

Village of Forestburg

Municipal Development Plan 2009

Introduction

Forestburg's population has been fairly stable over the past 20 years, but households are smaller now than they were in earlier years, so more houses are now needed for a given population. Forestburg has therefore built houses faster than the rate of population growth.

This trend is likely to continue, so the village needs to make more land available for development.

Place	Census Population					
	86	91	96	01	06	01-06
Daysland	678	674	679	779	818	5.0 %
Flagstaff County	4,406	4,099	4,015	3,692	3,506	(5.0 %)
Forestburg	924	920	930	870	895	2.9 %
Galahad	190	158	175	161	134	(16.8%)
Heisler	213	186	195	183	153	(16.4%)
Killam	1,032	1,053	1,048	1,004	1,019	1.5 %
Sedgewick	877	874	937	865	891	3.0 %
Stettler	5,147	4,947	5,220	5,215	5,418	3.9%

Constraints on development

Several factors will shape the growth of Forestburg.

The first is the location of incompatible land uses. Provincial regulations do not allow dwellings close to operating oil and gas wells, sour gas lines, or waste disposal sites, both operating and closed. There are height restrictions in the approaches to airports, and Alberta Transportation may limit access to provincial highways.

The railway also limits accessibility. There is no crossing between Highway 53 and Highway 856, so any development north and east of the tracks will be cut off from the main part of the village.

The third factor limiting expansion is the slope of the land. Forestburg is built on a slight hill, and the land drops off to the east, west, and north. Some areas are low and wet and unsuitable for any sort of development. Other areas, while not so low, are expensive to service with gravity sewer.

These limiting factors are illustrated on [Map 1](#).

Land for new housing

Some people want to build a two thousand square foot house with triple attached garage on a big lot; some want an affordable small house; some want to bring in a mobile. Forestburg needs to provide for all these buyers and for renters too, and the different types of housing are best put in different areas, so we need to develop areas for upscale lots, areas for affordable houses, areas for mobiles, areas for duplexes, and so on.

[Map 2](#) shows the general location of proposed new development. The main areas are:

Vacant

Residential lots: The village's assessment records show about a dozen vacant, serviced residential lots in private ownership in Forestburg. Council will consider ways of encouraging owners to bring these lots to market. A minimum tax on undeveloped land may be worth considering.

Vacant

Commercial lots: Surrounding the downtown core, some areas are zoned for commercial use but stand empty. The land already has roads and utilities, and is developable immediately at low cost. The new land use bylaw, now being drafted, will rezone many of these lots to residential use. Council may also encourage owners to redevelop for residential use by offering financial incentives. One incentive, used in Wetaskiwin, is to credit the cost of water and sewer connection against the first year's municipal taxes on any new development.

The preferred location for small apartments and other higher density housing is downtown, so that residents can walk to schools, stores, churches, and other amenities.

When issuing development permits on formerly commercial or industrial land, the village must ensure that the land has not been contaminated by previous uses such as leaking underground fuel tanks. The village will attempt to locate such sites using old land use maps and telephone directories, aerial and ground level photographs, and Alberta Environment's MUST (Management of Underground Storage Tanks) registry. Long time residents will also be consulted. Once located, hazardous sites will be marked on the land use bylaw maps.

Golf course land: NE 3-42-15-4 lying south of the railway tracks, covering about 97 acres, is owned by the Forestburg Golf Club. Over half is taken up by the golf course and campsite, and some areas are too low and wet to be developed, but there remains almost 20 acres of high, dry land. Because of the proximity to the golf course, it would be attractive for upper-end houses, so the design shown on [Map 3](#) has a minimum lot width of 20 metres (66 feet).

Lots of that size has little need for on-street parking, so the roads could use a rural cross-section and avoid the expense of curb and gutter. If drainage swales are to be used, the width of the roads should be increased to 20 metres instead of the 18 metres shown.

A gravity sewer line can be run from this area down to the lift station in SE 3. However, the distance is over 800 metres, and that amount of sewer line is very expensive to install. As an alternative, a force main could be built to take the effluent east to an existing manhole on the north side of 50 Avenue between 56 and 57 Streets. The distance is only half that required for a line to the south. The village's engineers have been asked to compare the costs of these alternatives.

