

Function: Infrastructure & Planning - 04
Department: Planning & Development - 030
Policy No.: 011



Environmentally Significant Areas

Effective Date: October 3, 2018
Review Date: October 3, 2023
Cancel: Policy 662-4: Environmentally Significant Areas
Resolution #: 619-18

CAO Signature: 

Purpose: To facilitate the preservation of Environmentally Significant Lands within Lac Ste. Anne County through partnerships with like-minded landowners, government agencies, and approved conservation organizations.

Guidelines:

1. Land subject to municipal conservation initiatives must be determined to be environmentally significant to the satisfaction of Council. Environmental significance may be assessed in accordance with the following criteria.
2. Uniqueness of the subject property to that of the surrounding area,
 - The land in its current state should be assessed with respect to its value as a unique property within the surrounding area from a biodiversity and scenic value perspective.
3. Development capability of the land,
 - The development potential of the land may be considered so that the sole criteria for acceptance of a conservation area will not be the limited development potential of the land.

- Where the subject land is regarded as undevelopable, to be accepted the subject land must have value for the preservation of a natural feature (i.e., groundwater recharge area, shore line habitat, old growth forest).
4. Ability of an environmental conservation easement to be an effective tool towards the goal of protecting valuable biodiversity or scenic qualities of land.
 - The land subject to an environmental conservation easement shall result in a net benefit to conservation of significant physical features, biodiversity and scenic areas within Lac Ste. Anne County.

Implementation:

1. Candidate parcels must be approved by Council.
2. Landowners for the candidate parcels must enter into an environmental conservation easement through the Alberta Land Stewardship Act, as amended under Section 29 (1) of the Act.
3. Agreements must be entered into for periods of either 10, 15, 20, or 25 years in duration from the date of the signing of the agreement.
4. Violations of the agreement shall be corrected at the landowners (grantors) expense should the grantor be determined to be at fault for the Violation.
5. Should the violation of the agreement be determined to be prohibitively costly to remedy, the agreement may be voided and removed from the registrar.
6. Grantors with lands subject to an environmental conservation easement shall receive a benefit of a waiver of municipal taxation for the percentage of land from the overall parcel that is subject to the easement agreement. Example: the market value of the overall parcel (land) is calculated on a per/acre-hectare basis which is then multiplied by the number of acres/hectares subject to the agreement. The taxation savings are the calculation of this value multiplied by the current mill rate.(i.e.,

20 acres of 100 acres subject to agreement @ 1,000/acre at 13 mills would equal a combined tax savings of \$260.00 incl. education tax)

7. Where a Violation under condition (5) occurs and the agreement is voided, the Grantor shall be required to remit to the County the last three years of taxation savings specified under condition (6). In the event that the agreement is less than three years in effect, the remittance shall be three times the savings calculated under the current calendar year.
8. The Grantor shall be responsible for all fire, vandalism and other liability concerns that may occur on the subject lands.
9. Lands subject to this policy may not be used for legal public access unless the terms of the agreement allow for same.
10. The agreement may be amended from time to time upon mutual consent.
11. Though a request for cancellation of the agreement may not be reasonably withheld, cancellations for the sole purpose of allowing development to take place on the lands shall be subject to the last two years of taxation savings being remitted back to the Grantee (Lac Ste. Anne County).
12. Upon completion of an environmental conservation easement under this program, the taxation saving shall be in effect on the following taxation notice.
13. Renewal of existing easements will be subject to the policy and direction provided by Lac Ste. Anne County at the time that a request for consideration of renewal is made.