Town of Drumheller & Wheatland County

Intermunicipal Development Plan

Bylaw No. xx
&
Bylaw No. 2020-08

Draft v4 - September, 2019

ACKNOWLEDGEMENTS

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1 INTRODUCTION

1.1 PURPOSE OF THE PLAN

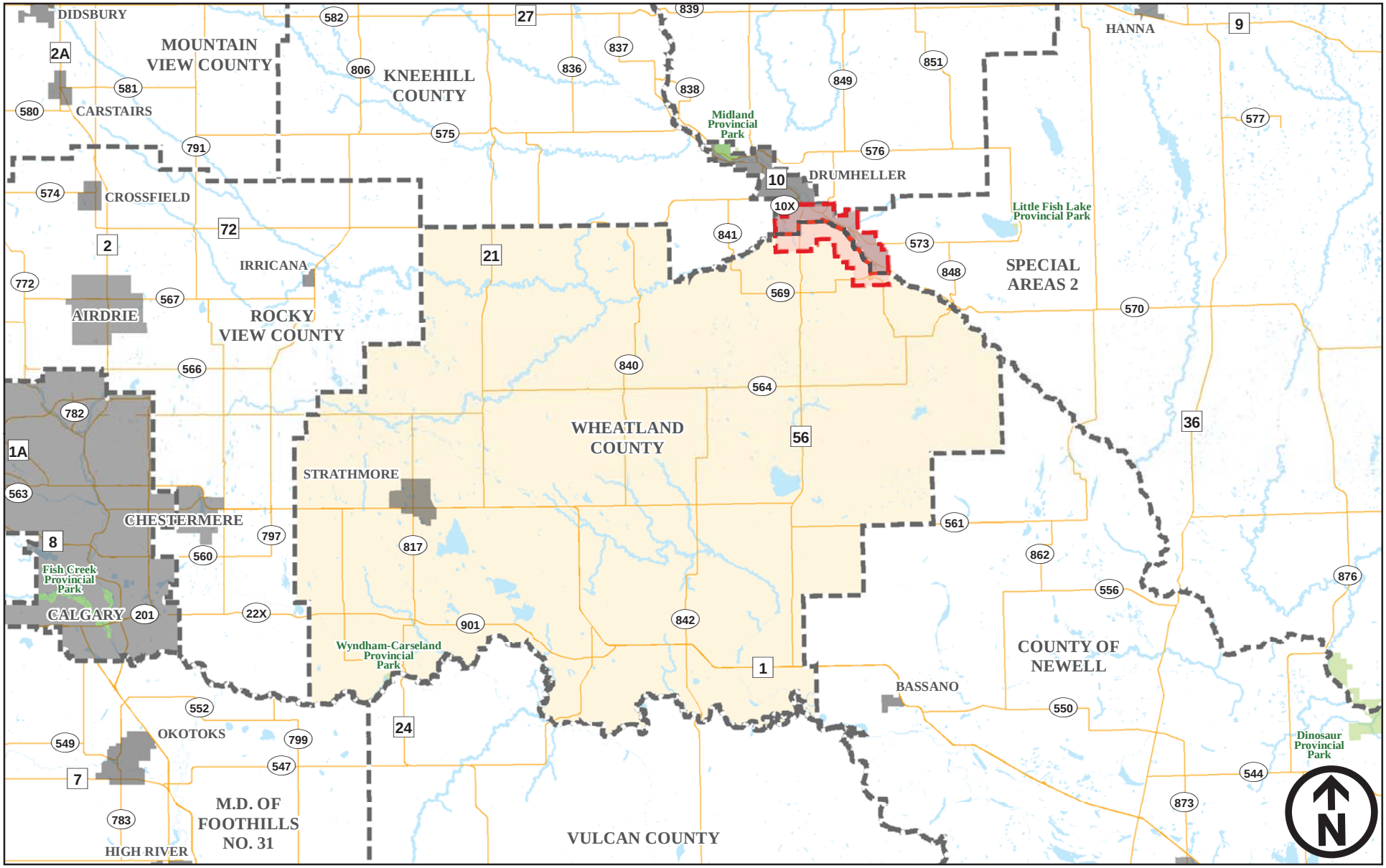
The purpose of the Town of Drumheller and Wheatland County Intermunicipal Development Plan (IDP) is to foster a collaborative planning approach for lands along the common border between the two municipalities (see **Map 1: Regional Context**). The Municipal Government Act (MGA) mandates municipalities that share common boundaries to develop an Intermunicipal Development Plan.

