

## BYLAW NO. 6/2021

### BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PEACE No. 135 IN THE PROVINCE OF ALBERTA TO AMEND THE MUNICIPAL DISTRICT OF PEACE No. 135 AREA STRUCTURE PLAN BYLAW NO. 3/2009

**WHEREAS** Section 632 of the *Municipal Government Act, RSA 2000, Chapter M-26*, as amended, empowers Council to adopt an Area Structure Plan, which provides a framework for the subsequent subdivision and development of land within an area of the Municipality; and

**WHEREAS** the Municipal District of Peace No. 135 adopted Bylaw No. 3/2009, being the West Hill Business Park Area Structure Plan; and

**WHEREAS** the Municipal District of Peace No. 135 has deemed it necessary to amend the West Hill Area Structure Plan Bylaw No. 3/2009 to accommodate a proposed commercial development; and

**WHEREAS** the Council of the Municipal District of Peace No. 135 has held a public hearing pursuant to sections 230, 606 and 692 of *The Municipal Government Act, RSA 2000, Chapter M-26*, as amended;

**NOW THEREFORE**, the Council of the Municipal District of Peace No. 135, duly assembled, hereby enacts as the following:

#### AMENDMENTS

1. That subsection 2.3.6 under **2.3 Industrial and Commercial Development** be deleted.
2. That subsection 2.5.4 under **2.5 Open Spaces** be amended as follows:
  - 2.5.4 To eliminate direct access to Range Roads 223 and 224 from future adjacent lots, MR buffers may be dedicated between these roads and future adjacent lots, where applicable. Access to lots adjacent to Range Roads 223 and 224 shall be limited to internal roads, unless otherwise provided for in this Plan.
3. That subsection 3.1.1 under **3.1 Road Network** be amended as follows:
  - 3.1.1 Primary access to the Plan area is currently obtained from Range Roads 223 and 224 that intersect with Highway 2, as illustrated in Map 6. The Plan area is to be served by a network of internal roads that link to these external Range Roads. Access to all lots in the ASP area shall be provided from the internal road system. However, direct access to some of the lots abutting Range Roads 223 and 224 may be allowed, where the lot configuration at the time of subdivision differs substantially from the lot configuration proposed in this Plan, as a result of the wetland assessment prepared in accordance with section 2.5.6, or some other factors. This will strictly be determined on a case-by-case basis and in consultation with Alberta Transportation, and shall satisfy any requirements put in place by Alberta Transportation at the time of development. These direct accesses may be required to be removed in future when the subject lots can be served by the internal road network. The use of Range Roads 223 and 224 for direct highway access will continue until such time as the construction of either or both of the interchanges proposed for Highway 2 near Range Road 222 and Highway 2A are complete. It is the ultimate intent of Alberta Transportation to close the existing at grade

intersections at Range Road 223 and 224, and restrict Highway 2 access to the future interchange locations. Traffic from the Plan area would be diverted to these interchanges through the tentative arterial road network illustrated in Map 7.

4. That subsection 3.1.8 under **3.1 Road Network** be amended as follows:

- 3.1.8 To allow for future twinning of Highway 2, additional highway right-of-way may be acquired or dedicated by caveat from adjacent lands at the time of future subdivision. In 2010, Alberta Transportation completed Highway 2:62 functional planning study from Range Road 222 to Highway 35, which outlines the local interchange locations and appropriate highway widening dedication widths. The study directs that future twinning of Highway 2, including the portion located within the Plan area, should occur on the north side of the highway. Thus, the standard development setbacks imposed by Alberta Transportation would apply to future developments on the lots abutting Highway 2 to the south, in the Plan area. However, in anticipation of future road widening at the north, Alberta Transportation will require that a development setback of 115 m be enforced from the existing highway centre line, as illustrated in Map 6 and attached as Schedule A.

5. That subsection 3.1.10 under **3.1 Road Network** be amended as follows:

- 3.1.10 No additional direct access to Range Roads 223 and 224 from individual lots will be permitted in the Plan area with the exception of those developments that currently have approaches constructed to these range Roads as well as future developments allowed direct access from these Range Roads, subject to subsection 3.1.1. These approaches may remain in place until such time as the subject lots can be served by the internal road network.

6. That subsection 3.2.6 under **3.2 Servicing** be amended as follows:

- 3.2.6 The MD requires that parcels within the Plan area connect to municipal services when they arrive. Development Permit approval in the Plan area may be subject to the pre-construction of utility connections to encourage easy connection to municipal services.

7. That subsection 4.1.1 under **Section 4.1 Phasing** be amended as follows:

- 4.1.1 The proposed phasing of development in the Plan area is illustrated in Map 8. The first phase of development is proposed in three locations throughout the Plan area. The timing, size, lot size and lot configuration of all phases will be dependent on land ownership patterns and market conditions and may be modified without an amendment to this Plan.


#### **SEVERABILITY**

8. That if any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

#### **EFFECTIVE DATE**

9. That this Bylaw shall come into force and have effect on the date of third and final reading.

Received first reading given on the 14th day of December, 2021.

