
Friends of Leduc Area Greenspace *Statement Of Position*

The Friends of Leduc Area Greenspace (FLAG) is a citizens' coalition opposing a proposal to repeal existing Leduc County protections for environmentally sensitive areas of the County. The proposal we are referring to is the Leduc County Draft Land Use Bylaw, which is going to be coming before Leduc County Council soon for approval. The issues we have with the Draft Land Use Bylaw in its current form are three:

1. The Draft Land Use Bylaw removes thousands of acres from the environmentally protected status that the land currently holds.
2. The Draft Land Use Bylaw does away with the entire Wildlife Habitat land use district that gave environmentally protected status to thousands of acres of sensitive land and wildlife corridor. These lands are proposed to be folded into the less protective Recreation Open Space land use district.
3. The Recreation Open Space land use district, which was already less protective than the Wildlife Habitat land use district, has a smattering of allowable uses added to it—notably including Natural Resource Extraction as a discretionary use.

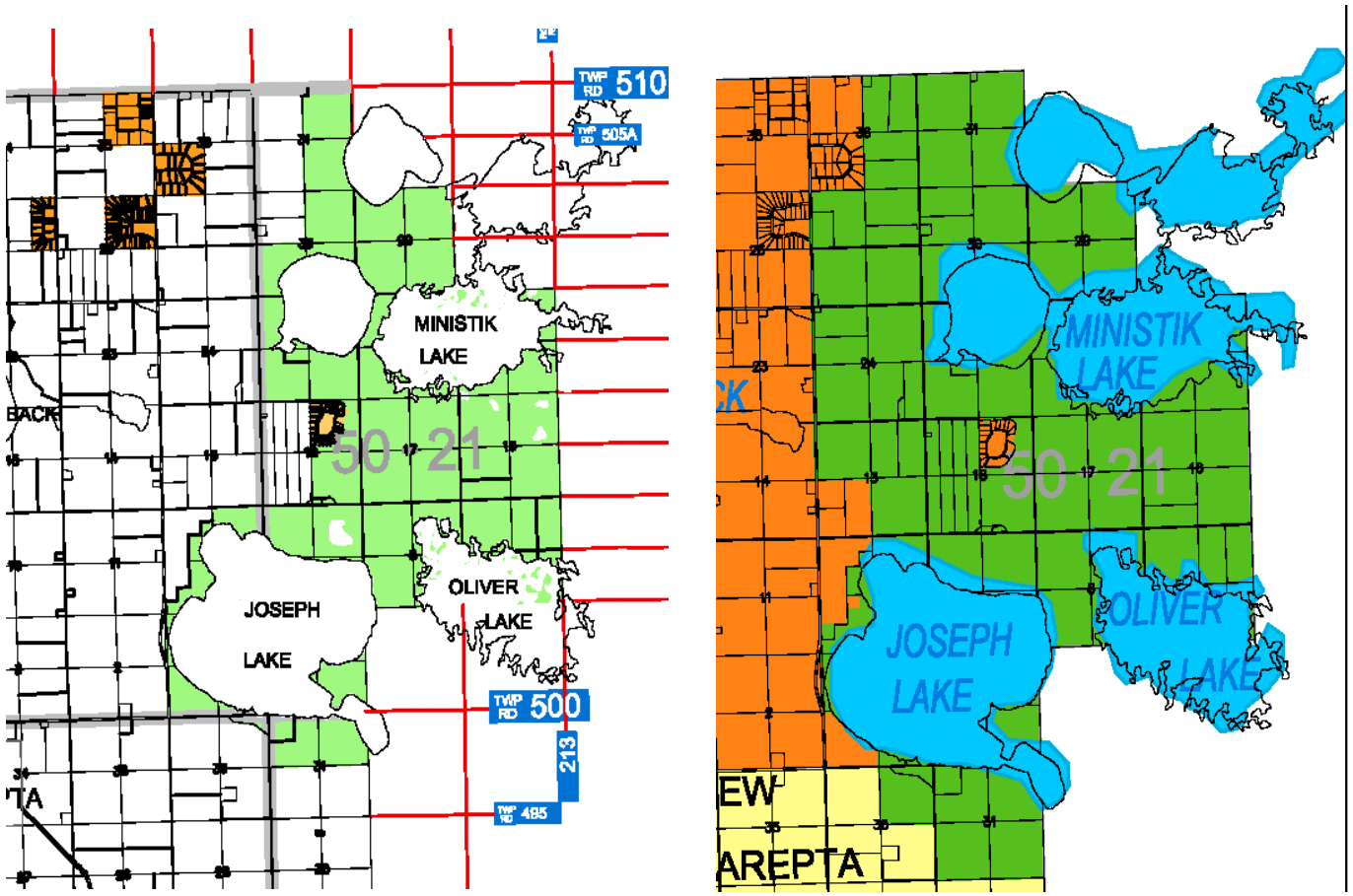
The Friends of Leduc Area Greenspace calls upon Leduc County Council to return the Draft Land Use Bylaw to Leduc County administration for an overhaul in regards to the handling of environmentally sensitive areas. Environmentally sensitive areas need to continue to be a protected land use district, as they are now under the Wildlife Habitat land use district. The environmental overhaul needs to be done in cooperation with such environmental stakeholders as the Alberta Wildlife Association, the residents of Leduc County, and Leduc County's own Environmental Committee. We feel that wide scope of the land use bylaw rework (an 81 page piece of 'light reading') has resulted in both the residents of Leduc County and the Leduc County Council being unaware of the drastic and permanently damaging aspects of the changes it proposes insofar as environmentally sensitive areas are concerned.

