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## General Terms of Reference for the Preparation of Area Structure Plans and Conceptual Schemes

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**Policy Number:** PED238/2017

**Approval Date:** September 12, 2017

**Supersedes Policy:** N/A

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### SECTION A

#### 1.0 Policy Purpose

- 1.1 To provide general guidance to development proponents and Council/Administration in the preparation of an area structure plan or conceptual scheme and a useful guide for particular matters related to land use bylaw amendment, subdivision, and development proposals.

#### 2.0 Policy Statements

- 2.1 The General Terms of Reference for the Preparation of Area Structure Plans and Conceptual Schemes are contained in Schedule "A" attached hereto.

#### 3.0 Review, Revision and Expiry Date

- 3.1 For the purposes of ensuring this Policy is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this policy expires December 31, 2021.



## SECTION B

### 1.0 Reference to other Policy and Legislation

Municipal Development Plan Bylaw 11/2012, as amended

### 2.0 Persons Affected

Council

Planning & Economic Development Department

Land Development Proponents

### 3.0 Review/Revision History and Author

N/A



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Schedule "A"

**GENERAL TERMS OF REFERENCE FOR THE  
PREPARATION OF AREA STRUCTURE PLANS  
AND CONCEPTUAL SCHEMES**





## 1.0 INTRODUCTION

### 1.1. PURPOSE

These generic terms of reference are intended to give general guidance to development proponents and Council/Administration in the preparation of an area structure plan or conceptual scheme. For simplicity, the acronym “ASP” is used throughout the remainder of this document to refer to both. Components of this document are also a useful guide for particular matters related to land use bylaw amendment, subdivision, and development proposals. It should be noted that the planning and development process is complex and that particular circumstances may warrant the requirement by Council/Administration of information or assurances not discussed here. Since each ASP is different and can have issues and variables unique to that particular plan, it may be wise in some instances to have the ASP guided by specifically tailored terms of reference, beyond these generic ones.

### 1.2. GENERAL INFORMATION

The ASP, as provided for under Sections 633 and 636-638 of the Municipal Government Act (MGA), is intended to describe how an area of land under a single owner or multiple-ownership can be subdivided and developed in a coordinated way. It is a means of ensuring that the Edmonton Metropolitan Region Growth Plan and Morinville Municipal Development Plan are adhered to, that development by one owner does not unnecessarily restrict the options of another, and that development occurs in a way that is safe, efficient, and aesthetically pleasing.

By minimising the delays caused by the need to coordinate developments on an individual, application-by-application basis, an ASP can set the stage for the quick approval of land use amendment, subdivision and development proposals which conform to its provisions.

### 1.3. BACKGROUND INFORMATION

There are several materials available to assist the proponent in the completion of ASPs. Below is a non-exhaustive list of information that should be referred to in the process of developing an ASP:

- Edmonton Metropolitan Region Growth Plan (RGP)
- Capital Region Board Regional Evaluation Framework (REF)
- Morinville 2035: Growing Together | Morinville’s Municipal Sustainability Plan (MSP)
- Town of Morinville Municipal Development Plan (MDP)
- Town of Morinville Transportation Master Plan (TMP)
- Mobility Strategy (MOB)
- Municipal Utility Servicing Plan (MUSP)
- Recreation, Parks and Open Space Master Plan (POSMP)
- Morinville Community Design Manual (CDM) (*currently under development*)
- Town of Morinville Municipal Engineering Standards (MES)
- Morinville Municipal Open Space Standards (MOSS)
- Morinville Land Use Bylaw (LUB)



## 2.0 RECOMMENDED ASP FORMAT

The following is a sample format for an ASP guided by the purpose of these generic terms of reference (also refer to **Appendix A – Checklist**). Once again, this is only a guide as particular circumstances may warrant differing requirements. The level of detail and information required in each area will vary due to differences in context unique to the application and area of interest. Prior to preparing the ASP, it is recommended that the proponent contact Morinville’s planning staff to discuss the project scope, including the study area, required supplementary technical studies, and any potential issues and concerns of Morinville. Proponents are advised that input from staff at this stage is given without prejudice.

By following this format, it is anticipated that Administration/Council can achieve efficiencies in review with the added benefit of ensuring consistency among various ASPs in the municipality. This in turn enhances the overall efficiency of reviewing land use bylaw amendment, subdivision, and development applications.

