



TOWN OF OKOTOKS POLICY

Council Motion: 11.C.153 13.C.437	Effective Date: January 1, 2011	Policy Number: P11-02
External Reference: Municipal Government Act	Revised/Reviewed Date: August 19, 2013	Originating/Lead Business Centre: Planning Services

TITLE: Water Allocation System for Planning Approvals

POLICY STATEMENT:

The Town of Okotoks shall have a *Water Allocation System* for planning approvals to ensure that approvals for development of *greenfield lands* are granted in a fair and equitable manner in accordance with the Town's *water licence capacity* and long range planning for all *greenfield lands* is not compromised.

PURPOSE:

This policy shall ensure that the Town's available water resources are distributed in a fair, equitable and efficient manner to land developers by establishing a *Water Allocation System*.

This policy will apply to the following planning applications for *greenfield lands* only:

- Annexation proposals
- Proposed Area Structure Plans (ASP) or amendments to ASPs
- Amendments to the Land Use Bylaw (LUB) for land use designation
- Outline Plan (OLP) applications
- Subdivision applications

DEFINITIONS:

Development Capacity means the total gross developable area of *greenfield land* expressed in hectares that can effectively be serviced by the Town's *water licence capacity* at any given point in time.

Greenfield lands means land that have not yet been serviced by municipal water service, but considered for expanding urban development under the Okotoks Municipal Development Plan.

Gross Developable Area means the area in hectares contained within a subdivision plan less any Environmental Reserve parcels.

Water Allocation System means the overall method in which *development capacity* is allocated to new subdivisions based upon the planning framework in place and the date the application is considered complete.

Water Licensing Capacity means the total gross diversion of water that the Town of Okotoks is licensed by Alberta Environment to withdraw.

RESPONSIBILITIES:

Council

- Council is the body authorized under provincial legislation to consider certain planning proposals including annexations, ASP's and amendments to the LUB and considers such planning proposals in the context of Town's *water licensing capacity*

Municipal Planning Commission

- Municipal Planning Commission is the body authorized under Bylaw 27-94, as amended, to be the Subdivision Authority
- Consider OLPs and subdivisions in the context of Town's *water licensing capacity*

Senior Management Team

- Oversight of the *Water Allocation System*

Planning Services Team

- Ensure that all planning applications are processed consistent with this Policy
- Manage the *Water Allocation System* for determining the allocation of available *development capacity*, and maintain date order records of all subdivision applications, approvals, time extensions, Servicing and Construction Agreements, and registrations
- Annual review of the *development capacity* and policy implementation including consultation with the development community
- Report status of *water licence capacity* to the Senior Management Team on an annual basis

POLICY GUIDELINES:

General

1. Administration shall establish, maintain and update a map (Appendix A) for the purposes of tracking *greenfield lands* within the Town of Okotoks and proposed for annexation that are subject to the Policy. *Greenfield lands* under these guidelines

are divided into five categories depending on the stage the lands are in the overall planning process.

- a. Lands identified within Area 'A' have received all necessary planning approvals from the Town to make the lands ready for consideration of tentative plans of subdivision, including final land use designations, an approved OLP, and an adopted ASP.
 - b. Lands identified within Area 'A1' are part of an approved OLP and ASP, have received second reading of a land use redesignation bylaw, and a subdivision approval that is conditional upon a land developer facilitating the transfer of a water licence to the Town with sufficient capacity to support their subdivision.
 - c. Lands identified within Area 'B' have an approved ASP in place and may have an OLP approval, but the Town has not yet considered final land use redesignation and the lands are designated Urban Holdings (UH) District. Tentative plans of subdivision and land use redesignations can be considered for these lands subject to Guideline 6.
 - d. Lands identified within Area 'C' have been annexed into the Town but comprehensive planning work has not yet been undertaken on an ASP.
 - e. Lands identified within Area 'D' have not yet been annexed into the Town and have been identified in the Intermunicipal Development Plan for eventual annexation into the Town for urban density development pursuant to the Municipal Development Plan.
2. Administration shall establish, maintain and update a water queuing database for the purpose of tracking *Development Capacity*, submission of complete applications for subdivision and time extension, Servicing and Construction Agreement execution dates, subdivision and time extension approvals, subdivision registrations and new water licence acquisitions. The Town shall post current *Development Capacity* on the Town website along with the date the website was last updated.

