

**MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 1566

BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to amend Bylaw No. 1431, being the Municipal Development Plan.

WHEREAS the Municipal District Council wishes to accommodate vacant single lot country residential subdivisions within the municipality.

AND WHEREAS the Municipal Development Plan presently does not allow for bareland subdivisions within the municipality.

AND WHEREAS the purpose of proposed Bylaw No. 1566 is to amend the Municipal Development Plan by adding Policies 4.6.32 and 4.6.33.

AND WHEREAS the policies that are the subject of this proposed amendment are outlined in Schedule 'A' attached hereto.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta duly assembled does hereby enact the following:

1. The Municipal Development Plan be amended by adding Policies 4.6.32 and 4.6.33 as outlined in Schedule 'A' attached hereto.
2. Bylaw No. 1431, being the Municipal Development Plan, is hereby amended.
3. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 18th day of June, 2008.

Reeve – Henry Van Hierden *Chief Administrative Officer - Cynthia Vizzutti*

READ a **second** time this _____ day of _____, 2008.

Reeve – Henry Van Hierden *Chief Administrative Officer - Cynthia Vizzutti*

READ a **third** time and finally PASSED this _____ day of _____, 2008.

Reeve – Henry Van Hierden *Chief Administrative Officer - Cynthia Vizzutti*

Schedule 'A'

Vacant Single Lot Country Residential Subdivisions

- 4.6.32** A subdivision application which proposes to create a vacant single lot country residential parcel from a previously unsubdivided quarter section may be approved provided that:
- (a) the proposed site has been redesignated from "Rural General – RG" to "Vacant Country Residential – VCR" prior to an application being filed for subdivision approval;
 - (b) the proposed parcel to be created shall in no instance be greater than 5.0 acres (2.0 ha) in size and contain a buildable site on the proposed parcel;
 - (c) the applicant and/or his agent shall enter into a subdivision development agreement prior to a decision being rendered by the Subdivision Authority on the proposed application;
 - (d) the proposed vacant parcel and the resulting residual parcel shall have direct legal and physical access to a public roadway or that suitable arrangements have been made with the Municipal District for the construction of the required access solely to the satisfaction of the municipality;
 - (e) the proposed vacant parcel has been tested for its suitability to provide adequate sewage disposal and groundwater for a future dwelling unit or that suitable arrangements have been made to the sole satisfaction of the Municipal District for the provision of sewer and water to the proposed parcel;
 - (f) the proposed access is satisfactory to Alberta Infrastructure and Transportation where the access is onto or in close proximity to the provincial highway system;
 - (g) the size and location of the proposed vacant parcel will not affect any irrigation system in the immediate area;
 - (h) the proposed vacant parcel can meet or exceed the minimum distance separation (MDS) requirements from an existing intensive livestock or confined feeding operation (CFO) as established in the Agricultural Operations Practices Standards and Administration Regulation;
 - (i) the residual parcel being created is a minimum of 145 acres (57.8 ha) in size;
 - (j) the proposed vacant parcel will be the first subdivision from a previously unsubdivided quarter section (as defined) in the Municipal District;
 - (k) the Municipal District, at its sole discretion, may request additional information or studies to be performed prior to rendering a decision to approve a vacant parcel subdivision.

Vacant Single Lot Country Residential Prohibition

- 4.6.33** The Municipal District, by bylaw, may prohibit the subdivision of vacant parcels in any part of the municipality.