### 2.1. INTRODUCTION

- Purpose of Plan

*The ASP shall specify the purpose for which it is being prepared.*

- Plan Location, Boundary, and Land Ownership

*The ASP area is usually defined by prominent boundaries, which will minimise the effects of one area of development on another. These might be arterial roads, natural features, rail lines, existing uses or servicing boundaries. In the absence of such tangible boundaries, property lines may be used.*

*The ASP may involve one or more landowners and/or parcels of land. The proponent may represent only one or more of the landowners. Other landowners shall be consulted in the planning process; however, agreement of other parties is not a requirement.*

*This section will typically provide the general location, legal description(s), and land area contained within the ASP boundary based on survey plans/certificates of title.*

- Policy Context

*The ASP shall specify and provide for how it will comply with all applicable policies and regulations of superseding plans and documents, including but not necessarily limited to those listed in Background Information above.*

### 2.2. EXISTING CONDITIONS

- Surrounding Land Uses

*The ASP will describe the development typology of the surrounding areas (i.e. existing and future planned land uses) using polar compass coordinates (north, east, south, west) spanning out a distance appropriate to the size and scale of the ASP.*

- Existing Land Use and Features  
*The ASP will describe the current use of the subject lands, and identify any unique topographical features, roadways, utilities, buildings, etc.*
  
- Supporting Technical Information  
*The proponent may be required to prepare a number of supplementary technical studies to support the preparation of an ASP. Such studies may include but are not limited to:*
  - *Topographic and geotechnical surveys (to assess soil characteristics and development constraints)*
  - *Environmental Site Assessments (Phase I to determine any contamination or other constraints based on past land uses, and remedial measures or further phases if warranted)*
  - *Biophysical Site Assessments (to identify wetlands and significant flora and fauna habitats – refer to Alberta’s Wetland Policy)*
  - *Agricultural Impact Assessments (to identify potentially adverse impacts on existing and future agricultural activities on-site and in the surrounding area – refer to Edmonton Metropolitan Region Growth Plan’s Appendix D. Agricultural Impact Assessment: Scope of Work)*
  - *Traffic Impact Assessments (to analyse traffic generated by the proposed development with new accesses to or increased use of existing network – refer to Alberta Transportation’s Traffic Impact Assessment Guideline)*

*This document provides a framework for required documentation, and is not intended to provide technical guidance. Qualified engineering and other professionals should be engaged to complete these studies. It should be further noted that although Council/Administration and the proponent may have different objectives and interests, all parties shall adhere to established engineering practices and conduct analyses objectively and professionally.*

*The ASP shall identify and provide a brief summary of the supplementary documents and their findings/conclusions/recommendations. While the documents need to accurately reflect the needs and impacts of the development proposal, it is important to note that, in most cases, for the purposes of ASP preparation they need only be in final draft form – third party (i.e. provincial) approvals are not required to proceed through the ASP as more detailed and current analyses are required at subdivision and development stages.*

- Opportunities and Constraints  
*The ASP shall, at a minimum, show that all proposed subdivision and development is safe from hazards and development constraints. To this end, the plan shall identify all lands that are subject to flooding, subsidence, steep slopes, the presence of sour gas or other transmission hazards or are otherwise hazardous or constrained as far as development is concerned. Furthermore, the ASP shall indicate proposed methods and mechanisms to eliminate or mitigate the effects of these development constraints including the submission by qualified professionals of any required reports or supporting materials.*



### 2.3. DEVELOPMENT CONCEPT

- Land Use Concept and Statistics

*The ASP shall address the following land use factors as necessary.*

Land Use Distribution – *The ASP must show the proposed land uses within the plan area, which may be described generally or with respect to specific parts of the area. The ASP should aim to be as specific as possible by specifying districting typologies compatible with the LUB to facilitate the most expedient subsequent redistricting and subdivision applications. The ASP shall include a summary table of land use statistics with areas shown in hectares and may include acres, with the following information:*

- *Gross Area = land area contained within the ASP boundary based on survey plans/certificates of title*
- *Gross Developable Area (GDA) = Gross Area less environmental reserve and environmental reserve easement*
- *Non-Residential Land Uses – total area and areas for municipal/school reserve (incl. % of GDA), SWMF/PUL, arterial road allowance, circulation (est.), commercial and/or non-residential uses, etc.*
- *Residential Land Uses – total area and areas for different dwelling densities and typologies*

Population and Density – *The density of development in small plans may be indicated by showing tentative lot lines. In plans dealing with larger areas, it may be sufficient to show proposed density ranges within sub-areas of the plan. Density shall be measured as the average number of dwelling units per net residential hectare (du/nrha). The ASP shall include a summary table of population, density, and student generation statistics. The proponent should contact planning staff to discuss acceptable assumptions for medium/high density residential average densities, people per dwelling unit, factors for student generation, etc.*

