

BREACHES OF THE MGA BY LAC STE ANNE COUNTY

Large campgrounds

Section 633(1) of the MGA states that an Area Structure Plan provides “a framework for subsequent subdivision and development of an area of land”. Critically, this is for “subdivision and development”, not development alone.

For campgrounds with more than 25 campsites, section 9.1.1(b) of the Lac Ste Anne County (LSAC) Municipal Development Plan (MDP) states that an Area Structure Plan (ASP) is required. ***This is a campground!** There is no plan or reason to subdivide the land.*

Seven types of development are listed in 9.1.1(b). Six require subdivision, plus campgrounds. Including campgrounds in s. 9.1.1(b) is an error because there is no expectation of subdivision. Rejection of the ASP by Council is not appealable.

Small campgrounds

For campgrounds with 25 or fewer campsites, section 9.1.3(b) of the MDP states that an Outline Plan (OP) is required. LSAC uses OPs like ASPs: they must be approved by Council before development permits can be applied for. Rejection by Council is not appealable.

There is no mention of OPs in the MGA. LSAC has added an additional layer of bureaucracy that gives them undue control over campground developments.

Summary

Requiring an Area Structure Plan or Outline Plan for a campground development goes beyond a municipality’s authority in the Municipal Government Act.

- Requiring an ASP is a direct violation of section 633(1).
- Requiring an OP adds a layer of bureaucracy not permitted in the MGA.