

ETHEL LAKE AREA STRUCTURE PLAN

Prepared by
Advisory Council and Municipal Planning Commission
Improvement District #18 (East)

in consultation with

Improvement Districts Administration Division
and
Regional Planning Section

September, 1981



MD 49/82

MUNICIPAL AFFAIRS

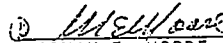
Office of
the Minister

IN THE MATTER OF
The Planning Act, R.S.A., 1980
and
The Improvement Districts Act R.S.A. 1980
and
Improvement District No. 18

Pursuant to The Planning Act, R.S.A., 1980, and Improvement Districts Act, R.S.A., 1980. I, MARVIN E. MOORE, Minister of Municipal Affairs as Council for Improvement District No. 18,

DO HEREBY ORDER THAT:

The Ethel Lake Area Structure Plan, dated September 1981, being the text containing Sections 1 to 4 inclusive and Maps 1 and 2 attached hereto, is adopted pursuant to Section 64 of The Planning Act, R.S.A. 1980.


MARVIN E. MOORE
Minister of Municipal Affairs

Dated at Edmonton, in the
Province of Alberta

This 26 day of January A.D., 1982.

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1. INTRODUCTION

1.1 Origin and Purpose

Ethel Lake is located in the eastern portion of the Cold Lake Region in the northeastern part of Alberta. It is within one-half to one hour's drive of Grand Centre, Cold Lake, and Bonnyville, and three hours drive of Edmonton.

Ethel Lake, due to its location just 6.5 km southeast of Esso's proposed heavy oil extraction plant; with good access to the plant and the area's urban centres, and with the majority of its shoreland in private ownership, presents a focus for land speculation and competing development pressure. In order to promote future orderly use of the lake and its shoreland, Improvement District #18, in consultation with Alberta Municipal Affairs, decided to initiate a lake management planning program for Ethel Lake.

In addition, the Cold Lake Regional Plan, which is under preparation at present, also recognised Ethel Lake as an important recreation resource and proposed that a management plan in the form of an Area Structure Plan be prepared.

In order to address these expectations, this Plan has been prepared with the following purposes in mind:

- a) to provide policies in the form of text and maps which reflect and attempt to achieve the management goals and directions established for Ethel Lake
- b) to establish a future development pattern in the planning area and to articulate policies and implementation mechanisms
- c) to provide guidelines to the municipality and concerned agencies in the preparation of the implementing Land Use Order and in the reviewing of subdivision and development applications
- d) to provide inputs to the provincial and federal governments in the development of their policies and programs which may affect the planning area

1.2 Planning Area

The planning area (Map 1) is comprised of Ethel Lake and the adjacent shoreland extending approximately 1.5 km from the lake's high water mark. This 1.5 km zone encompasses that area in which the greatest development pressures and impacts on the lake will normally occur. For convenience in preparation and administration of the Land Use Order, the planning area boundaries follow quarter-section lines.

The planning area is entirely within the administrative boundaries of Improvement District #18 (East).

1.3 Basis of the Plan

The research/planning investigation and evaluation which has led to the preparation of this Plan has been guided by the management goals established for Ethel Lake and a number of planning assumptions. Should these factors change, this Plan may have to be revised accordingly. The following summary lists the goals (in order of priority) and assumptions which provided the basis for the preparation of this Plan.

Goals

- a) existing water quality of the lake and overall quality of the natural lake environment should be maintained or improved
- b) the best and most efficient use of the lake and shoreline resources should be encouraged
- c) the continued viability and integrity of appropriate existing developments and uses at the lake should be ensured
- d) the quality of the recreational experience for the majority of lake users should be maintained or enhanced
- e) the recreational role of the lake should be maintained

Assumptions

- a) demand on the recreation and water resources of the planning area will increase, and the municipality wishes to satisfy some of the demand where appropriate and possible
- b) while some existing uses may be in conflict with each other, and some existing developments may not be acceptable from current planning standards, the municipality does not wish to create undue hardships by retroactively imposing overly restrictive control regulations
- c) technological change in the near future will not substantially alter the available methods, to the extent that they become economically practicable, of providing water supply and sewage disposal and of improving lake water quality

2. LAND USE POLICIES

Map I outlines the land use pattern of the planning area which shall be reflected in the Improvement District #18 Land Use Order. Provisions governing each of the land use designations are detailed in this Section. Development of the land for any uses, including residential use, where permitted under the designations, shall also conform with the management policies in Section 3.