Municipalities are mandated to work together to adopt IDPs to:

- promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area;
- provide a framework for addressing land use concerns with regard to joint planning matters;
- establish procedure for dealing with development proposals within a defined planning area; and
- address any other matters relating to development considered necessary within a joint planning area.

An IDP is a planning tool that can provide numerous benefits to participating municipalities, which may include, but are not limited to the following:

- municipal cost-savings, as a result of infrastructure and service sharing, which also provides residents with a higher quality of life;
- reinforcing and protecting both municipalities' development philosophies and goals while mitigating the potential for future intermunicipal conflict; and
- ensuring development for both municipalities occurs in an orderly, economic, efficient and harmonious manner that is sustainable by considering existing development conditions and future municipal goals.



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Legend

- Intermunicipal Development Plan Shared Boundary
- IDP Plan Area
- Municipal Boundary
- Wheatland County
- Watercourse
- Provincial Park
- Urban
- Waterbody

Map 1: Regional Context

Wheatland County - Town of Drumheller Intermunicipal Development Plan

May 2019

Map and data for informational and planning purposes only.

The Plan contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. As such, the IDP must also provide for the following:

- Conflict Resolution Procedures;
- A process to amend or repeal the Plan; and
- Documentation for administration of the Plan.

These procedures will provide more clarity between the partnering municipalities to ensure the administrative functions required through the Plan are understood. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

1.2 MUNICIPAL PROFILES

Town of Drumheller

The Town of Drumheller is located in the Red Deer River valley in south-central Alberta spanning an area of 10,803 hectares (26,694 acres), situated between Starland County to the north, Kneehill County to the west, Special Areas 2 to the east, and Wheatland County to the south. It is the largest urbanized centre between Calgary and Saskatchewan even though the majority of land is zoned for agricultural use, offering diversity of residential options, employment, and way of life for the Town's population of 7,982 (Statistics Canada, 2016 Census). The Town of Drumheller is greatly influenced by its unique landscape made up of rolling fields, steep, dry coulees, and the Red Deer River. The Town's goal is to preserve and enhance the natural environment while accommodating growth responsibly and strategically. The Town is well-known for its tourism industry and is the hub in east-central Alberta for medical care, serving a population in excess of 30,000 residents. In the heart of the Canadian Bandlands, Drumheller's unique scenery and fascinating dinosaur-oriented history attracts hundreds of thousands of people to the community each year.

"IDPs promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area."

Wheatland County

Wheatland County covers an area of approximately 460,000 hectares (1.1 million acres), with a population of 8,788 (Statistics Canada, 2016 Census). Wheatland County surrounds four urban municipalities and contains several other hamlets and communities not officially designated as hamlets. The County is bordered by six rural municipalities, two towns (Drumheller & Strathmore), three villages (Rockyford, Standard & Hussar) and one Siksika First Nation. A portion of Wheatland County around Strathmore is within the Calgary Metropolitan Region Board jurisdiction. The economy of Wheatland County is based on agriculture, including beef and grain production. In recent years, industry, manufacturing and oil and gas development have played key roles in the County's economic growth.

1.3 LEGISLATIVE REQUIREMENTS

Intermunicipal Development Plans (IDPs) are now mandatory for all municipalities to complete with their municipal neighbours. The latest amendments to the Municipal Government Act (MGA) mandate that municipalities must complete an IDP within two years, which mandates an April 2020 completion deadline. However, Ministerial Order No. MSL:047/18 has granted an extension to April 1, 2021 for municipalities that are members of the same growth management board (GMB), and between a municipality that is a member of the GMB and a municipality that is not a member of the GMB, but is located within the boundaries of the member municipality. Wheatland County's position within the Calgary Metropolitan Region Board provides for the extended timeframe for completion of any Wheatland County IDP.

Specifically, the MGA states:

631(1) Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an Intermunicipal Development Plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(1.1) Despite subsection (1), the Minister may, or by order, exempt one or more councils from the requirement to adopt the Intermunicipal Development Plan, and the order may contain any terms and conditions that the Minister considers necessary.

