act.

Traffic Impact Assessment (TIA) means an area-specific study that analyses and evaluates the potential impact of a proposed subdivision and/or development on the existing transportation network.