2.1 Rural Conservation

- a) the preferred uses of such areas shall be for agriculture and farm related uses. In addition, low intensity, passive recreation uses such as walking trails, cross-country skiing trails, and scenic observation areas, as well as transportation, communications, and public and institutional facilities related to the agricultural community may be permitted
- b) only extensive types of agricultural uses, such as the production of field crops and forage crops, and those intensive agricultural activities such as tree nurseries and apiaries, which can be demonstrated to cause no significant increase in odour, noise, or pollution may be permitted
- c) Expansion or extension of existing intensive agricultural activities may be allowed subject to the concurrence of the municipality and provincial authority having jurisdiction. In addition, the operator of the intensive agricultural facility shall be encouraged to obtain a Certificate of Compliance with the Alberta Agriculture and Alberta Environment Code of Practice
- d) the creation of a maximum of four (4) residential lots per each 64 hectares (160 acres) parcel, or a proportion of the four (4) lots on a pro-rated basis for lesser size parcel may be permitted in the Land Use Order. The residential lots shall be of 0.4 hectare (1 acre) to 1.2 hectare (3 acres) in size, and should be:
 - i) clustered in order to minimize the fragmentation of land and to minimize the effect of non-farm/farm use conflicts
 - ii) located on that portion of the parcel which is not used for agricultural production at present
 - iii) located on that portion of the parcel with the lowest capability for agricultural production

Where any of the above conditions cannot be met, the municipality, at its discretion, may reduce the maximum of lots permitted in the Land Use Order

2.2 Recreation Conservation

- a) the preferred uses of such areas shall be for low density, passive recreation uses such as walking trails, cross-country skiing trails, and scenic observation areas. Transportation, communications, and public and institutional facilities related to the agricultural community may also be permitted. Where possible, property owners shall be encouraged to retain as much as possible the existing natural vegetation on such areas
- b) the creation of one farmstead or residential lot on each previously unsubdivided quartersection may be permitted. The parcel created shall not be less than 0.4 hectare (1 acre) or larger than 1.2 hectare (3 acres) in size. If additional land is required for features such as shelter belts and ancillary farm buildings, the parcel created may have an area up to 4 hectares (10 acres). Such separation should be:
 - i) located on that portion of the parcel with the lowest capability for agriculture production
 - ii) designed so as to have minimal impact on the existing and future use of the parcel for agricultural purposes, considering such factors as proximity and access to an all-weather road, and the shape and location of the fragmented parcel
- c) in addition, the provisions under Sections 2.1(b) and (c) shall apply in such areas

2.3 Crown Land Conservation

- a) the preferred uses of such areas shall be for low density, passive recreation areas such as walking trails, cross-country skiing trails, and scenic observation areas, forestry and wildlife management
- b) subject to the concurrence of Alberta Energy and Natural Resources, agriculture, transportation, communications, and uses associated with subsurface resource extraction may also be permitted
- c) all land use and development shall conform with any standards or guidelines as established by Alberta Energy and Natural Resources

2.4 Recreation

- a) the preferred uses of such areas shall be for low to moderate intensity organized recreation uses such as hiking trails, extensive camping, lake access facilities, and water-based recreation facilities

- b) transportation, communications, public and institutional facilities which can be demonstrated to cause no adverse impacts on the predominant uses may also be permitted
- c) developments on such areas shall not contribute to a reduction to the environmental quality of the area, including the quality of the lake and its shoreline
- d) developments on such areas shall not cause any adverse impact on the traffic pattern of the area
- e) developments on such areas shall be required to maintain an open space buffer of sufficient size and composition to act as a noise and visual barrier, and as may be specified in the Land Use Order, from adjacent incompatible land uses. Buffers may include vegetation screens, distance separation, or a combination of these or other suitable interposing features