Within this statement of position, we will further detail our reasons for concern.

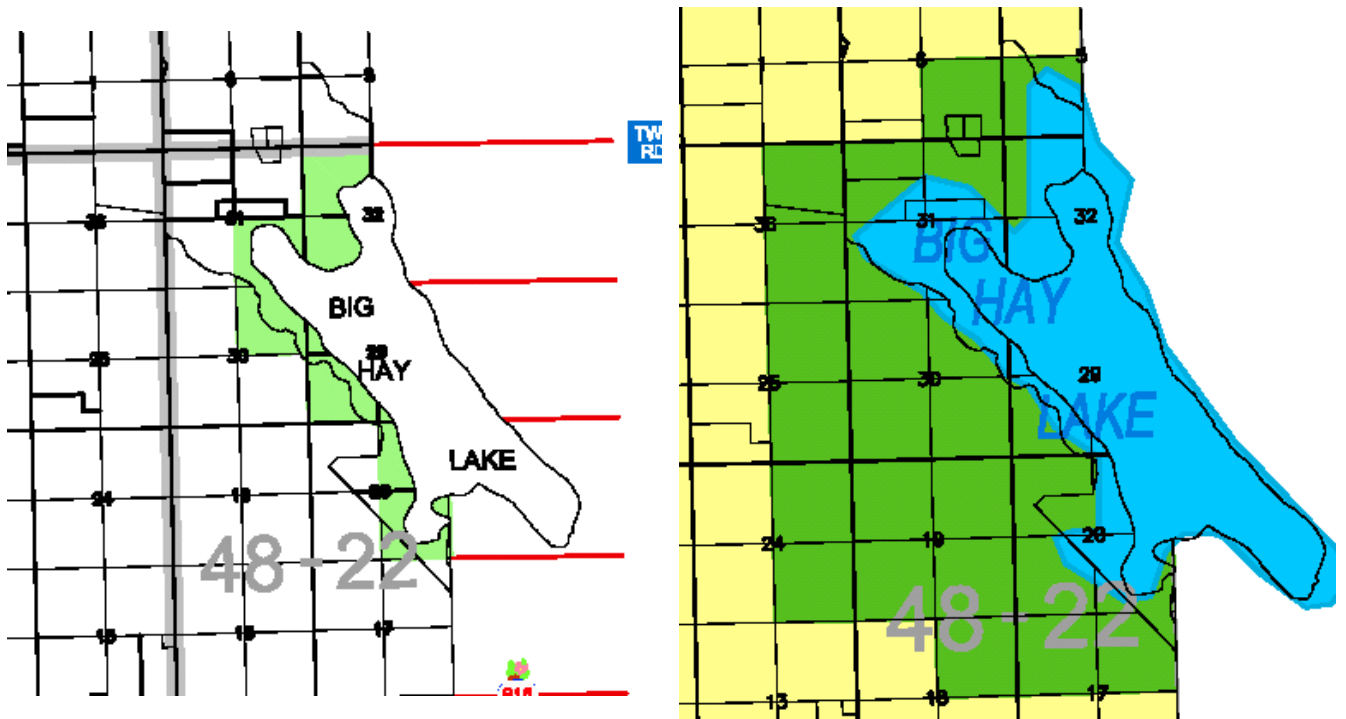
I. Decrease In Protected Land

The Leduc County Draft Land Use Bylaw results in a net decrease of thousands of acres of protected land across the county. County wide, approximately six thousand acres of protected land are changed to the agricultural land use district, which is a ‘pretty-well-anything-goes’ land use district. The net result is that only about 6.8% of the land area of the county lies within a land use district that offers environmental protection. This percentage is much lower than any targets suggested by the “*Environmentally Significant Areas of Alberta Volumes 1, 2 and 3*” report prepared for the Resource Data Division of Alberta Environmental Protection in March of 1997. The worst of it is that the proposed protection is very limited, as we document in sections II and III below.