Although this part of NE 3 is inside the village, 50 Avenue and SE 3 are both under County jurisdiction, and the County's consent will be required to obtain right-of-way for whichever sewer line is built.

Some 66 lots can be created on the golf club lands without interfering with the operation of the golf course. This number could be increased if the lots were narrower than 20 metres.

The West Eighty: This refers to about eighty acres of farm land in SE 3-42-15-4 lying west of 57 Street, north of the highway, and south of 50 Avenue. The land is currently in two titles: Shauna Leduc owns 4.6 acres in the south-east corner, and Mary McNabb owns the remaining 71+ acres. It is lower than the adjacent developed land, but it is serviceable by gravity sewer because a lift station has been built on the west side of 57 Street between 45 and 46 Avenues.

A drainage course runs through the land from north to south. That part is not developable, and is probably best suited to a linear park with storm water management ponds, but about 42 acres east and west of the drainage course appear to be developable.

Council believes that one of the chief attractions of Forestburg is the generous size of its residential lots, so the lots shown on [Map 4](#) are all at least 20 metres wide. This may be reduced in areas intended for more affordable housing. Most development on the West Eighty will probably be single detached houses.

Forestburg does not have a mobile home park, and Council does not see much demand for one. However, manufactured housing might be allowed on owned lots. One possible location is the south end of the West Eighty.

The West Eighty will yield about 105 lots for single detached houses, plus about 50 lots at higher density on eight acres at the south end.

The West Eighty is currently outside the village limits, and any development will require annexation as well the consent of the owner.

McNabb property: The golf course quarter north of the railway is outside the village. The old farm yard site has been subdivided out, leaving an area of 50 acres owned by Bradley and Roseann McNabb.

This area might be considered for estate residential development with lots in the one acre range. Municipal sewer service is probably uneconomic because of the slope of the land, but piped water could be supplied at a lower cost than individual wells.

If residential development is acceptable to the landowners, council will be glad to work with them on design, servicing, and annexation.

Residential Mixed Land Use

In the past few years, many communities have seen the growth of home-based businesses. Often these are very small scale, such as a book-keeper who has a home office. There is seldom any problem with this. Sometimes home businesses are larger, such as when a plumber or drywall installer or water-well driller keeps his vehicles at home and builds a sizeable storage shed in the back yard for his tools and supplies.

An increasing number of municipalities are setting aside land for what they called "residential mixed use" or RMX. Lots are larger, giving plenty of room at the back for storage. Most important, the zoning specifically allows small scale storage and business uses, so people who buy in the area know in advance what is allowed. A good example of RMX zoning is found in Millet's land use bylaw, and this is attached as Appendix 2. [Map 5](#) shows a typical lot layout.

None of the land inside the present village limits is suitable for this use, but (like residential estate development) it could be encouraged just outside the present boundary. Land immediately east and north of the railway tracks should be considered. Up to 80 acres already has road access, water can be made available, and the land is probably serviceable by gravity sewer. Depending on the size of parcels created, lots, the land could yield at least 40 lots.

This will be discussed with the landowners and the County before it is adopted as policy by the village.

Summary: future residential development

The table below shows that these five areas discussed are capable of producing over 300 lots of various types and sizes.

Downtown redevelopment	20
Golf course land	66
Land inside village limits	86
The West Eighty, low density	105
The West Eighty, higher density	50
Residential Estate	40
Residential Mixed use	40
Land outside village	235
Total	321

Three hundred and twenty-one lots is enough to double Forestburg's population, so not all this land will be developed in the foreseeable future, but is good to have various options open in case individual landowners are not interested in developing their property.

Commercial development

While downtown will continue to be the place for smaller, pedestrian-oriented stores, any large new commercial activity is likely to want highway exposure. At present just over 25 acres has commercial zoning along the two highways, and much of this is vacant. There is probably sufficient commercial land available for the foreseeable future. However, if more land is needed, a commercial strip might be created along the north side of Highway 53 west of 57 Street, and along the west side of RR 152 (53 Street) west of the industrial quarter. Both of these locations are outside the present village limits. They are shown on [Map 2](#).

Industrial development

Most of NW 35-41-15-4 has been reserved for industrial use, and large areas remain undeveloped, so there does not seem to be any need to allocate extra land to industrial use for the foreseeable future.