2.5 Extractive Industrial

- a) the preferred uses of such areas shall be for existing extractive industrial uses. In addition, transportation and communication facilities may also be permitted
- b) In addition to any required provincial permits or approvals, the municipality may, at the time of application for a development permit for an expansion or extension of an existing extractive industrial use, require the proponent of the development to provide a reclamation plan indicating:
 - i) the sequence and extent of development
 - ii) the proposed use of the land after the development has been concluded
 - iii) any anticipated interference with surface or subsurface water
 - iv) any impact on fish or wildlife habitat anticipated
 - v) the measures to be taken to mitigate any negative impacts identified in (iii) and (iv) above, to be reviewed by the Regional Fisheries and Wildlife Habitat Biologists
 - vi) the measures to be taken to reclaim the land to the standards set out in Section 2.5 (c) below
- c) the municipality shall only grant a development permit for the expansion or extension of an existing extractive industrial use when it has been shown that the reclamation proposed conforms to the *Guidelines for the Reclamation of Land in Alberta*, and:
 - i) the land can be returned to at least equal to or better than the former level of renewable resource capability productivity using similar inputs as before the development occurred

- ii) the land can be returned to at least equal to or better than the former recreation potential
 - iii) in the case of potential negative impact on surface or subsurface water, or on fish or wildlife habitats, the mitigative measures proposed are likely to be successful
- d) before a development permit is issued, the municipality may, where no similar requirement is made by a provincial agency, require the proponent of an extractive industrial use to post a performance bond or similar security for the purpose of ensuring reclamation is completed

3. MANAGEMENT POLICIES

The following policies as well as Map 2 are adopted to maintain and enhance the natural resource of the planning area.

3.1 Development Policies

- a) the municipality shall ensure that the Environmental Areas as outlined on Map 2 are primarily used for the preservation and conservation of the natural environment, and shall be managed in such a fashion as to complement the natural environment of those areas and the adjacent lands. Removal of vegetation from those areas shall be kept to a minimum
- b) the municipality, in considering any land use proposals on the Environmental Areas, such as proposals for the erection of buildings or structures, or the placement or removal of fill of any kind, shall have regards for the following:
 - i) the seriousness of the environmental sensitivity of the areas
 - ii) the potential impacts of the proposed land use on the Environmental Areas
 - iii) the proposed methods by which the potential impacts may be overcome in a manner consistent with acceptable resource management and engineering techniques
- c) the municipality, in considering any land use proposals adjacent to the Resource Extraction Areas as outlined on Map 2, shall have regards for the potential hazards of such areas on the proposed land use. Where necessary, the municipality shall require a buffer of sufficient size and composition to minimize the incompatibility between the proposed land use and the Resource Extraction Areas
- d) residential development of any type shall adhere to the following criteria:
 - i) ground water of sufficient quantity and quality shall be available to support the development
 - ii) development shall be prohibited within 35 metres of the top of river and stream valley breaks. Where this requirement cannot be met because of the configuration of the parcel area or the characteristics of the landscape, the municipality may reduce this standard as long as the intent of this provision is maintained
 - iii) development shall be prohibited on slopes in excess of 15%, on unstable slopes subject to soil slippage or other mass movement, or on soil which has a percolation rate of 2 minutes /2.5 cm or faster
 - iv) development shall be prohibited in or adjacent to areas characterized by unique vegetation species or wildlife habitats

- f) only one single family dwelling unit shall be permitted on each lot except as provided for under The Planning Act. Guest houses shall not be permitted as they would constitute additional dwelling units
- g) condominium development shall not be permitted anywhere in the planning area
- h) developments proposing spaces for day use, hiking trails, overnight camping and similar facilities shall have such facilities suitably organized and clearly marked. Adequate lake access and parking facilities shall be provided where appropriate
- i) the municipality shall not approve or endorse any land use proposals which may adversely affect any future upgrading options of the roadway along the north shore of the lake. The municipality shall, prior to making a decision for land use proposals adjacent to the roadway along the north shore of the lake, seek comments from Alberta Transportation
- j) the proponent of a development shall be responsible for conducting any required Historical Resources Impact Assessment and providing mitigative measures in areas where the proposal would either destroy or alter the historic resource