Here you can see the large tracts of land that are removed from the Ministik Lake & area Wildlife Habitat land use district—the proposed land use map is on the left, the current land use map is on the right (each of the smaller squares represents a quarter section, which is 160 acres):



Big Hay Lake area suffers similar treatment—the proposed land use map is on the left, the current land use map is on the right:



Other areas have acreage added or removed, mostly netting to a immaterial change for that specific area, except of course for the decreased protection rendered by the land use district changes!

II. Wildlife Habitat folded into Recreation Open Space

Leduc County council circa 1983 seems, in hindsight, to have been quite concerned about the legacy they wanted to pass to future generations of Leduc County residents. They protected large areas of the county under the Wildlife Habitat land use district, which was reasonably restrictive in the allowed uses. Here is a clip from the 1983 document (still in effect to this day) that advises the permitted and discretionary uses for the Wildlife Habitat land use district:

WH – WILDLIFE HABITAT

10.1	<u>Permitted Uses</u>	<u>Discretionary Uses</u>
	(1) Cereal Crop Farming	(1) Those similar uses which, in the opinion of the Development Officer, are unlikely to have a restrictive effect on the District.
	(2) Forage Crop Farming	
	(3) Livestock Raising (extensive)	(2) Subject to 10.2 (6) – Golf Courses
	(4) Native Pasture/Grazing	<i>By-law No. 37-89</i>
	(5) Market Garden	
	(6) Tree Nursery	(3) Utility
	(7) Single Family Residence	<i>By-law No. 18-02</i>
	(8) Mobile home	
	<i>Bylaw No. 29-04</i>	

In addition, the site restrictions included a key item that ensured the input of interested parties would be heard in regards to any proposed development in a Wildlife Habitat land use district:

Upon receipt of an application for development of a commercial recreation use, the Development Officer shall hold a public information meeting prior to making a decision regarding the permit application. Notices of the public information meeting will be sent to adjacent residents, municipalities within three kilometres of the proposed development, and any other persons or organizations that the Development Officer considers that should be notified. A notice may be advertised in the local newspaper.

The draft land use bylaw does away with the Wildlife Habitat land use district. Those lands that continue to have any form of protection (after the area reductions shown in Section I) are folded

into the Recreation Open Space land use district. As you can see from this clip out of the draft land use bylaw, the uses under Recreation Open Space are much more extensive and even include discretionary natural resource extraction...a gravel pit, for example.

9.17 ROS RECREATION / OPEN SPACE DISTRICT

9.17.1 General Purpose

To protect areas with unique or high scenic or natural values, while providing for primarily active and passive recreation activities, as well as educational uses and compatible agricultural and limited non-recreation land uses.

9.17.2 Permitted Uses	9.17.3 Discretionary Uses
<i>Accessory Building ≤ 100 m² (1,080 ft²)</i>	<i>Accessory Building > 100 m² (1,080 ft²)</i>
<i>Agriculture, Extensive</i>	<i>Agriculture, Livestock</i>
<i>Agriculture, Horticultural</i>	<i>Agricultural Processing, Limited</i>
<i>Dwelling, Detached²</i>	<i>Animal Care Service</i>
<i>Dwelling, Manufactured Home²</i>	<i>Campground*</i>
<i>Dwelling, Secondary*²</i>	<i>Cemetery</i>
<i>Group Home, Limited*</i>	<i>Child Care Facility*</i>
<i>Home Occupation, Type 1*</i>	<i>Cultural Facility</i>
	<i>Dwelling, Moved In*</i>
	<i>Education Service</i>
	<i>Equestrian Facility</i>
	<i>Group Home*</i>
	<i>Guest House</i>
	<i>Home Occupation Type 2*</i>
	<i>Kennel*</i>
	<i>Local Community Facility</i>
	<i>Natural Resource Extraction³</i>
	<i>Park</i>
	<i>Recreation, Outdoor¹</i>
	<i>Religious Assembly</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

¹ The scale of this use shall be consistent with the carrying capacity of the land to support the natural systems of the land.

² Discretionary if situated within the Minimum Separation Distance of a CFO (Section 6.11)

³ Except commercial logging

The ‘Other Regulations’ for the proposed Recreation Open Space land use district does give the development authority the ability to: require an environmental impact assessment, impose development conditions, and send applications to the province for review/comment.

