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## UNDERSTANDING DEVELOPMENT IN PONOKA COUNTY

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Development in Ponoka County is governed by two statutory documents, the Land Use By-Law and Municipal Development Plan. Supporting documents include water management plans, intermunicipal development plans, area structure/overview plans, acreage compatibility studies and a number of development studies.

**LAND USE BY-LAW** – prohibits, regulates and controls the use and development of land and buildings within the County to achieve the orderly and economic development of land, and for that purpose, among other things:

- establishes agencies, offices, and procedures for reviewing and making decisions on applications for rezoning and development permits and for issuing decisions on those things,
- establishes a procedure for notifying owners of land likely to be affected by a change of zoning or the issuance of a development permit,
- establishes a procedure for appeals against decisions of the development authority,
- divides the municipality into districts, and
- prescribes and regulates, for each district, the purposes for which land and buildings may be used.

**MUNICIPAL DEVELOPMENT PLAN** – establishes the County’s development priorities:

- The County's over-riding priority is to maintain a healthy environment and the natural systems which support human life and activity, especially a dependable supply of clean water.
- The future of Ponoka County lies with a strong farm economy, and Council will do whatever is necessary to support farming as an industry and as a way of life. Other land uses will be allowed only if they are compatible with farming and a clean environment.
- The County will work with industry to ensure that non-renewable resources (oil, gas, coal, gravel, etc.) are protected against development which might make extraction more difficult or dangerous or expensive.
- The County is part of a single local economy with the towns of Ponoka and Rimbey, and Council will ensure that its decisions do not stand in the way of the towns' growth.

Subject to these over-riding priorities, the County will support diversification of the economy into non-agricultural activities, including non-farm residences, and appropriate commercial and industrial uses, resource development, and recreation.

### **INTERMUNICIPAL DEVELOPMENT PLANS**

A number of IDPs are already in place with adjacent municipalities. These plans ensure the orderly planning and development of lands bordering the adjacent municipalities through consultation practices outlined in the plans.

[Ponoka Fringe Study](#)

[County of Wetaskiwin IDP](#)

[Camrose County IDP](#)

[Summer Village of Parkland Beach IDP](#)

[Lacombe County IDP](#)

[Gull Lake IDP](#)

[Town of Rimbey IDP](#)

Town of Ponoka IDP  
Clearwater County (deemed not necessary by both parties)

Intermunicipal Development Plans are currently being negotiated with the Counties of Clearwater and Lacombe and the Towns of Ponoka and Rimbey.

## **LAKE MANAGEMENT / WATER MANAGEMENT**

Ponoka County has two primary lakes subject to management and development plans. Some of the plans address the water supply and protection and others address development around the lakes, taking into consideration existing conditions.

- **Gull Lake**

The 3 municipalities touching Gull Lake have created the Gull Lake Intermunicipal Development Plan. This plan requires that any development around the lake be referred to the other parties for comment prior to approval. It also ensures the proper and orderly growth of development around the lake while still protecting the integrity of the lake itself. A committee of Councillors from each jurisdiction meets annually to discuss the Plan.

Ponoka County has undertaken five studies around the lake to determine the potential for development. These include:

North Gull Lake Acreage Study (2002)

East Gull Lake Overview Plan

West Gull Lake Overview Plan

Gull Lake East (Muncaster)

Gull Lake NE Residual Watershed Development

- **Chain Lakes**

The health of Chain Lakes has recently come under scrutiny. Development in the watershed around Chain Lakes has been restricted by the Land Use By-Law and water quality has been addressed in the following documents:

Chain Lakes Watershed Management Plan (2012)

Riparian Health Inventory (2015)

- **Battle River**

The Battle River offers spectacular views and has been considered for development in the past. A study was done in 2011 to address the development potential.

Battle River Residential Acreage Study

The watershed of the Battle River is managed by the Battle River/Sounding Creek Watershed Management Board of which Ponoka County is a member.

## **HIGHWAYS / ROADS**

Development adjacent to major highways must be thoughtfully considered in conjunction with adjacent municipalities and Alberta Transportation. Some studies have been initiated by Alberta Transportation

Highway #53 Functional Planning Study

while others have been initiated by Ponoka County at the request of landowners wishing to develop their property.

Highway #2 Corridor Development (Commercial & Industrial) Study (2014)

Highway #2/#2A Development Plan

Highway #2 (West of) Area Structure Plan (2018)

Menaik Road/OE2 Area Structure Plan (2021)

## **DEVELOPMENT STUDIES**

Studies have been completed to ascertain the probability for development in a certain area. Not all areas have been approved for development and some, though approved, have not proceeded.

Morningside Outline Plan (1985)

Baker Road Study (2002)

Bruhn/Bauer Acreage study (conceptual development plan) (2002)

Milton Morningside Acreage Study

Morningside to Ponoka Area Structure Plan (2018)

Ponoka NW Area Structure Plan (2018)

## **SUBDIVISION**

Ponoka County has recently taken over subdivision processing.