Urban Design – *The ASP must incorporate conceptual urban design standards and guidelines, including neighbourhood design, site development and building orientation, built form, scale and massing, façade treatments, materials and colours, parking areas, landscaping, and other features, accompanied with diagrams and graphic examples. Detailed design is not required at this stage of planning, however a policy statement reflecting the requirement for developers to prepare detailed design requirements prepared in accordance with any municipal plan or document applicable to the design of neighbourhoods, buildings and open spaces for the municipality's approval will be required.*

Environmental and/or Conservation Reserve – *The MGA provides that the Municipality may require the dedication of land which is a natural drainage course; is subject to flooding; or is required to prevent pollution of, or provide public access to, a body of water; or land that has otherwise environmentally significant features. The ASP must identify such lands.*

Open Space, Municipal and/or School Reserve – *The MGA provides that whenever a subdivision takes place, the owner may be required to provide to the municipality up to 10% of the land as reserve for the purposes of park, tot lots, school sites, and so forth. This is one of the key components of an ASP in that it is to indicate, in specific terms, how the policies and*

provisions with respect to reserves contained in the MDP will be implemented. If reserve land is to be taken, it is important that the plan indicate the size, location and configuration of the lot(s) to be dedicated. It is especially important that the above requirements be determined in consultation with local school authority where these lands are for school purposes.

Community Services – The ASP should indicate the means by which the development will be provided with community services such as schools, fire protection, policing and recreation. Where possible and practical, the ASP should describe the possible types of programming and facilities planned for recreation sites (i.e. playgrounds, sports fields/courts, etc.). This is not necessarily restricted to the provision of land for such facilities, but may also involve assurances that the agencies responsible for such services have the capacity to provide them.

- **Mobility Network**

The ASP must show the proposed circulation pattern in the plan area, including local roads, sidewalks and trails, that directly serve individual lots and collector roads as required to move traffic and people safely and efficiently. It must also show how the proposed circulation pattern will be integrated with the overall transportation and trails system of Morinville. Where the staging of development requires interim access to be provided, this should be described in the plan.

Traffic Impact Assessments (TIAs) may be required to analyse impacts of traffic generated by the proposed development and determine what improvements to proposed accesses or as a result of increased use of the existing road network may be needed to accommodate the development. More information on TIAs is available in the Supporting Technical Information section above.

In the case of applications in proximity to a Provincial highway, working closely with Alberta Transportation is critical to ensure they are on side with what is being proposed in terms of access to their facilities both in the interim and over the long term. Getting Alberta Transportation's approval (ideally, securing their signature on the document as contemplated in the Subdivision and Development Regulation [s. 14(e)] prior to third and final reading) goes a long way to facilitating subsequent land use, subdivision and development permit applications made pursuant to and in accordance with the plan.

- **Utility Servicing**

The ASP must show the general location of public utilities and should deal conceptually with ultimate proposed utility servicing and any interim servicing in accordance with the Municipal Utility Servicing Plan. This includes potable water, sanitary sewage disposal, and storm water management. Franchise utilities (power, gas, telecommunications, etc.) are usually assumed to be available, but the plan should identify and if possible resolve any potential difficulties or complications. A detailed design of servicing systems is not required, but the plan should be clear in demonstrating that adequate servicing is feasible and available.

## **2.4. IMPLEMENTATION**

- **Staging**

Where an ASP is relatively large, or involves a number of separate ownerships, it is often necessary to demonstrate the way in which subdivision and/or development will take place

*over time. Interim provisions may be necessary with respect to servicing and access and the effects of the development of one stage or another must be resolved.*

- Force and Effect

*The ASP shall maintain strict adherence to the force and effect policies provided by the Municipality, as amended from time to time. Amendments may be considered only where special cases warrant it.*

- **MAPS AND GRAPHICS**

The land use (and other) maps provided with the text of a proposed ASP are especially important because they make clear to Council/Administration and other users of the plan the character of the proposed development. The basic mapping requirements are:

- general location within Morinville/surrounding area;
- relationship of the plan area to the MDP;
- existing property lines and ownership;
- existing natural or man-made physical features which may constrain development (preference given to use of orthophoto);
- proposed land use pattern and open space network;
- mobility network layout (vehicular roadway and multi-modal trails);
- existing servicing and proposed servicing concept(s);
- staging of development with interim provisions noted; and,
- a recommended zoning scheme (optional).

The required drawings must be clear and at a scale which is appropriate to their purpose. Drawings may be combined when this does not result in an unacceptable reduction in legibility, and whenever possible should be located within the context of the document text for optimal reading flow of the document (as opposed to being grouped together as an appendix to the plan).