(1.2) Two or more councils of municipalities that are not otherwise required to adopt an Intermunicipal Development Plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an Intermunicipal Development Plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

631(2) An Intermunicipal Development Plan

a) must address
- *i. the future land use within the area,*
- *ii. the manner of and the proposals for future development in the area,*
- *iii. the provision of transportation systems for the area, either generally or specifically,*
- *iv. the co-ordination of Intermunicipal programs relating to the physical, social and economic development of the area,*
- *v. environmental matters within the area, either generally or specifically,*
- vi. *any other matter related to the physical, social or economic development of the area that the councils consider necessary,*

and

b) must include
- *i. a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,*
- *ii. a procedure to be used, by one or more municipalities, to amend or repeal the plan, and*
- *iii. provisions relating to the administration of the plan.*

(3) The council of a municipality that is required under this section to adopt an Intermunicipal Development Plan must have an Intermunicipal Development Plan that provides for all of the

matters referred to in subsection (2) within 2 years from the date this subsection comes into force.

(4) Subject to the regulations, if municipalities that are required to create an Intermunicipal Development Plan are not able to agree on a plan, sections 708.33 to 708.43 apply as if the Intermunicipal Development Plan were an Intermunicipal Collaboration Framework.

Intermunicipal Collaboration Framework (ICF)

An Intermunicipal Collaboration Framework (ICF) is a mandatory requirement for all municipalities that are outside of a growth management area. An ICF formalizes collaboration between municipalities for managing growth, and coordinating service delivery and resources, thereby providing a forum for neighboring municipalities to work more closely together. An Intermunicipal Development Plan (IDP) is a mandatory component of every ICF.

Regarding an Intermunicipal Collaboration Framework, the MGA specifically states:

708.28 (1) Subject to subsection (4), municipalities that have common boundaries must, within 2 years from coming into force of this section, create a framework with each other.

708.30 (1) A framework is not complete for the purposes of section 708.29 unless the councils of the municipalities that are parties to the framework have also adopted an intermunicipal development plan under section 631 or an intermunicipal development plan is included as an appendix to the framework.
(2) Subsection (1) does not apply if the Minister has exempted one or more of the councils of the municipalities from the requirement to adopt an intermunicipal development plan pursuant to section 631(1.1).
(3) Despite section 631, to the extent that a matter is dealt with in a framework, the matter does not need to be included in an intermunicipal development plan.