3.2 Environmental Policies

- a) all development shall locate on parcels large enough to support any required on-site water supply and sewage disposal systems. All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction
- b) necessary public facilities such as change houses, toilets, garbage disposal and on-site water supply shall receive approval from authorities having jurisdiction, and shall be of sufficient size and adequate quality to handle the anticipated peak use
- c) the municipality may review the sewage disposal systems installed in existing developed areas. Where, in the opinion of the municipality, a sewage disposal system may become injurious or dangerous to health, or may hinder in any manner the prevention of suppression of disease, the municipality may inform the local health unit. The municipality may also request the local health unit to investigate such situations with a view to requiring corrective measures, under the Public Health Act
- d) the clearing of vegetation for residential or recreational use shall be minimized in order to maintain aesthetic and visual buffers from neighbouring properties and the lake

- e) all development shall be required to maintain a buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible uses
- f) a tree/vegetation buffer of at least 30 metres wide shall be maintained along the lakeshore. Appropriate allowance may be made for existing lots where this restriction may not be practical. Revegetation of existing cleared areas shall be encouraged.
- g) no development shall be allowed on public reserves if it obstructs or hinders the use by the public of the public reserves
- h) any future development or structures (except for removable domestic piers or removable boat lifts) proposed on the shoreline reserve or lake bed shall be required to obtain authorization from Alberta Energy and Natural Resources (if on the lake bed) and/or a development permit from the municipality (if on the shoreline reserve)
- i) alterations to the bed and shores of Ethel Lake shall not be undertaken without the necessary authorization and permits from the appropriate government agencies

3.3 Lake Use Policies

- a) the municipality may, with the technical assistance of Alberta Municipal Affairs, apply to the Provincial Boating Restriction Regulations Review Committee, for the imposition of the following boating restrictions:
 - i) no motorized boating in established swimming areas
 - ii) 12 kilometres/hour speed restriction in the southeast bay
- b) the municipality shall post signs at appropriate locations, stating any boating regulations established in the area
- c) the municipality, where possible, shall require the location of new boat launch facility to be away from, or at the perimeter of non-boating activities areas
- d) the municipality shall encourage Alberta Energy and Natural Resources to strictly monitor and enforce commercial fishing permits on the lake in order to protect the sport fishing activities

4. IMPLEMENTATION AND ADMINISTRATION

4.1 Authority of the Plan

- a) pursuant to the provisions of The Planning Act, this Plan shall be adopted by the municipality, as the Ethel Lake Area Structure Plan
- b) subdivision, development and re-development of lands within the planning area by the municipality and general public shall be in accordance with the provisions of this Plan
- c) the municipality shall encourage the provincial and federal governments to have regard for the provisions of this Plan in the development and re-development of crown lands, and in the formulation of provincial and federal policies and programs, within the planning area

4.2 Land Use Order

- a) where this Plan or any part thereof takes effect, the Land Use Order then in effect in the planning area shall be amended forthwith to conform with this Plan
- b) no provisions of this Plan shall be deemed to require the municipality to immediately place all lands in their designated uses to allow immediate development. In order to allow for the logical progression and proper timing of development, the municipality may place some of the areas designated for particular uses in this Plan in a holding category in the Land Use Order. However, such a holding category:
 - i) shall not freeze the use of the subject lands but shall permit a limited range of uses compatible with the provisions of this Plan; and
 - ii) shall establish conditions for removing the holding category in order to permit development in accordance with the designated use in this Plan
- c) no provisions of this Plan shall be deemed to prevent the continuation, minor extension, or minor enlargement of existing uses which do not conform with the provisions of this Plan. The municipality may, at its discretion, recognize such existing uses in the Land Use Order provided such uses have no adverse effects on the present and future use of the surrounding area, or on the implementation of this Plan. Where the design features or development standards of any existing uses do not conform with the provisions of this Plan, the owners shall be encouraged to upgrade the structures to conform with the intent of this Plan. The provincial government and the municipality, where possible, may assist such upgrading

4.3 Relationship to Other Statutory Plans

- a) unless the contrary is expressly declared in the other statutory plans, this Plan does not supercede, repeal, replace, relegate, or otherwise diminish any other statutory plans in effect in the planning area. No development or redevelopment shall be approved unless it is in conformity with this Plan and any other applicable provisions of the Cold Lake Regional Plan or other statutory plans in effect in the planning area