Unfortunately, the Wildlife Habitat land use district requirement for public input (cited on page 4) does not exist for the Recreation Open Space land use district.

It is true that a person would need county administration's approval to proceed with any of the discretionary uses, and that certain of them would only be allowed after affected neighbors had a chance to be heard. The problems that FLAG has with this are threefold:

- A) Changing the land use district to one with all these uses puts the decision making power in the hands of county administration instead of requiring elected officials to be involved—not a good situation with environmentally significant areas where one bad decision by one person can do irreparable harm.
- B) “The door is opened”—having the use even listed as discretionary means that it can happen, which encourages developers to gain rights to the land with the intent of using the land for such purpose.
- C) When a land use district has an activity as an allowable use, those who are not directly affected by the proposed activity have no right to be heard—it is up to the deciding authority whether they take the concerns of people whose lands are not directly affected into account or if they even allow them to be heard.

III. Lack of Protection

The draft land use bylaw holds approximately 6.8% of the county’s area in the two land use districts that provide the most environmental protection offered by any of the proposed land use districts. **Unfortunately, neither of these land use districts offers much protection.** This means that the most environmentally sensitive lands, for example the North Saskatchewan River Valley, get the same ‘soft’ protection as lesser environmentally sensitive lands. The two land use districts in question are Recreation Open Space and Lake Watershed. We showed the broad uses allowed for Recreation Open Space in Section II, above. Here are the similarly broad uses allowed for the Lake Watershed land use district:

9.18 LW LAKE WATERSHED DISTRICT

9.18.1 General Purpose

The purpose of this district is to protect the integrity of the lakes and watersheds, preserving tree cover, and minimizing adverse *environmental impacts* while allowing for minimal *development* of recreational, residential and agricultural uses. Lot sizes in this district will be between 1.0 ha (2.5 ac) and 2.0 ha (4.9 ac) for a country residential acreage and no less than 8.0 ha (19.8 ac) for a residential woodlot.

9.18.2 Permitted Uses	9.18.3 Discretionary Uses
Accessory Building ≤ 100 (1,080 ft ²)	Accessory Building > 100 m ² (1,080 ft ²)
Agriculture, Extensive	Agricultural Processing, Limited
Agriculture, Horticultural ¹ *	Campground *
Agriculture, Livestock ²	Cemetery
Dwelling, Detached ³	Child Care Facility *
Dwelling, Manufactured Home ³	Cultural Facility
Group Home Limited *	Dwelling, Moved In *
Home Occupation, Type 1 *	Dwelling, Secondary *
	Education Service
	Equestrian Facility
	Group Home *
	Guest House
	Home Occupation Type 2
	Kennel
	Local Community Facility
	Natural Resource Extraction ⁴
	Park
	Recreation, Outdoor ²
	Religious Assembly
	Resort Recreational Facility
	Sign (in accordance with Part 8 of this Bylaw)
	Utility Service, Minor

Again we see the inclusion of discretionary natural resource extraction. Lake Watershed does not include the 1983 Wildlife Habitat land use district requirement for public input (cited on page 4). Even worse than Recreation Open Space, the ‘Other Regulations’ for the proposed Lake Watershed land use district does NOT give the development authority the ability to: require an environmental impact assessment, impose development conditions, or send applications to the province for review/comment.

One could argue that the level of protection offered environmentally sensitive lands by the Recreation Open Space and Lake Watershed land use districts are thus little better than no protection! FLAG’s threefold concerns expressed at the end of Section II stand equally for both the Recreation Open Space and Lake Watershed land use districts.

IV. Conclusion

The Friends of Leduc Area Greenspace calls upon Leduc County Council to return the Draft Land Use Bylaw to Leduc County administration for an overhaul in regards to the handling of environmentally sensitive areas. Environmentally sensitive areas need to continue to be a protected land use district, as they are now under the Wildlife Habitat land use district. In the least, lands that are of medium or high sensitivity should be given suitable protection rather than the same low level of protection offered lands that are only somewhat environmentally sensitive. The environmental overhaul needs to be done in cooperation with such environmental stakeholders as the Alberta Wildlife Federation, the residents of Leduc County, and Leduc County's own Environmental Committee.

Now that you have read our statement of position, please call us if you would like to comment, express support, or want to volunteer to help out. If you are thinking of volunteering, we won't need much of your time & the reward will pay off for decades to come—you will know that you helped preserve Greenspace in Leduc County for your family, friends, neighbors, and the generations to come!

Phone: 780-980-8101 (24 hour voicemail; your call will be returned within one business day)

Email: flag@kanotech.com

Web address: www.kanotech.com/flag

Thank you for your time,

The Friends of Leduc Area Greenspace