  
Robert Willing, Reeve

  
Barbara Johnson, Chief Administrative Officer

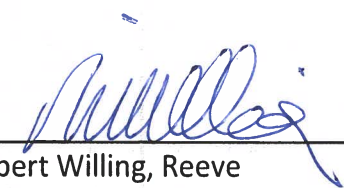
A public hearing was held on the 25th day of January, 2022.

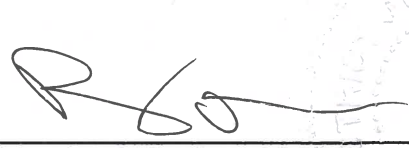
Second reading given on the 25th day of January, 2022.

  
Robert Willing, Reeve

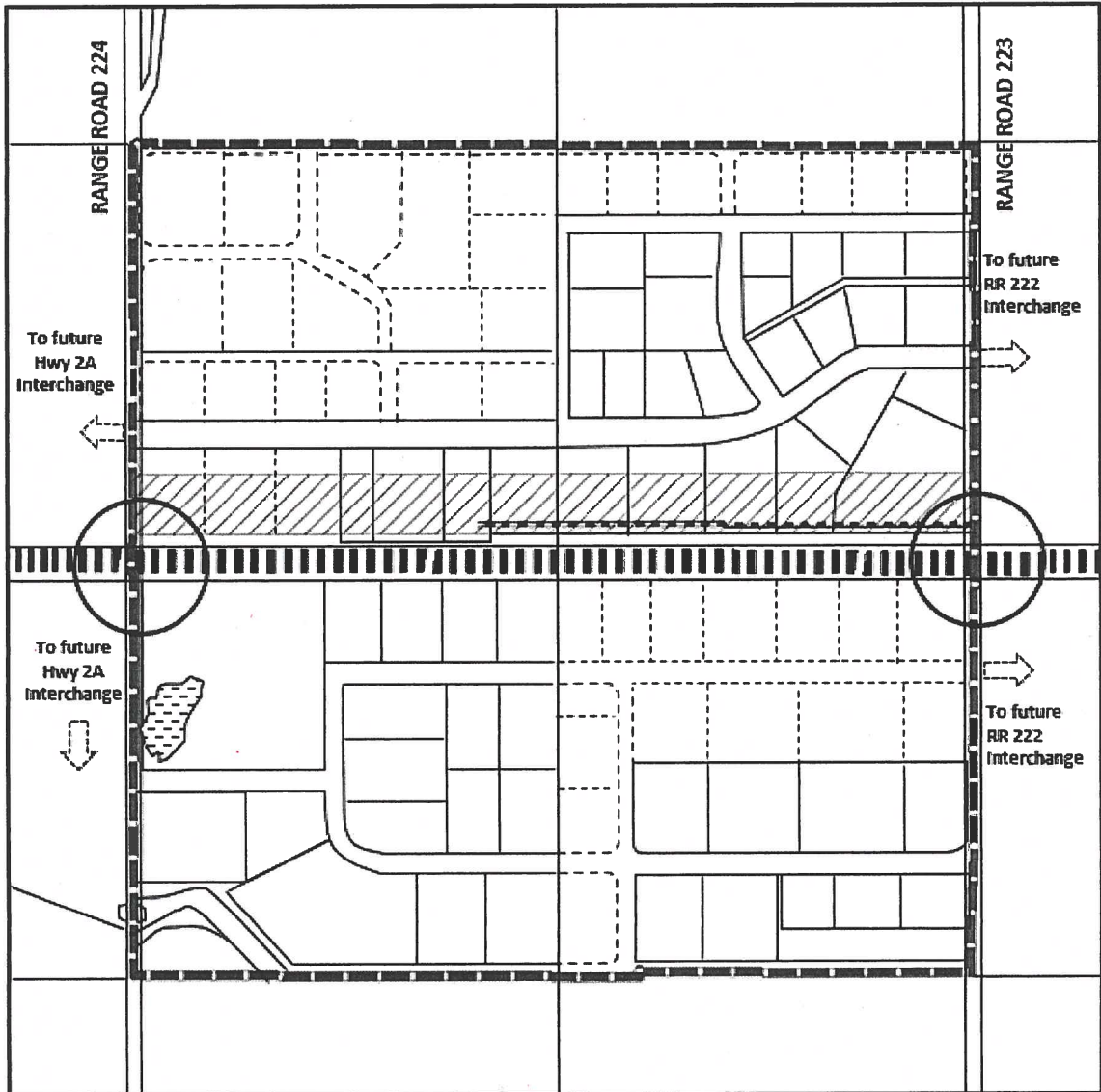
  
Barbara Johnson, Chief Administrative Officer

Third Reading given on the 25th day of January, 2022.

  
Robert Willing, Reeve

  
Barbara Johnson, Chief Administrative Officer

**SCHEDULE "A"**  
**Bylaw No. 6/2021**



**West Hill Business Park Area Structure Plan**

MUNICIPAL DISTRICT OF PEACE NO. 135

- |                     |   |
|---------------------|---|
| Wetland             | Intersection (to be closed in the future) |
| Highway             | Interim Service Road                      |
| Development Setback | ASP Boundary                              |



Map 6 – Transportation

November 2021

Scale: NTS



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 Robert Willing, Reeve

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 Barbara Johnson, Chief Administrative Officer

EFFECTIVE THIS 25<sup>th</sup> DAY OF January, 2022.