Annexations

3. The Town shall not submit an annexation report to the Municipal Government Board pursuant to Section 119 of the MGA for additional lands into the Town unless a framework is in place to provide sufficient *Water Licensing Capacity* is in place or imminent to service all *greenfield* lands currently within the Town and the lands proposed for annexation. This clause is not intended to preclude initiating the annexation process pursuant to Section 116 of the MGA which by necessity involves development of servicing strategies to support a proposed annexation. Proposed future annexation lands with urban development potential are to be identified on the policy map as Area 'D'.

Area Structure Plans

4. Any new ASP or amendments to an ASP for lands identified within Area 'B' or 'C' shall include direction with respect to phasing and staging development within the ASP around available *Water Licensing Capacity*.

Outline Plans and Land Use Redesignations

5. The Town should not consider the approval of an OLP or land use redesignation application for lands identified within Area 'B' or 'C' unless the Town has acquired sufficient *Water Licensing Capacity* to service all lands identified within Area 'A' as well as the lands subject to the OLP or land use redesignation application.
6. Notwithstanding Guideline 5 and subject to Guideline 14, the Town may consider approval of a new OLP and up to second reading of a land use redesignation bylaw for Area 'B' lands, which would allow the Subdivision Authority to consider a subdivision approval conditional upon the land developer facilitating the transfer of a water licence to the Town with sufficient capacity to support land use redesignation, thereby establishing the lands as Area 'A1'. Should this occur, the Town will only consider third reading of the land use redesignation bylaw if either:
 - a. the Town has acquired sufficient *Water Licensing Capacity* to service all Area 'A' lands as well as the lands subject to the land use redesignation; or
 - b. the land developer of the subject land use redesignation is successful in facilitating the transfer of a water licence to the Town that provides sufficient capacity to service the extent of the land use redesignation area.
7. The Town may consider approval of OLP amendments and land use redesignation applications within Area 'A' provided the applicant can demonstrate that net water consumption will not increase as a result of the proposed amendments.

Subdivisions

8. Allocations of *Development Capacity* under this Policy for a subdivision approval or time extension application will be equal to the *gross developable area* of the subdivision. An exception to this water capacity to land ratio may be made in the case of industrial areas where it can be quantified by the developer that the industrial use requires less water per hectare of development land than this ratio and that mechanisms can be put in place to ensure that the industrial user does not exceed projected water requirements over time.
9. Allocations of available *Development Capacity* to subdivisions or time extensions under the *Water Allocation System* will be considered in the order that a complete application is received by Planning Services. Once an application is deemed complete by Planning Services, the allocation of available *Development Capacity* required for the subdivision will be held for that application until the date of decision by the Subdivision Authority.
10. Allocation of available *Development Capacity* will be formally assigned to a subdivision or time extension application at the time the application is approved by the Subdivision Authority and such assignment remains in effect for one year after the decision in accordance with the Municipal Government Act. If a Servicing and Construction Agreement is not executed during this one year endorsement period, the portion of *Development Capacity* is removed on the expiry date and is available for re-assignment by the Town.

11. In cases where a Developer requires a time extension to a subdivision approval and a Servicing and Construction Agreement has not been executed, the subdivision will receive a new queuing position of either the expiry date of the original approval, or if the application is received after the expiry date, the date the time extension application is received.
12. The Subdivision Authority shall not approve a subdivision or grant an extension to a subdivision where *Development Capacity* is not available for the subdivision or extension unless a condition is imposed on the approval requiring an additional water licence or licences to be obtained that is sufficient to provide an adequate supply of water for the subdivision.
13. Concurrent with registration of a plan of subdivision, the associated *Development Capacity* is permanently removed from the *Water Allocation System*.

Developer Facilitated Water Acquisitions

14. Effective August 19, 2013, if a land developer facilitates the transfer of a water licence to the Town, up to 60% of the *Development Capacity* from that licence may be held for the benefit of the developer's lands, regardless of whether the lands are Area 'A', 'A1', 'B', or 'C'. Notwithstanding any other guideline, the *Development Capacity* would be held for that Developer for as long as it would be required to service their land holdings. The remaining 40% of the *Development Capacity* from the licence would become available for Area 'A' lands.
15. Notwithstanding Guideline 14, in the event Burnswest Corporation/Burnswest Development Ltd facilitates the transfer of one or all of the longstanding water licences appurtenant to their lands, Burnswest may utilize 100% of the net water licence transfer for their lands provided the transferred amount is utilized in its entirety prior to requesting water from the general development capacity.