### 3.0 ASP PREPARATION PROCESS

#### 3.1. SUBMISSION AND CONSIDERATION OF AN ASP

The following is a general process for the submission and consideration by Morinville of an ASP proposal. The steps indicated may be modified as required by specific circumstances affecting a particular plan proposal. [Note that the following process does not at all preclude informal public open houses/meetings held by the developer or by Morinville. In fact, they may be encouraged and/or required per the criteria for public engagement below.]

1. Prior to making any submissions to Morinville, the proponent should contact as many of the owners as possible who would be affected by the ASP to discuss their potential involvement in the planning process. Responsibilities for the costs of plan preparation, arrangements for group decision-making and identification of an individual representative for the group should be resolved as far as possible early in the process.
2. If the development is large enough, a brief and general proposal to undertake the preparation of an ASP ought to be submitted to and approved by Morinville prior to commencement of work on the full-blown plan proposal. The submission should deal with proposed plan boundaries, the general availability of services, the relationship of the proposed plan boundaries, the general availability of services, the relationship of the proposed development to the MDP, the neighbourhood and building design concepts considered to be incorporated into the ASP, and the potential for resolution of any specific difficulties which can be identified at such an early stage in the process. It should also be made clear exactly who is making the proposal and who their representative is to be. Again, bear in mind that in some instances, specifically tailored terms of reference, beyond these generic ones, may be required to guide the preparation of a particular ASP.
3. The proponent should gather the information required for the ASP by contacting the appropriate municipal and other agencies. In all cases, the plan should be prepared by a qualified, professional planner with assistance from qualified, professional engineers and other specialists as required. This is very important.
4. Once a draft ASP has been prepared, the proponent shall submit a formal application for review of the ASP, including an application form, hard and/or electronic copies of the ASP and supporting documentation, and payment of application fees, to Morinville's Administration for an initial review by the planning and engineering staff and/or consultants. The proponent will be required to provide public notice of the plan preparation by, at a minimum, posting a sign on the subject property. Additional public consultation may be required per the criteria for public engagement below.
5. After this initial municipal review, Morinville and/or its planning/engineering consultants will inform the proponents' planning consultant in writing of any initial concerns or requirements for additional information. A revised plan or additional information is then submitted as required. More than one revision may be necessary depending on complexity of planning, design, and/or engineering issues to be addressed.
6. The Municipality circulates the draft ASP to various affected internal departments and external agencies for their comments (e.g. Urban Design Review, Economic Development, Protective



Services, Public Works, School District(s), Health Authority, Alberta Environment, Alberta Transportation, etc.). Once the circulation is complete, municipal staff and/or Morinville's planning/engineering consultants issue a written consolidated response (including copies of letters received from respondents, if appropriate) to the proponents' representative.

7. A meeting is held between Administration, its planning and engineering consultants, and the proponents' representatives (and others as required) to resolve any outstanding issues. More than one meeting may be required if outstanding issues are difficult to resolve.
8. Once the proponent is satisfied that the draft ASP has the support of Administration, their consultants and other affected parties, the proponent prepares a final draft ASP reflecting any changes agreed upon and submits it for Council's consideration. Note that the proponent may submit an ASP for Council's consideration without the full support of Administration, their consultants and/or responding agencies if an impasse has been reached and they wish to make their case directly to Council.
9. Council shall give first reading to an adopting bylaw of the ASP, deferring discussion of substance and public participation until the public hearing. If Council or any member thereof is not in support of the ASP or wishes to propose amendments of substance in order to obtain their or Administration's full support, then they may state their objections or revisions for the record but should vote in favour of first reading for the purposes of allowing a public hearing and in such cases the vote will not be construed as support of the ASP as presented. Failure to allow a public hearing to occur does not give the proponent an opportunity to be heard by Council, which Courts have found to be unlawful, and further, Council should not hear from one segment of the public, including the proponent, prior to the public hearing.
10. If required pursuant to the Regional Evaluation Framework as established by the Minister of Municipal Affairs and replaced from time to time, the applicant and/or municipality will submit the ASP Bylaw to the Capital Region Board (CRB) for review and approval prior to a public hearing and second reading. Upon receiving approval from the CRB, the ASP Bylaw will return to the municipal approval process described herein.
11. Council advertises and holds a public hearing (usually as part of a regular Council meeting). It may then require further revisions prior to second reading or give the adopting bylaw second reading or defeat the bylaw.
12. If applicable, the municipality will submit the ASP Bylaw to Alberta Transportation for approval.
13. Council may consider third and final reading to the adopting bylaw, with or without further revisions. Once the adopting bylaw is approved by Council, the proponent provides the Municipality with a "camera-ready" (i.e. reproducible) digital copy of the complete ASP, text and drawing files (i.e. PDF, Microsoft Word, InDesign, AutoCAD, etc.) so that the complete ASP can be distributed to the public as required and files used at the discretion of the municipality for editing and incorporating data into other planning documents and/or mapping systems.