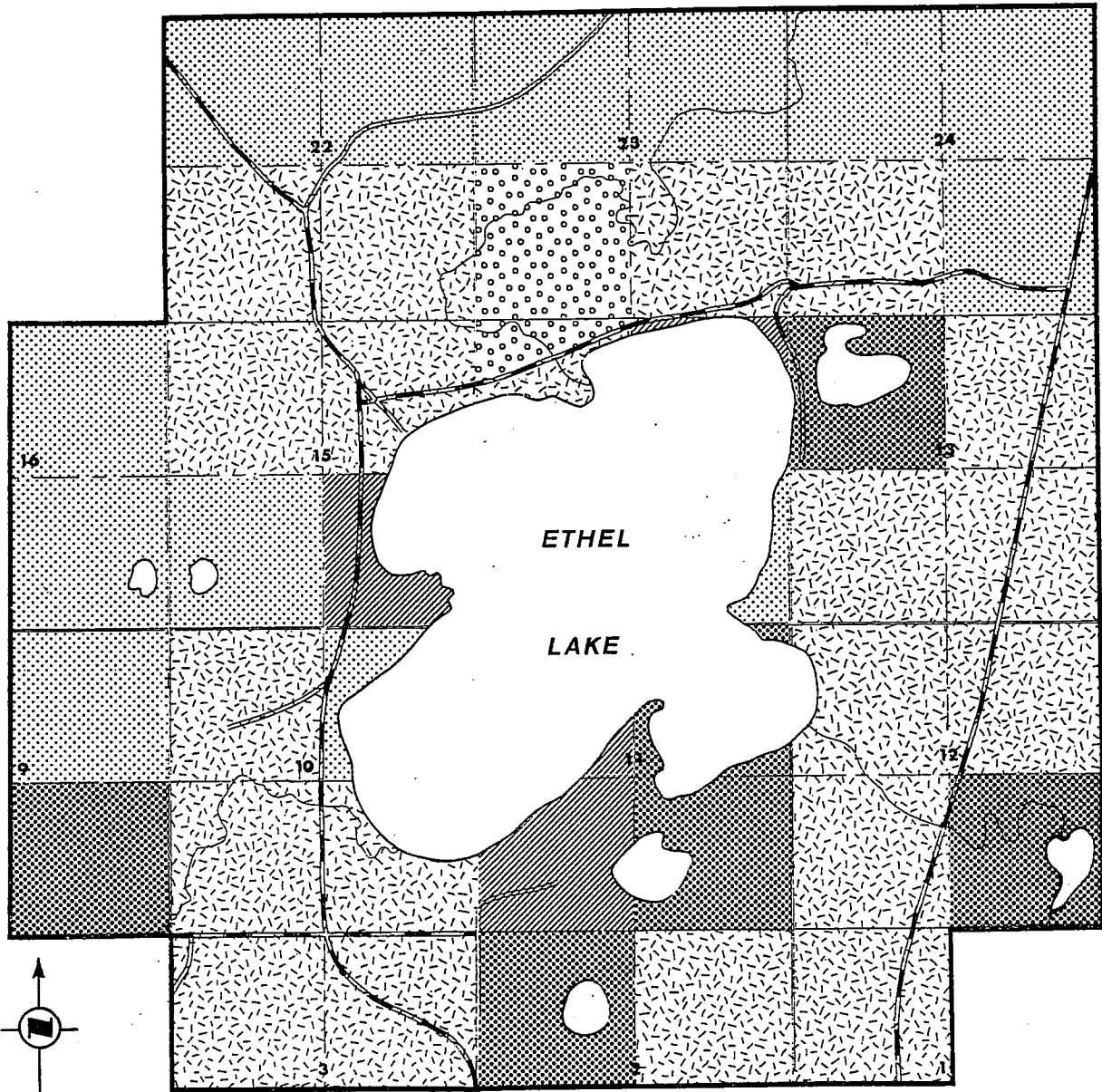
4.4 Plan Review and Amendments

- a) the municipality may amend this Plan at any time to incorporate new objectives, policies and land use. The municipality shall review and evaluate the effectiveness of the Plan, and where necessary amend this Plan, at least once every three years
- b) amendments shall be adopted as amendments to the Ethel Lake Area Structure Plan pursuant to The Planning Act