[Map 6](#) shows a possible layout for the rest of the quarter section. The main features are:

- The unregistered road running along the north side of the ball diamonds is legitimized by dedicating a 20 metre right of way.
- Part of 47 Street now dedicated but not built is closed and re-consolidated with the parcel containing the ball diamonds.
- A new access is built on to 53 Street (RR 152) to simplify access.
- Provision is made for roads to be extended in future into the quarters to the south and east. This will avoid the need for a direct highway access into NE 35.
- The south-east corner of NW 35 is lower than the rest of the quarter and cannot be served with sewer unless a lift station is built, but it can be used industries needing large, unserviced lots.

Before it is accepted by the village, this design will be discussed with Alberta Transportation because it will affect traffic entering Highway 53.

Land for community services

The Municipal Government Act says a municipal development plan must contain policies regarding land for parks and schools.

Schools: The Municipal Government Act allows a municipality to take, for school and park purposes, up to 10% of the area of land being subdivided. It is not likely that extra school sites will be needed, so Council should continue to allocate all new reserve land to municipal ownership. However, that policy will be discussed with the school authorities before being adopted as formal village policy.

Sports fields: Forestburg's ball diamonds are surrounded by industrial land, so any new diamonds, or fields for soccer or other games, must locate elsewhere. One site worth investigating is NE 34, west of RR 152 (53 Street) between the village and the airport. This is shown on [Map 2](#). The land is low-lying and cannot easily be serviced, but there is no reason why outdoor sports facilities cannot use portable or pump-out sanitary facilities. The idea will be discussed with the present owners. The land is under County jurisdiction and any development here must be approved by the County as well as the owners.

Golf course: Expanding the golf course to 18 holes should be considered as a long term goal. The preferred direction is west into NW 3-42-15-4. The residential development proposed on the golf course quarter could be extended further west to create additional high-value serviced lots along the fairways, and the proceeds from those lots could help pay for the new holes.

Walking trails: Unlike some of its neighbours, Forestburg does not have a system of walking trails, but this shortcoming can be rectified.

If NE and SE 3 are developed for houses as shown on [Map 4](#), the low lying parts can be used for a linear park. A trail can then be constructed from that park, around the golf course, across 53 Street (Highway 856), and south-east along the railway past downtown to the arena, thence along undeveloped 46 Street to Highway 53. The trail can then use the grass area between the highway and 44A Avenue to the school, and follow 46 Avenue back to complete a 5.2 km circuit. The concept is shown on [Map 7](#).

In the interim, before the West Eighty is developed, the trail can run along the trees on the west side of 57 Street.

Development standards

In recent years the increasing cost of servicing land has led many municipalities to review their development standards. Forestburg's standards may be unnecessarily high and therefore expensive. Road widths are a good place to start. Most municipalities now require 24 metres for arterials, 20 for main roads, and between 15 and 18 metres for local residential streets. The required width of paved surface, and the need for curb and gutter, could also be reconsidered. None of these things by itself makes a lot of difference, but the extra costs add up. The village's engineers should be asked to review road standards and bring them into line with current municipal practice.

Realistic development standards are especially important if council continues its policy of encouraging large lots. The larger frontages make curb and gutter, pavement, sidewalks, and underground storm drainage expensive. These costs are reduced when roads have a rural cross-section.

Lots over half an acre can have on-site sewage disposal, eliminating the need for sanitary sewers. However, municipal water is advisable for reasons of health, convenience, and fire fighting.

Road Maintenance

Municipal infrastructure must not only be built; it must be maintained. Eventually, roads must be re-surfaced, and water lines, sewers, and sidewalks replaced. Historically, this has often been done by local improvement levies: the cost of the work is borrowed, and then repaid over time by taxes on the benefitting properties. In recent years there has been a trend away from this: many municipalities (such as Wetaskiwin) now pay for all replacement work from general revenues. Forestburg should consider the advantages and disadvantages of this. One consequence is that it requires a formal maintenance program and multi-year budgeting.

An alternative, used by Ponoka, is for the town to pay the cost of repaving main roads, while repairs to local roads are charged to properties through a local improvement bylaw. If Forestburg decides to use this model, [Map 8](#) shows a possible classification of roads, indicating which might be regarded as main roads and which as local. It also shows a few places where action should be taken to close unused roads, create road plans to legalize existing built roads, or limit access to provincial highways.