There is a strong demand for rural residential parcels and the County is willing to meet this demand provided that it does not damage agriculture or the environment, or impede the logical and economic growth of urban areas.

Policy 1.7 of the Municipal Development Plan addresses subdivision of farmland. Generally, each full quarter of land is allowed one subdivision, usually of an existing farmsite or an 80/80 split, adjusted to fit natural boundaries. An application to subdivide bare land will only be considered if the property has been owned for at least five years and will be subject to three of five amenities existing (or proven to proceed). If there is no municipal road serving a proposed subdivision area, the developer may be required to construct it.

Council believes it is better to concentrate most multi-lot subdivisions in a few well-defined areas and has identified those areas in the MDP. Any new areas being considered for multi-lot subdivisions will require an overview plan prior to further consideration.

Multi-lot subdivisions normally will not be more than 48 lots per quarter section unless the subdivision is served by a piped water and sewer system. Higher densities may be considered but only if suitable septic disposal service and an adequate water supply are available. Certain areas of the County are specifically designated for multi-lot subdivisions including south of the Town of Ponoka and immediately surrounding Gull Lake. Multi-lot subdivisions adjacent to Gull Lake will only be allowed if provision is made for piped water and sewer.

Subdivisions are subject to the dedication of a five-metre road widening either by survey or agreement caveated on title.

Property may be rezoned to allow for other uses provided those uses are compatible with existing amenities in the area.

The documents mentioned above are available by searching under the "Development" tab.

The following excerpts must be taken into consideration when considering development in Ponoka County:

### **Ponoka County Policy 04-003**

Council will approve the rezoning of land for multi-lot residential subdivision only if, in the opinion of Council, the following conditions are met:

1. The soil quality is poor.
2. The subdivision will not interfere with nearby farming operations.
3. The land is suitable for the proposed use, using the criteria set out in Section 9 of the Provincial Subdivision and Development Regulations and Section 2 of Schedule "A" of the County's land use by-law.

4. Alberta Transportation has indicated, in writing, that they have no objection to the development. (this applies only where the land is within one mile (1.6 km) of a numbered highway)
5. The land is accessible from the nearest highway by a road which meets current County standards, or the developer is prepared to upgrade the road to these standards.
6. Where there will be more than 5 lots on a quarter section, the owner has supplied proof of water supply, using the criteria set out in Section 23 of the Water Act.
7. On land within the referral area negotiated under the Intermunicipal Development Plans with Ponoka and Rimbey, the Town Council has no objection.
8. There is no conflict with Provincial policies.

#### Section 9 of the Matters Related to Subdivision & Development Regulation (AR 84/2022)

##### **Relevant considerations**

9. In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,
  - a) its topography,
  - b) its soil characteristics,
  - c) storm water collection and disposal,
  - d) any potential for the flooding, subsidence or erosion of the land,
  - e) its accessibility to a road as defined in section 616(aa) of the Act,
  - f) the availability and adequacy of a water supply, a sewage disposal system and solid waste disposal,
  - g) in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the *Private Sewage Disposal Systems Regulation* (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in section 6(4)(b) and (c),
  - h) the use of land in the vicinity of the land that is the subject of the application, and
  - i) any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

#### Ponoka County Policy 04-004

Policy 17.2 of Ponoka County's municipal development plan (MDP) says that

*Before rezoning a parcel of land for multiple lot subdivision, Council will require the owner to prepare an outline plan showing the general scheme of development, roads and drainage, lot sizes, how water and sewer will be provided to the lots, and how the development will relate to surrounding lands. This outline plan must be accepted by Council before any of the land is rezoned for residential use. Council may choose to adopt the outline plan informally, or by bylaw as an area structure plan.*

This paper sets out the requirements in more detail, and contains some examples showing how the material should be assembled and presented.

#### **Proposed use**

- Briefly describe the use of the proposed lots.

#### **Location**

- Give the location of the land, and include a map showing a mile around the property. Label features such as highways, rivers, and lakes,

#### **Other municipalities affected**

- On a map, or in the text, name any other municipality within two miles.

#### **Existing land use controls**

- State the present zoning of the land.
- If the land is the subject of any municipal planning or engineering study, say so, and say how the proposal fits in with that study. For example, if the land has already been designated for a particular use by a lake management plan or an inter-municipal development plan, say so.

### **Present land use and property boundaries**

- Include a map showing the land in question and the adjacent parcels of land, and say what they are now used for. Show oil wells and pipelines, both active and abandoned.

### **Land use conflicts**

- On a map and in the text, mention any land uses which may cause problems for your proposal, including oil and gas installations, sewer lagoons, waste disposal sites, contaminated land, areas subject to flooding, unstable slopes, intensive livestock operations (including cow-calf wintering areas), and land used for grazing or manure disposal.