4.5 Interpretation

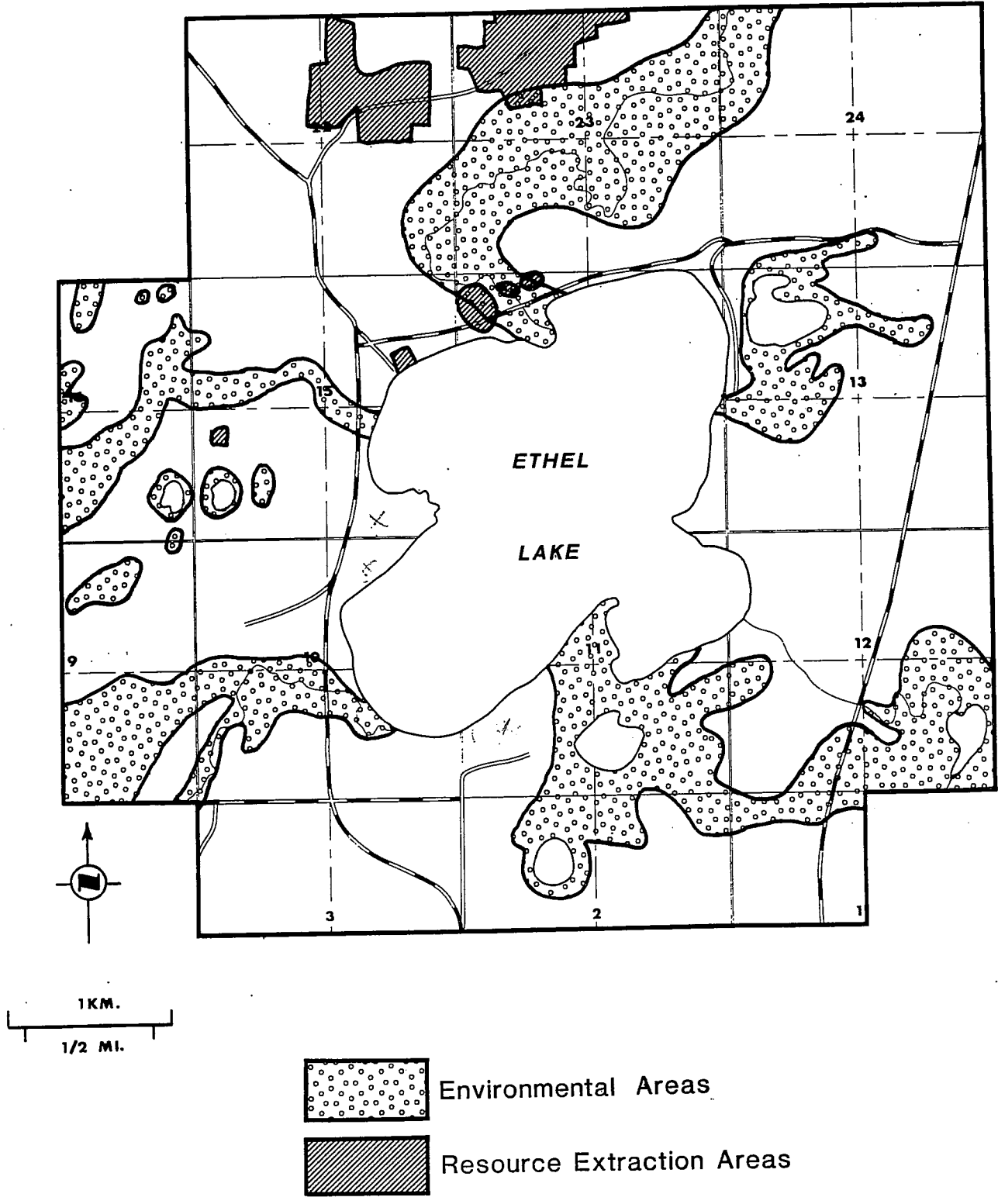
- a) the examples of uses are included in this Plan to illustrate the range of activities in each land use designation. Specific uses shall be defined for an area in the Land Use Order
- b) in order to provide for flexibility in interpretation, boundaries of the Environmental Areas and Resource Extraction Areas outlined on Map 2 may be considered to be approximate except where such boundaries coincide with roads, quarter-section lines, valleys, streams, rivers or other clearly recognizable physical features. Otherwise, for the purpose of preparing the Land Use Order, and for subdivision, development and redevelopment approval or otherwise, minor deviations may be permitted without amendment to this Plan, provided that such deviations do not alter the intent of this Plan