Sidewalks

Children need sidewalks for access to schools and recreation areas, and adults are rediscovering walking as part of a personal fitness regime. Users become frustrated if sidewalks are in poor condition, or are not continuous. Forestburg's sidewalks do not seem to follow any consistent pattern. Some streets have sidewalks on both sides; some have none; and in some places the sidewalk runs part way down the block and then stops. The new part of town has sidewalks on only one block.

[Map 9](#) sets out a proposed sidewalk system. It divides existing sidewalks into high-priority and low-priority, based on three factors: the degree of use, the quality each block of sidewalk, and the ease of maintenance. Sidewalks giving access to schools, recreation areas, and the commercial core are seen as most valuable. Where there are sidewalks on both side of a street, the one on the north or east side is easier to maintain because the sun helps keep it ice-free in winter, so it should be the higher priority. The map also shows a few places where sidewalks should be constructed to create a continuous system. These new sidewalks should be constructed as a general benefit item, paid for by all taxpayers, because they will be used by more people that just the immediate landowners.

Sidewalks have a limited life, and eventually reach a state where safety demands that be replaced. When a block reaches this state, council should decide whether to replace or remove the sidewalk. Generally, the sidewalks shown as high priority should be treated as a general benefit item. Sidewalks shown as low priority should only be replaced if the adjacent property-owners are prepared to pay the cost through a local improvement levy; if they are not, the sidewalks should be removed and the land seeded to grass.

Land Use Beyond the Village Limits

As Forestburg grows in population, it must grow in area. Several locations have been discussed for development outside the present village limits.

Any such development should be preceded by a detailed Area Structure Plan acceptable to both Village and County.

Both councils need to consider whether new development outside the present municipal boundary should remain under County jurisdiction, or be annexed into the village. The general rule should be to annex land that requires municipal services such as water and sewer, but leave unserved land in the County. If both municipalities agree with that principle, it will avoid most disputes about annexation.

Effect of livestock operations on the village's growth

Large confined feeding operations are regulated by the provincial government, and the Agricultural Operations Practices Act (AOPA) prevents them being established close to urban areas. Smaller operations (less than 300 beef finishers or less than 50 sow's farrow-to-finish) do not fall under AOPA; regulation is left to rural municipalities. Some counties control these smaller operations, but Flagstaff County does not. Under the present County land use bylaw, a landowner may set up a 299 head beef feeder operation or a 49 sow farrow-to-finish hog barn just outside the village limits, and neither the County nor the Village has any power to prevent it.

The Village will ask the County to amend its bylaws to bring smaller livestock operations under the control of the land use bylaw.

Implementation

This municipal development plan proposes a number of policies to encourage the continued growth of Forestburg. To put these policies into effect, council needs to do a number of things:

First, and most important, council needs to discuss its long term hopes and plans with Flagstaff County. These talks need to address Forestburg's expansion on to land now in the county, servicing of this land, future road connections, annexation, tax issues, and the location of confined livestock operations.

Second, the Village will ask the School Board to confirm that it does not need extra land for schools within the village boundaries, and the board therefore abandons any claim for reserves under section 661 of the Municipal Government Act.

Third, the Village's engineers will be asked to estimate the cost of servicing the areas proposed for development, so that council can make an informed choice about which ones to pursue. This will be combined with a review of development standards.

Fourth, council will review the land use bylaw to ensure it is consistent with the policies in the municipal development plan. It will consider rezoning vacant commercial land for residential use, and consider setting up districts for residential mixed use and estate residential. That work is already under way.

Fifth, and in co-operation with the owners and (where applicable) the County, council will prepare area structure plans for new areas of development.

Finally, council confirms that until the private sector shows interest, the Village is willing to continue acting as land developer.