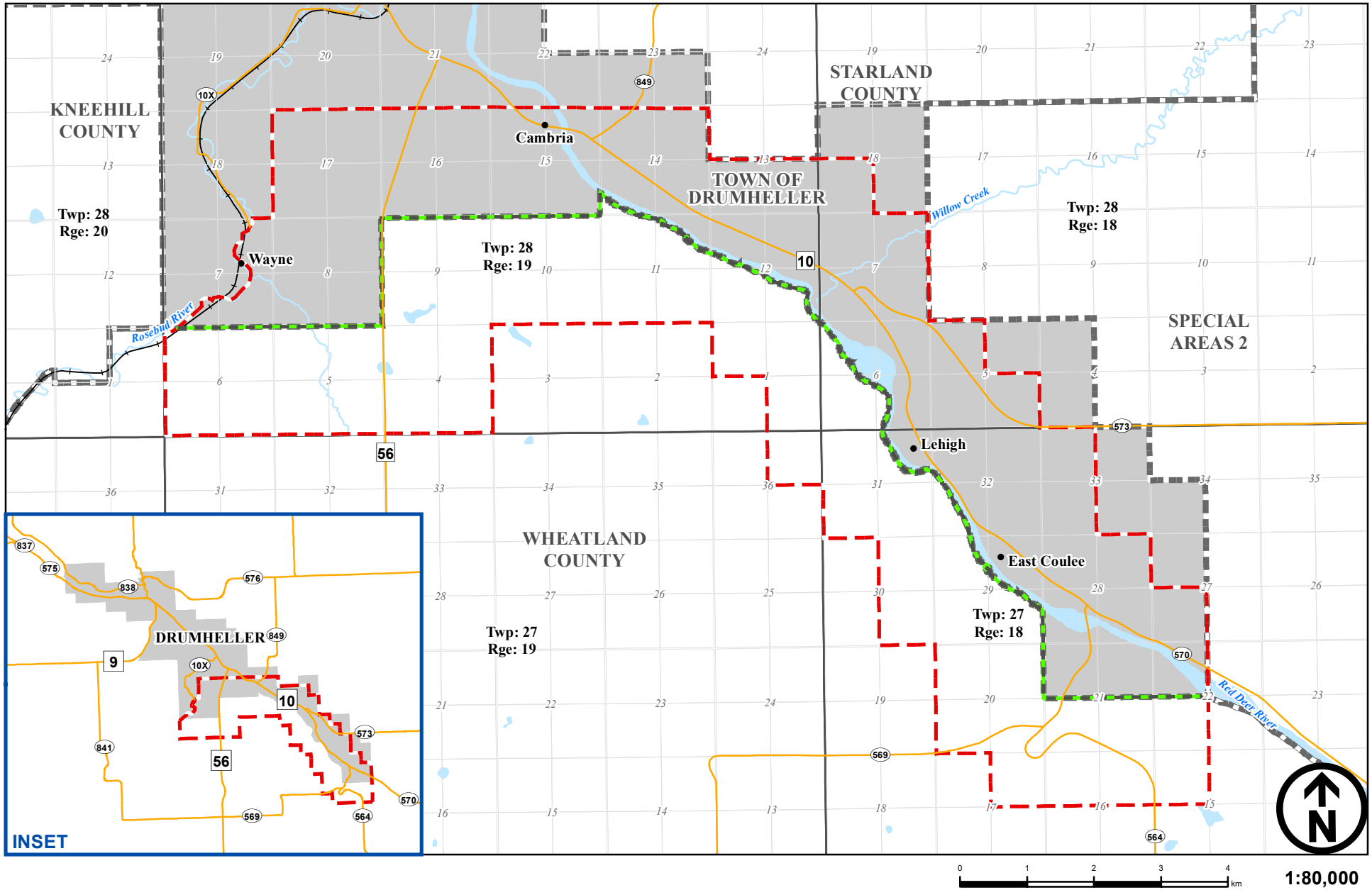
2 PLAN AREA

2.1 PLAN AREA CHARACTERISTICS

The Plan Area consists of an area approximately 1.6 to 2.0 km (1.0 to 1.5 miles) on either side of the shared municipal border. The Plan Area consists of approximately 6,747 hectares (16,664 acres) and is illustrated on **Map 2**. The Town of Drumheller contains both urban and rural areas, with the central business and main urban residential area located north of the Plan Area. The shared border between Wheatland County and the Town of Drumheller is located within the Town's rural area.

Key characteristics of the Plan Area include the following:

AGRICULTURE & SOIL CHARACTERISTICS	
	• Agriculture is the primary land use of the area. • There is a mix of agricultural operations including grazing, irrigation, and crop farming in the area. • The region contains a variety of soil characteristics that range from no capacity for arable culture (in particular, the steep Red Deer River valley that makes up much of the Plan Area) to soils with severe limitations restricting the range of crops that can be grown. For example, as shown on **Map 3** soil classes 2 through 7 are present, resulting in a diversity of agricultural capacity and associated agricultural activities.



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Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Town of Drumheller
- Neighbourhood
- Provincial Highway
- Watercourse
- Waterbody