MAP 1 - LAND USE AREAS



-  Rural Conservation
-  Recreation Conservation
-  Crown Land Conservation
-  Recreation
-  Extractive Industrial

MAP 2 - POTENTIAL LAND BASED DEVELOPMENT CONSTRAINT AREAS



APPENDIX A IS INCLUDED FOR INFORMATION
PURPOSES ONLY. IT DOES NOT HAVE ANY
LEGAL EFFECTS UNDER THE PLANNING ACT.

APPENDIX A

ETHEL LAKE INFORMATION GUIDE

Outlined below are major areas where questions, concerns or information requests are likely to occur in relation to the future management of Ethel Lake. Utilizing an index system, various contact agencies have been cross-reference to the areas of concern so that any enquiries can be directed to the appropriate agencies.

<u>Areas of Concern</u>	<u>Contact Agencies</u>
agricultural practices	3
archaeological issues	2, 4
boating restrictions	1, 2
building construction	1
clearing of offshore weeds	11, 13, 16
development permits	1
docks, boatlifts, boathouses	1, 11
fish and wildlife management	9, 10, 16
fish habitat protection	16
fluctuating lake levels	14, 15
lake water quality	12, 6
lake water withdrawal	13, 14, 15
land use order	1, 2
noise disturbances, trespassing etc.	8
public lake access	1, 2
reserve areas in subdivisions	1, 2
servicing and road maintenance	1
sewage disposal - installation	7
sewage disposal - faulty systems	5, 6, 11
shoreline alteration	1, 13, 16
Ethel Lake Area Structure Plan	1, 2
Ethel Lake Management Study	1, 2
subdivision/development requests	1, 2
violation of boating restrictions	4, 8

Any other areas of concern not addressed here should be forwarded to either the municipality, or the Regional Planning Section of Alberta Municipal Affairs.

1. I.D. Manager
I.D. #18
Box 23
LAC LA BICHE, Alberta
623-4474
2. Regional Planning Section
Alberta Municipal Affairs
9925 - 107 Street
EDMONTON, Alberta
427-2995
3. District Agriculturalist
Alberta Agriculture
50 Avenue & 50 Street
BONNYVILLE, Alberta
826-3388
4. Resource Management Section
Archaeological Survey
8820 - 112 Street
EDMONTON, Alberta
427-2355
5. Northeastern Alberta Health Unit
GRAND CENTRE, Alberta
594-4404
6. Public Health Inspector
Local Board of Health
GRAND CENTRE, Alberta
594-4404
7. Provincial Plumbing Inspector
Plumbing Inspection Branch
General Safety Services Division
Alberta Labour
10808 99 Avenue
EDMONTON, Alberta
427-3669
8. Royal Canadian Mounted Police
GRAND CENTRE, Alberta
594-3301
9. Fish and Wildlife Officer
Fish & Wildlife Division
COLD LAKE, Alberta
639-3377
10. Regional Wildlife Biologist or
Regional Fisheries Biologist
Fish & Wildlife Division
Box 1450
ST. PAUL, Alberta
645-4475
11. Land Management and Development
Branch
Public Lands Division
Alberta Energy & Natural Resources
9915 - 108 Street
EDMONTON, Alberta
427-3209
12. Water Quality Branch
Pollution Control Division
Alberta Environment
9820 - 106 Street
EDMONTON, Alberta
427-5823
13. Water Rights Branch
Water Resources Management Division
Alberta Environment
9820 106 Street
EDMONTON, Alberta
427-5823
14. Controller of Water Resources
Water Resources Management Division
Alberta Environment
9820 - 106 Street
EDMONTON, Alberta
427-6244
15. Water Resources Regional
Administrator
Water Resources Management Division
Alberta Environment
9820 - 106 Street
EDMONTON, Alberta
427-5296
16. Fisheries Habitat Biologist
Fish & Wildlife Division
Alberta Energy & Natural Resources
10015 - 103 Avenue
EDMONTON, Alberta
427-6734