Appendix 1: Extracts from the Municipal Government Act

The Municipal Government Act says that

632(3) A municipal development plan

- (a) must address*
 - (i) the future land use within the municipality,*
 - (ii) the manner and the proposals for future development in the municipality,*
 - (iii) the co-ordination of land use, future growth patterns, and other infrastructure with adjacent municipalities if there is an intermunicipal development plan with respect to those matters in those municipalities,*
 - (iv) the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and*
 - (v) the provision of municipal services and facilities either generally or specifically,*
- (b) may address*
 - (i) proposals for the financing and programming of municipal infrastructure,*
 - (ii) the co-ordination of municipal programs relating to the physical, social, and economic development of the municipality,*
 - (iii) environmental matters within the municipality,*
 - (iv) the financial resources of the municipality,*
 - (v) the economic development of the municipality, and*
 - (vi) any other matter relating to the physical, social, or economic development of the municipality,*
- (c) may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies, and corporate strategies,*
- (d) must contain policies compatible with the [provincial] subdivision*

and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities,

- (e) must contain policies respecting the provision of municipal, school, or municipal and school reserves, including but not limited to the need for, and amount of and allocation of those reserves and the identification of school requirements in consultation with affected school authorities, and*
- (f) must contain policies respecting the protection of agricultural operations.*

Policies adopted in an MDP are goals, not commitments. The Act goes on to say that

637 The adoption by a council of a statutory plan does not require the municipality to undertake any of the projects referred to in it.

However, once the MDP is adopted by bylaw,

654(1) A subdivision authority must not approve an application for subdivision approval unless

- (b) the proposed subdivision conforms to the provisions of any statutory plan...*

and

680(2) In determining [a subdivision] appeal, the board hearing the appeal

- (a) must have regard to any statutory plan*

and

687(3) In determining [a development] appeal, the subdivision and development appeal board

- (a) must comply with ... statutory plans...*

Appendix 2: Millet's Residential Mixed Use Zoning

8. REGULATIONS FOR THE RMX RESIDENTIAL MIXED USE DISTRICT

8.1 Purpose

The purpose of the Residential Mixed Use district is to allow large lot single family housing and, as a secondary or associated use, small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the parcel.

8.2 Permitted Uses

Single family dwellings, excluding mobile homes

8.3 Discretionary Uses

Manufactured homes on permanent foundations;
Light industrial uses such as small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the parcel, where these uses are secondary to the main residential purpose of the parcel, hereinafter referred to as 'secondary industrial uses';
Public parks;
Bed and Breakfast Establishments;
Buildings and uses associated with and the above.
Demolition of buildings

8.4 Minimum Parcel Dimensions

8.4.1 Each parcel shall have a width of at least 20 metres (66 feet).

8.4.2 Each parcel shall have a depth of at least 50 metres (165 feet).

8.5 Building Setbacks

All buildings shall be set back at least 10 metres (33 feet) from any road, lane, or utility right-of-way; at least 10 metres (33 feet) from the rear boundary of the parcel; and at least 5 metres (17 feet) from any other parcel boundary.

8.6 Building Height

8.6.1 No dwelling shall exceed 10 metres (33 feet) in height.

8.6.2 The maximum height of any other building shall be as required by the Development Authority.

8.7 Site Coverage

The area of land covered by buildings shall not exceed 30% of the area of the parcel.

8.8 Special Provisions for Secondary Industrial Uses

8.8.1 A permit for a secondary industrial use shall be issued only to the owner of a parcel who is also resident on a parcel.

8.8.2 A secondary industrial use shall not involve the display or sale of any goods on the parcel.

8.8.3 A secondary industrial use shall not generate traffic in excess of what is acceptable in a residential neighbourhood.

8.8.4 No hazardous materials shall be stored on the parcel, and no offensive or intrusive noise, vibration, smoke, dust, odour, heat, glare, or electrical or radio disturbance shall be produced by any secondary industrial use.

8.8.5 At all times the privacy and enjoyment of nearby dwellings shall be preserved and, subject to the purpose of the district, a secondary industrial use shall not unreasonably affect the residential amenities of the neighbourhood.

8.8.6 Exterior storage of goods and supplies may be permitted provided that the storage area is screened to the satisfaction of the development Authority.

8.8.7 Secondary industrial uses shall be restricted to the rear yard.

8.8.8 All industrial and storage buildings shall be sited at least 10 metres (33 feet) from dwellings.

8.8.9 No more than two unlicensed or inoperative vehicles shall be stored on a parcel at any time.

8.8.10 The maximum number of non-resident employees on a parcel shall be set by the development Authority and noted in the development Permit, but in no case shall exceed two.

8.9 Development Density

Only one dwelling shall be constructed on each parcel.