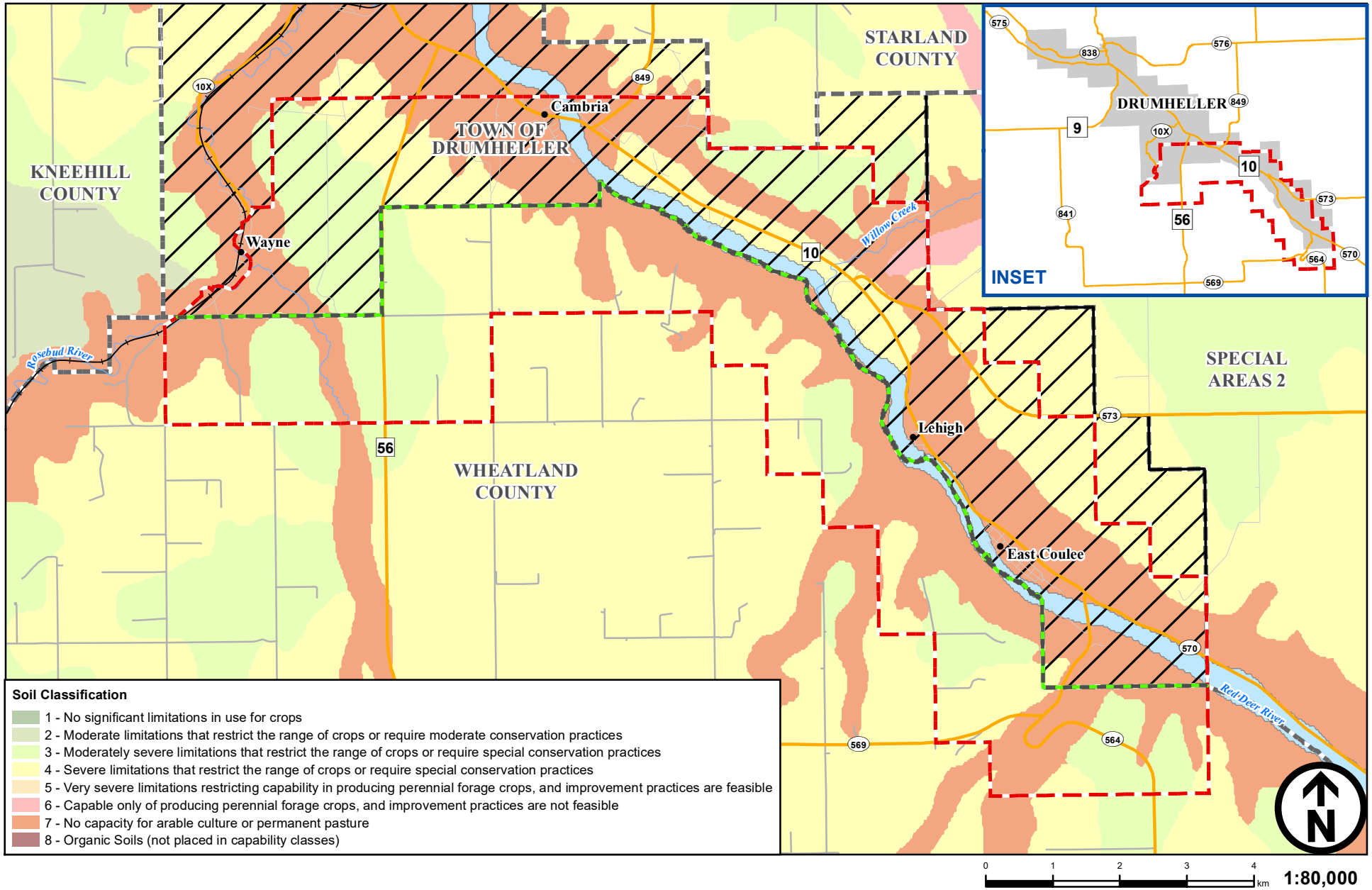
Map 2: Intermunicipal Development Plan Area

Wheatland County - Town of Drumheller

Intermunicipal Development Plan

July 2019

Map and data for informational and planning purposes only.



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Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Neighbourhood
- Town of Drumheller
- Provincial Highway
- Railway
- Watercourse
- Waterbody

Map 3: Soil Classification

Wheatland County - Town of Drumheller Intermunicipal Development Plan

July 2019

Map and data for informational and planning purposes only.

