

POLICY NO:	PD 011
POLICY TITLE:	RESIDENTIAL/BUSINESS/COMMERCIAL/ INDUSTRIAL ASP SUSTAINABLE DEVELOPMENT STANDARDS AND DEVELOPMENT COSTS
DEPARTMENT:	PLANNING & DEVELOPMENT
APPROVAL DATE:	68-01-09 (January 30, 2009)
REVISION DATE:	28-07-15 (July 28, 2015)
REVIEW DATE:	

Policy Statement:

The County of Vermilion River recognizes the need to establish a policy to ensure that development within the zones outside of the City of Lloydminster or Town of Vermilion IDP areas is carried out as intended and in a sustainable way. PD 011 outlines what is required of a developer who is submitting an Area Structure Plan (ASP) for residential, business, commercial, or industrial uses. This policy provides the guidelines for the creation of a document (“checklist”) for the minimum requirements for development and/or subdivision of ASPs within the County of Vermilion River. The checklist created, from here on “Schedule B,” and is intended to be a stand-alone, living document. Schedule B shall be used as an example for this policy and may be updated from time to time by administration to assure that the most current practices are being followed.

Adopting Policy PD 011 will ensure that the County receives a complete package of information, which contains all relevant and up-to-date documentation with concise and usable information. The responsibility for the organization and submission of information is that of the applicant.

Purpose:

1. To address the information needs of Council to make a decision regarding a proposed development by means of an ASP.
2. Provide clarity and direction to all parties in the requirements for developing ASPs.
3. To provide the adjacent or otherwise impacted properties of information considered at the time of an ASP.
4. To make the developer aware of what standards they must meet regarding information to council, standards, and the associated costs that would be required with the implementation of an ASP.

Definitions:

“**County**” shall mean the County of Vermilion River.

“**Council**” shall mean the County of Vermilion River Council.

“**Applicant**” shall mean the agent submitting an application for subdivision or development of land or property.

“**Developer**” shall mean a person or group of persons intending to build on or improve on land or property.

“**Developed**” shall mean a development permit has been issued.

“**Area Structure Plan**” (ASP) shall mean a subdivision or development of more than four (4) parcels per quarter, as per County of Vermilion River Municipal Development Plan, regardless of location in the County. ASPs are documents that are approved by County Council as bylaws to provide a framework for the development of lands for residential, business, commercial, and industrial purposes. They ensure that development is conducted in a manner that is consistent with the goals, objectives, and policies of the County. ASPs are prepared in accordance with the Municipal Government Act, Subdivision and Development Regulation, and the County's Municipal Development Plan.

“**Policy Framework**” shall mean all those applicable Municipal, Provincial and Federal Bylaws, Acts, and Regulations to consider regarding subdivision and development within the County.

“**Site Plan**” refers to a drafted view of the proposed area of construction, identifying all pertinent adjacent landscaping, bodies of water, roads, and buildings, and may also locate or identify features that may affect construction, such as rights-of-way, buried utilities, or soil conditions.

“**Schematic Drawings**” shall mean a drafted view that places the proposed building on the building site, along with the various necessary site improvements such as landscaping, walkways, roads, utilities connections, and service drives.

“**Development Agreement**” shall mean an agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County. The agreement will include any and all provisions determined necessary by the Development Authority.

Policy:

1. The minimum information required for submission from all applicants to the County of Vermilion River shall be, but not limited to, the information identified under section 7 of this policy. Furthermore the Planning and Development Department may require that a checklist be filled out, which shall be approved by the Director of Planning & Development.
2. The developer remains accountable for ensuring the design and construction of infrastructure addresses the specific needs of the site and integration to existing infrastructure. The County of Vermilion River shall require a final package of the minimum information prior to deeming the submissions as ‘complete’ and providing consideration of the proposal.
3. The current version of all referenced Acts, Policies, Regulations, or Bylaws shall constitute the policy framework applicable for projects within the County of Vermilion River.
4. An ASP will be required if a proposal is for more than four (4) parcels per quarter that are clustered and using a common access road, regardless of location in the County. (MDP 4.1.3.21)

5. A Redesignation Bylaw will be processed in conjunction with the ASP Bylaw if it is needed.
6. The submittal of a completed Schedule B will be required as part of the following type of Area Structure Plan proposals:
 - a. Residential, Business, Commercial, Industrial Area Structure Plans

“Schedule B” Required Items:

1. The following is an outline of the minimum requirements contained in Schedule B. Please note that this document may be periodically updated in order to ensure that the most current practices are in place. When referring to SCHEDULE B, be sure it is the most current version.
 - a. A preliminary meeting with Planning and Development
 - b. Right of ownership and authorization to contract
 - c. Titles and covenants
 - d. Land Use and policy compliance statement
 - e. Justification of variances requested, if any.
 - f. Abandoned wells information
 - g. Declaration of developer’s agents scope of work
 - h. Fees and costs
 - i. Site plans
 - j. Schematic drawings
 - k. Utility plans
 - l. Site stormwater management plans
 - m. Site grading plans
 - n. Landscaping plans
 - o. Signage
 - p. Development Agreement
 - q. Other supporting information depending on site conditions

Procedure:

1. The County will determine the standards of construction for roads, drainage, engineered studies, and information that will be required, which may be amended from time to time.
2. Development charges will be based on the work required to develop the parcel and the adjacent road/s.
3. The developer may be responsible for widening, upgrades, and / or completion of all required roadwork and infrastructure located beyond the development’s property line to satisfaction of County Standards.

4. All widening, upgrades, and / or completion of roadwork as a condition of subdivision or development approval that the County may require are subject to the provisions established in PD 003 and the sole responsibility of the developer.
5. An Area Structure Plan will not be submitted to council until the following information is provided:
 - a. A completed PD 011 “Schedule B”.
 - b. The Development Authority will determine the extension of the Immediate and Extended Impact Areas taken under consideration in preparation of an ASP proposal.

Implementation of the ASP:

As a condition of the subdivision, the developer will be required to enter into a “**Development Agreement**” as per section 650 or 655 of the Municipal Government Act in order to deal with any commitments and the implementation of the ASP including:

1. The developer will acknowledge the internal and external adjacent road work/s and surface criteria that the County has established and that this will require an irrevocable letter of credit with a cost escalation clause to guarantee the work is completed to the County standards and satisfaction with the requirement that:
 - a. The developer must achieve the ultimate standard and surfacing before the County will sign off on any road – surfacing to be completed upon 80% development or within two (2) years, whichever is sooner.
 - b. Internal road surfacing must extend into approaches for each parcel to the property line.
 - c. A corner parcel may affect two adjacent roads.
 - d. A central parcel may affect one adjacent road and other landowners.
 - e. A two-year warrantee from the date of acceptance by the County on all surfacing and underground work as per policy **AD 021**.
2. The developer will acknowledge that they may impinge on a road that is not adjacent but provides access and requires has an offsite levy contribution requirement.
3. The County accepts that phasing can impact when road surfacing will be required:
 - a. If a phase is 80% developed or within two (2) years, whichever is sooner, and will be turned over to the County for maintenance even though other phases are not complete.
 - b. Should road maintenance of phasing require travel through undeveloped phases, then road surfacing may be required prior to phase being completed.
4. The County will not accept lots within the subdivision as collateral for the development agreement.
5. The developer will acknowledge that the development will be carried out as approved. Modifications or amendments that, under the determination of the Development Authority,

constitute a major change to the approved ASP will require a new application and **Schedule B** to be presented; new assessments might need to be conducted.