

BYLAW NO. 48

A BYLAW OF THE MUNICIPAL DISTRICT OF CLEAR HILLS NO. 21, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ENACTING THE MUNICIPAL DISTRICT OF CLEAR HILLS NO. 21 MUNICIPAL DEVELOPMENT PLAN.

WHEREAS, the Council of the Municipal District of Clear Hills No. 21 has deemed it desirable to adopt a Municipal Development Plan as a way to provide for policy direction for the future planning and development of the municipality; and

WHEREAS, the Council of the Municipal District of Clear Hills No. 21 wanted to review and update the Municipal District of Clear Hills No. 21 General Municipal Plan in accordance to the provisions of the Province of Alberta Municipal Government Act; and

WHEREAS, the Province of Alberta Municipal Government Act provides for the adoption of a Municipal Development Plan by a municipality.

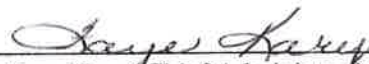
NOW THEREFORE, the Council of the Municipal District of Clear Hills No. 21, in the Province of Alberta, duly assembled, enacts as follows:

1. That this Bylaw, with the following attachments, shall be known as the "Municipal District of Clear Hills No. 21 Municipal Development Plan".
2. This bylaw shall come into force and effect on the date of final reading hereof.

READ a first time this 26TH day of OCTOBER A.D., 1999.



Marlene Maxwell, Reeve

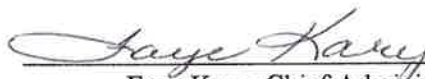


Faye Kary, Chief Administrative Officer

READ a second time this 22 day of FEBRUARY A.D., ²⁰⁰⁶~~1999~~.



Marlene Maxwell, Reeve



Faye Kary, Chief Administrative Officer

BYLAW NO. 48

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For the Purpose of Enacting the Municipal District of Clear Hills No. 21
Municipal Development Plan

READ a third time this 22 day of FEBRUARY A.D., ²⁰⁰⁰1999.



Marlene Maxwell, Reeve



Faye Kary, Chief Administrative Officer

**MUNICIPAL DISTRICT OF CLEAR HILLS NO. 21
BYLAW NO. 48
AMENDMENT NO. 1**

**THE MUNICIPAL DISTRICT OF CLEAR HILLS DEVELOPMENT PLAN BYLAW NO. 48
IS HEREBY AMENDED BY ADDING A STANDARD AGRICULTURAL
PROTECTION/NOTICE POLICY FOR MUNICIPAL DISTRICTS, AS FOLLOWS:**

PROTECTION OF AGRICULTURAL OPERATIONS AND NOTICE

- (1) The Municipal Development Plan for the M.D. of Clear Hills No. 21 is based largely on the principle of supremacy of agriculture, including the protection of better agricultural land and existing farming operations.

The following policies are added to supplement the policies already existing respecting the protection of agricultural land and farming operations.

- (2) **AGRICULTURE PRIORITY POLICY STATEMENT**

In accordance with the principle that agricultural and activities associated with sustainable agricultural practices in all its forms have priority in rural areas, no legitimate activity, related to the production of agricultural products should be curtailed solely because of objections of near-by residents. The production of agricultural products may involve the use of irrigation pumps and equipment, aerial and ground seeding and spraying, tractors and motors, the raising of livestock and poultry, and the application of such inputs as chemical and natural fertilizers, and pesticides including insecticides, herbicides and fungicides. When conducted in accordance with generally accepted agricultural practices, these activities, may occur on holidays, Sundays, and weekdays, at night and in the day; and noise odours, dust and fumes caused by them are permitted as part of the activities directed to the production of agricultural products. This policy statement is a reminder to those who live in the country that they should be aware that agriculture is of vital importance and that agricultural procedures shall be permitted to do those things necessary for the production of agricultural products.

- (3) The Municipal District strongly supports the intent of the Agricultural Operation Practices Act, and similar "right to farm" legislation which exempts agricultural operations from nuisance claims provided the farming operation follows generally accepted practices, and is in compliance with the Municipal District's Land Use Bylaw and applicable Provincial regulations.

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- (4) In accordance with the Farming Practices Protection Statutes Amendment Act, the Municipal District will utilize a variety of means to notify residents and owners situated adjacent to farming operations.

Methods of notification may include any or all of the following:

- a. Official notifications on development, land use bylaw amendment applications and development permits, where applicable.
- b. Pamphlets, circulars, special notices with tax notice mailings, newsletters, local newspapers, radio and television stations, and municipal websites.
- c. Special notices to persons who have been issued a residential development permit.
- d. Requiring as a condition of subdivision approval, subdividers of country residential development to provide new purchasers of lots, with a special notice or bulletin provided by the Municipality.
- e. Periodic publications.
- f. In association with the adjacent municipalities, Chamber of Commerce and other economic development agencies, and the Alberta Department of Agriculture, Food, and Rural Development, publishing a directory of agricultural operations.
- g. Presentations of materials at annual ratepayer meetings.
- h. Considering posting of signs on or adjacent to agricultural operations.
- i. Other means of notice as deemed appropriate.