### **Contours and drainage**

- On a map, show the slope of the land and the locations of watercourses, including seasonal flows from spring and storm runoff.
- In many cases it will be helpful to provide a contour map of the land and the immediate area. Most engineering companies will prepare contours from air photographs or from GPS. The cost is usually about \$2,000 per quarter section. These contours will also be helpful to road builders after the development has been approved by the County.

### **Soil conditions**

- All lots must contain a building site where the water table is at least 1.5 metres and ideally 2.0 metres below ground. If there is any doubt about the depth to water table, test holes must be drilled. They must be left to stand overnight for the water level to stabilize, and the depth to water must be recorded and mapped.

### **Road access**

- Describe how traffic will get to the site from the closest highway. A map will be useful here.
- If the development is within half a mile of a numbered highway, Alberta Transportation may require you to prepare a traffic impact analysis (TIA) showing how the development will change the traffic at the highway access point. A TIA must be prepared by a qualified traffic engineer. If the roads and highway access are not up to standard, the developer may have to contribute to upgrading them.
- Note that Alberta Transportation has jurisdiction over future secondary highways even if they have not yet been built to highway standard. In Ponoka County this includes Highways 604 west of Morningside, 795 north-west of Ponoka, 771 north of Highway 53, and 607 and 761 west of Rimbey.

### **Design**

- The most important part of the outline plan is a map showing the design of the subdivision. It must show roads (with continuity into adjacent land if necessary), lot sizes and areas, reserve land, and land which is to be left undeveloped.

### **Historical and archaeological resources**

- The Alberta government has the right to ask for a survey of historical and archaeological resources, but this is often waived if the land has been previously disturbed. A copy of the outline plan should be sent to the Historical Resources Management Branch at 8820 112 Street, Edmonton T6G 2P8 for comments, and those comments must be included in the documentation submitted to the County.

### **Staging**

- If the land is to be developed in stages over time, the locations of each stage must be shown.

### **Reserves**

- When land is subdivided into multiple lots, the municipality has the right to take title to all undevelopable land (such as sloughs) and up to ten per cent of all developable land (Municipal Government Act, section 661). This is used for parks, buffer strips, walking trails, etc. Alternatively, the County may take less land and have the developer make up the shortfall by a money payment. When a subdivision is proceeding in stages, reserves may be deferred to a later stage. This should be discussed with County officials before finalizing the design.

### **Water supply**

- If a subdivision is going to result in there being six or more lots on a quarter section, and it will use wells for water supply, it is necessary to submit an engineer's letter saying that there is enough groundwater for the new

users without depleting the supply to existing users in the area. A list of companies which do this sort of work is attached.

- Proof of water supply is not required until a formal subdivision application is made, but most developers prefer to have the work done before they draft the outline plan, so they know how many lots will be allowed.

### **Sewage disposal**

- A development may use individual private sewer systems if the soil conditions are right, and the lots are not less than 1,850 square metres in size (about half an acre) in size. It is useful to have a qualified installer examine the land and see what sort of systems can be used. He may identify problem areas which should be left undeveloped, or dedicated as reserve.

### **Storm water management**

- Under Alberta Environment's rules, the flow of storm water off a piece of land must be no more after development than it was prior to development. This is not usually a problem with large lots because they remain mostly tree and grass covered, but smaller lots have a higher percentage of their area hard-surfaced (roofs, driveways, etc) and this increases the runoff coefficient. In that case, it may be necessary to build storm water detention ponds. The outline plan should indicate locations for these ponds.

### **Fire protection**

- In rural areas, where there is no piped water supply, fire departments are often handicapped by a lack of water to fight fires. Some municipalities require developers to build ponds to be a source of water for fighting fires. Ponoka County does not do this. However, buyers may be prepared to pay more for a lot in a subdivision which has better fire protection. If a developer wishes to provide a fire pond, a location should be shown on the outline plan following discussion with the County fire chief.

### **Requested zoning**

- State what zoning is requested, and check the design against the County's land use bylaw to ensure that the proposed uses and lot sizes comply with that zoning. The land use bylaw is posted on the County website.

### **Involving neighbours**

- The County will make the outline plan available to the public. It may be advisable to hold preliminary meetings with neighbours so they are aware of the proposal before they see it in the newspaper.

### **Presentation**

- Maps need not be to survey standard, but they must be properly drafted, and drawn to scale on standard size paper (8½ x 11 or 11 x 17). It is best not to use colour or very light tones as these get lost if the maps are photo-copied.
- The accompanying text must be typed on 8½ x 11 paper.
- If the material is submitted on CD, PDF files are acceptable, but maps should also be supplied in Autocad format.

### **Professional help**

- The County does not insist that outline plans be prepared by professionals, but for people who would prefer to get professional help, there is a list of qualified planning consultants on the website of the Alberta Association, Canadian Institute of Planners at [aacip.com](http://aacip.com).
- Many Alberta Land Surveyors also provide design services. They can be found through the yellow pages, or on their association's website at [alsa.ab.ca](http://alsa.ab.ca).