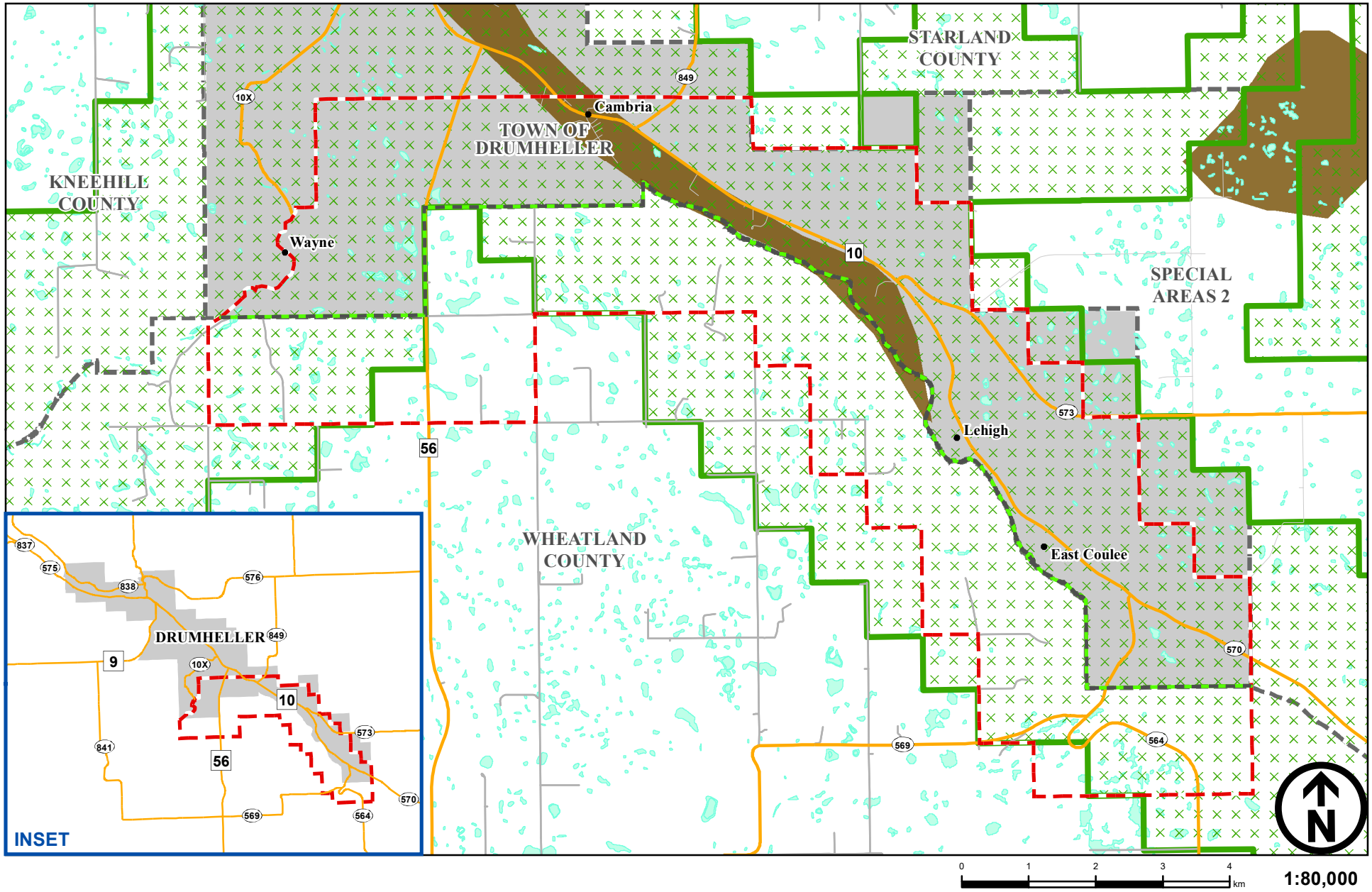
NATURAL LANDSCAPE	
	• Much of the Plan Area is identified as being environmentally significant. This is reflective of the Rosebud River, the Red Deer River, and their respective river valleys. • Environmental features are shown on **Map 4: Environmental Considerations.**

HERITAGE AND HISTORIC RESOURCES	
	• The Plan Area is defined by the high potential of much of the land to contain a historic resource. • There are multiple provincial historic resources identified in the Plan Area, including the Hoodoos, natural landscape features of approximately ten (10) dark brown marine shale columns with white sandstone caprocks ranging in height from roughly 1 to 3 metres; the Atlas Coal Mine, a Provincial and National Historic Site that demonstrates the evolving technology of coal mining from as far back as the 1930s; and the East Coulee School, originally constructed in 1930 in part to support the opening of the Atlas Coal Mine. • Provincial historic resources and heritage sites are shown on **Map 5: Historic Resources.**

TRANSPORTATION INFRASTRUCTURE	
	• Highway 10 is the main transportation corridor in the Plan Area. There are several regional intersections along Highway 10. The major intersection is Highway 10 and Highway 56, a major north-south corridor that runs parallel to Highway 2. • The former CN Calgary-Drumheller rail right-of-way also defines a portion of the west side of the Plan Area. The Town is trying to secure the right-of-way for future use as a trail. • In the west portion of the Plan Area Highway 10X is famous for its 11 bridges along a short 6 km stretch of highway connecting Drumheller to Wayne. • Transportation infrastructure is shown on **Map 6: Hydrological and Road Network**.

RESIDENTIAL DEVELOPMENT	
	• The majority of residential development in the Plan Area is clustered within the Town of Drumheller in several communities along Highway 10 outside the town centre, including Wayne, Cambria, East Coulee, and Lehigh. • There is minimal residential development within the rest of the Plan Area, and this is primarily farmsteads and acreages.

ENERGY	
	• There are numerous energy facilities within the Plan Area including wellsites and pipelines as shown on **Map 7: Energy**.