The adoption of this bylaw is effective upon the date of the passing of the third and final reading of this resolution.

READ a first time this 11th day of September A.D., 2001.



Telly Burrell, Reeve



Faye Kay, Chief Administrative Officer

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READ a second time this 13th day of November A.D., 2001.



Marlene Maxwell, Reeve

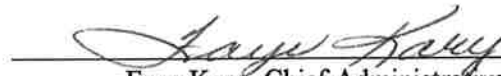


Faye Kary, Chief Administrative Officer

READ a third time this 13th day of November A.D., 2001.



Marlene Maxwell, Reeve



Faye Kary, Chief Administrative Office

MUNICIPAL DISTRICT OF
CLEAR HILLS NO. 21
MUNICIPAL DEVELOPMENT PLAN

June, 1999

Prepared by

Municipal District of Clear Hills No. 21 Council

and the

Mackenzie Municipal Services Agency

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CLEAR HILLS NO. 21**

MUNICIPAL DEVELOPMENT PLAN

June, 1999

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SECTION 1
INTRODUCTION

1.1 PURPOSE OF THE PLAN

The purpose of this Municipal Development Plan is to minimize land use conflicts and to guide the future growth and development of the Municipal District in an efficient and orderly manner.

The planning area to be covered by the Plan will include all lands within the corporate boundaries of the Municipal District on the date of the adoption of the Plan. The Plan will serve as a guide for the Municipal District, residents, developers, government departments and agencies.

The Municipal District's Municipal Development Plan has been prepared in accordance with the provisions of the Municipal Government Act, as well as the Provincial Government's Land Use Policies.

1.2 INTERPRETATION OF THE PLAN

The Municipal Development Plan is intended to provide general policy directions for the future planning of the Municipal District and is not intended to be fixed or inflexible in its implementation. Minor adjustments to the Plan will not require a formal amendment so long as the "spirit and intent" of the plan is not compromised. However, when an amendment to the Plan is required, it shall be carried out in accordance to the Municipal Government Act.

1.3 THE PRIORITY OF AGRICULTURE

The Municipal District of Clear Hills is an agricultural community, and one which strongly desires the retention and maintenance of the agricultural sector. The Municipal District wishes to see all landowners respect the farming operations and to act accordingly. It should be realized by everyone that the first priority use for all lands capable of agricultural production should be for farming. All residents of the Municipal District must recognize that the normal sights, sounds and smells of agricultural operations are part of the character of the rural municipality.

The Municipal District intends to protect the agricultural base. While it is recognized that some agricultural land will be used for other purposes and that some land uses will affect the farming operations, every attempt will be made to keep these losses to a minimum.

*Municipal District of Clear Hills No. 21
Municipal Development Plan*

1.4 GOALS - FUTURE PLANNING

The Municipal District has established the following goals for the administration and implementation of this Plan:

- A. To conserve and enhance the Municipal District's agricultural and rural character;
- B. To minimize the negative impacts of growth and development;
- C. To facilitate a modest growth rate throughout the entire Municipal District;
- D. To minimize land use conflicts in the Municipal District;
- E. To encourage activities and facilities which support the agricultural sector;
- F. To encourage the preservation and enhancement of wildlife and recreational areas and provide rural recreational opportunities for the surrounding communities;
- G. To support the development of an efficient transportation system;
- H. To operate the Municipal District in an efficient and economical manner;
- I. To support the development of urban areas which act as service centres to the agricultural community, including the continued development of the Hamlet of Worsley and the Hamlet of Cleardale; and
- J. To continue efforts of inter-municipal cooperation with the Village of Hines Creek and the Municipal District.

SECTION TWO

LAND USE AND TRANSPORTATION

2.0 INTRODUCTION:

The following section will outline the policies and objectives for the future land use in the Municipal District, as well as the development of the transportation system.

2.1 AGRICULTURE:

Better agricultural land is considered to possess a Canada Land Inventory rating of class 1, 2, 3 and better parts of 4. In the Rural Farmland Assessment Rating, this would be the equivalent of 35% and up. Soil capability will be assessed on a site specific basis.

2.1.1 Objective: To protect better agricultural land for agricultural uses.

The Municipal District shall:

- a) discourage the removal from production of better agricultural land;
- b) encourage the preservation of top soil; and
- c) support and encourage the use of good farming practices.

2.1.2 Objective: To allow for some flexibility in the subdivision and development of better agricultural land where no reasonable alternatives exist and the positive benefits from the development off set the negative effects.

The Municipal District may:

- a) allow for the subdivision and development of better agricultural land for:
 - (i) public uses;
 - (ii) uses which are site specific such as natural resource extractive industries;
 - (iii) agricultural industries which directly benefit and serve the agricultural area; and
 - (iv) uses which have unique site requirements and/or transportation requirements which make their location elsewhere unpractical.
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