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ADJUSTMENTS TO SAFE DEVELOPMENT SETBACK LINE: POLICY

Summary

Title of Document:	Adjustments to Safe development setback line: Policy
Title of Designated Responsible Manager:	General Manager, Planning & Design
Original Date Approved:	August 29, 2025
Approved By:	General Manager, Planning & Design
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Next Review Date:	Not defined

Purpose

Whenever a new Geotechnical Report recommends adjustments to the City’s safe development setback line (on Parcels that existed prior to 2004) this Policy will ensure that development, rezoning and subdivision abides by this change and that any development on Parcels adjacent to the river valley is done safely in accordance with the most recent safe development setback line.

Background

Many areas of the City are located adjacent to coulee edges (such as the Oldman River Valley, or Sixmile Coulee), which pose a unique geotechnical development risk in these areas. The City has in the past procured qualified engineering consultants to conduct geotechnical investigations to establish a Safe development setback line, where development cannot safely occur below. In 2004, the City contracted AMEC Earth & Environmental Ltd. to conduct an updated geotechnical report, which resulted in a number of recommendations with respect to river valley development setbacks. That same year, the new recommendations were incorporated into the River Valley Area Redevelopment Plan (RVARP) which regulates land in the river valley. The Alberta Municipal Government Act (MGA) specifies that one of the purposes of an Area Redevelopment Plan may be to preserve land (MGA s.634.a.i), which is one of the objectives of the RVARP. The RVARP includes a Top-of-Bank Safe development setback line, which identifies the threshold for which top of bank development cannot occur beyond. The intent of this line is not to restrict individual development rights, but to ensure any development near the coulee edge is done safely, which aligns with the MGA which states that bylaws may be adopted *“to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement... without*

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infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest” (MGA s. 617). The safe development near coulee edges protects both private landowners and the public. Much of the land in the river valley is designated in Land Use Bylaw 6300 as Valley (V) District, which refers to the RVARP for more detailed and prescriptive land use districts. The RVARP includes more specific Land Use Districts which regulate land use within the river valley such as the Hazard Lands District (H-L) which is intended to allow limited impact uses (this District comprises most of the river valley), or Direct Control Valley (DC-V) where sensitive lands are considered by Council.

The RVARP outlines how the Safe development setback line should be established and what occurs when this line is proposed to be changed. For example, when a subdivision application is received for any lands adjacent to the river valley (that existed prior to 2004), the RVARP requires a new geotechnical investigation be conducted and the safe development setback line identified in the report will become the rear property line for the new Parcel(s) (RVARP S. 3.2-3, 3.2-5). The RVARP (S. 3.2-6) also requires at the time of subdivision that any new lands located below the safe setback line (the new rear property line) are to be dedicated to the City as Environmental Reserve (ER), which is allowed in Area Redevelopment Plans as outlined in the MGA (S.635.a.IV). When any development or rezoning applications (that do not involve a subdivision) are received for lands adjacent to the river valley (that existed prior to 2004), the RVARP also requires a new Geotechnical investigation to establish top-of-bank and safe setback lines in these instances (RVARP S. 3.2-10). When changes to the Safe Development Setback Line occur an amendment to the RVARP and Land Use Bylaw **MAY** be required (see ‘Policy Statement’ section below for more details). This policy will clarify when a new geotechnical investigation (& Report) are required, and how it is to be updated in our internal databases, and any additional policies that apply to a subsequent development permit, subdivision or rezoning application.

Policy Statement

In accordance with the RVARP, this Policy requires that any Parcels located adjacent to the river valley (that existed prior to 2004), which are the subject of a development, subdivision or rezoning application, that:

- **A new Geotechnical investigation must be conducted by a 3rd party engineering firm (RVARP S. 3.2-2, 3.2-5)**
- **When the new geotechnical report is received by Planning & Design staff:**
 - **A copy of the report will be saved in the appropriate file in Tempest, and sent to the City staff who is responsible for overseeing the Safe development setback line.**
 - **The information in the new geotechnical report will be captured in the City’s internal GIS for that property (and the Safe development setback line will be adjusted)**
- **And based on the type of application, any ONE of the following will apply:**
 - **For a Development permit application:**

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- **A rezoning to change the land use designations for any new lands below the new Safe development setback line to Valley (V) District (in addition to any other zoning changes).**
- **An amendment to The River Valley ARP to reflect the new Safe development setback line and the new land use designations.**

Related Documents

- Alberta Municipal Government Act (MGA)
- River Valley Area Redevelopment Plan (RVARP)
- Land Use Bylaw 6300

Responsibility for Policy Development & Implementation

- Planning Manager, Planning & Design
- General Manager, Planning & Design

Key Functional Stakeholders

- Planning & Design Department

Policy Status

Current Status

In effect

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September 11, 2025

Approval Details

General Manager, Planning & Design

Endorsement Details

General Manager, Planning & Design

Next Review Date

N/A

Policy Author

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August 29, 2025

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