As noted above, other approvals are required prior to development. However, the existence of an approved ASP normally helps to reduce the time and expense involved in obtaining those approvals and should result in more orderly and efficient development, which is to everyone's advantage (particularly the developer).



### 3.2. CRITERIA FOR PUBLIC ENGAGEMENT

The following are examples of contexts where further public engagement would be necessary, and examples of possible forums of public engagement to be used. However, this is only a guide, as it cannot feasibly cover all situations. Planning staff will have sole discretion, acting reasonably, to require further public engagement for a proposed ASP.

Further public engagement is required when:

- The proposed ASP would trigger an amendment to the Municipal Development Plan,
- There are perceived risks or fears associated with the proposed ASP (i.e. commercial, institutional or industrial development or expansion, higher density housing, or low income housing, abutting or within Mature Neighbourhoods as identified in the Municipal Development Plan's Growth Management map, etc.), or
- The proposed ASP affects the lifestyles and habits of citizens (i.e. a change in transportation networks and volumes affecting Mature Neighbourhoods as identified in the Municipal Development Plan's Growth Management map).

Examples of methods of proponent-led public engagement include:

- Public open house sessions or drop-in centres
- One-on-one and small group stakeholder sessions by invitation
- Presentations with "Q&A" at organized events (i.e. Chamber of Commerce luncheon)
- Website or social media presence with active comments area

The proponent shall provide sufficient notice to affected parties of the engagement including direct mail out, newspaper and online advertisements, and social media channels, including Morinville's official website, social media accounts, and newspaper publications.



## 4.0 IMPLEMENTATION

An ASP must be consistent with the MDP (Section 638 of the MGA). It is adopted by bylaw following the process/requirements spelled out in the MGA under Sections 692, 636, 606 and 230. However, the agreement of all the owners within or adjacent to the plan area is not legally necessary for the adopting (or amending) bylaw to be passed. The implementation of an ASP may also require cooperation between owners in terms of land trades, temporary rights-of-way across one another's land, and/or joint subdivision applications.

Specific approvals must still be obtained with respect to any required LUB amendment, subdivision, development agreements and development approval. These can be pursued after the ASP has been approved or can be applied for at the same time as the ASP approval if subdivision and/or development are imminent. It should be made clear, however, that all subsequent processes depend on the completion of those that must proceed (i.e. the ASP).



## APPENDIX A – CHECKLIST

### 1.0 INTRODUCTION

- Purpose Statement
- **Plan Location, Boundary, and Land Ownership:**
  - Description and key  of general location, ASP boundary, and surrounding area
  - Legal descriptions and parcel areas of existing property lines and land ownership, supported by  if necessary
- **Policy Context:**
  - Edmonton Metropolitan Region Board
  - Municipal Development Plan
  - Other \_\_\_\_\_

### 2.0 EXISTING CONDITIONS

- Description of surrounding land uses
- Description and  of existing land uses and topographical features
- **Supporting technical information (if applicable):**
  - Topographic/geotechnical survey
  - Phase I Environmental Site Assessment
  - Biophysical Site Assessment
  - Agricultural Impact Assessment
  - Traffic Impact Assessment
    - AT referral (if applicable)
  - Other \_\_\_\_\_
- **Opportunities and Constraints:**
  - Hazards and development constraints (if applicable)
  - Mitigation methods (if applicable)

### 3.0 DEVELOPMENT CONCEPT

- **Land Use Concept and Statistics:**
  - General description and  of land use distribution
  - Description of each land use and LUB-compatible districting
  - Summary Table:
    - Gross Area and Gross Developable Area (GDA)
    - Non-Residential Land Uses – area and % of GDA of total and each sub-category
    - Net Residential Land Uses – area and % of GDA of total and each dwelling density/typology
  - Population and Density Table – by dwelling type and total:
    - Dwelling units per net residential hectare
    - People per dwelling unit and total population
    - Student generation
  - Design standards and guidelines with graphic examples
  - Description and identification of open spaces, reserve lands, and community services (if applicable)
  - Mobility Network description and  (vehicular and pedestrian circulation)
  - Utility Servicing description and  (water, sanitary, and storm; and franchise utilities generally)

### 4.0 IMPLEMENTATION

- Staging  and general description
- Force and Effect Policies

**APPENDIX B – FLOWCHART**