Town of Okotoks

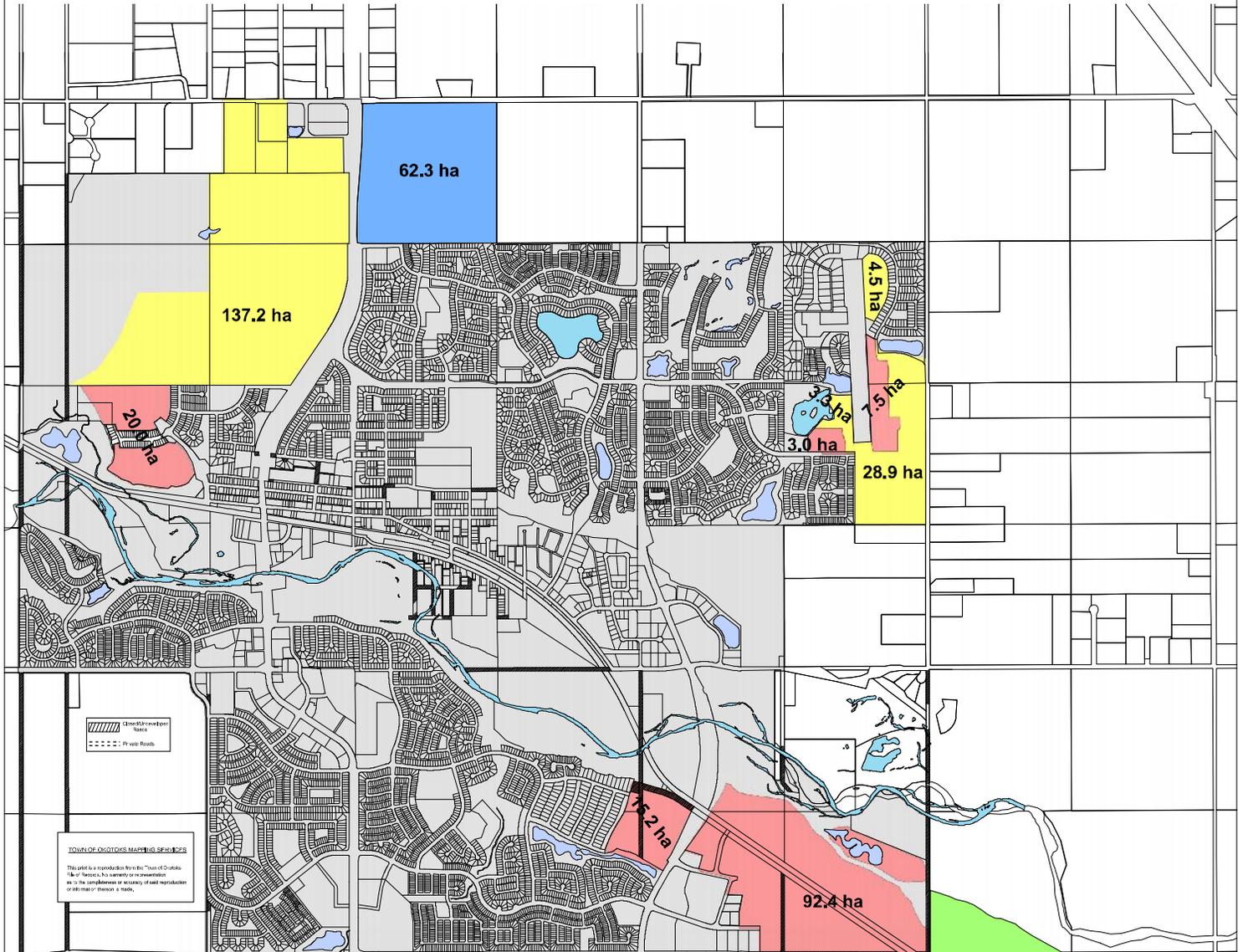
Appendix A-Greenfield Lands

Information Management Services
July 2013 Scale 1:8000

N



0 500 1,000 2,000
Meters



Shaded roadways
Rivers

2. Private Roads

TOWN OF OKOTOKS MAPS & GIS SERVICES

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Legend

- Area 'A'-138 ha
- Area 'B'-173 ha
- Area 'C'-62 ha
- Area 'D'-61.8 ha
(Currently under review)