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Legend

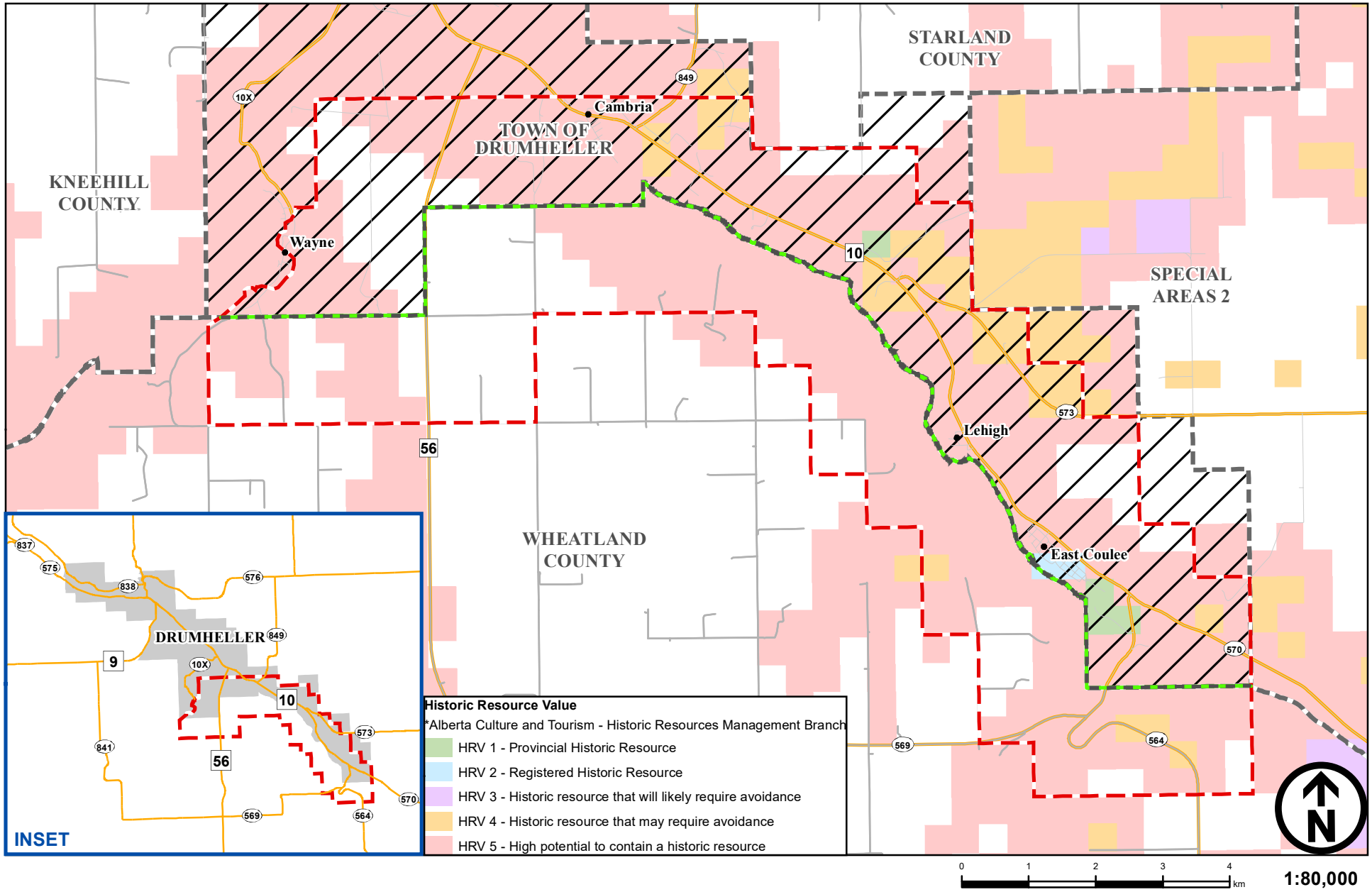
- Neighbourhood
- Railway
- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Environmentally Significant Area
- Alberta Wetland Inventory
- Sand And Gravel Deposit
- Provincial Highway
- Road
- Municipal Boundary
- Town of Drumheller

Map 4: Environmental Considerations

Wheatland County - Town of Drumheller Intermunicipal Development Plan

September 2019

Map and data for informational and planning purposes only.



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Legend

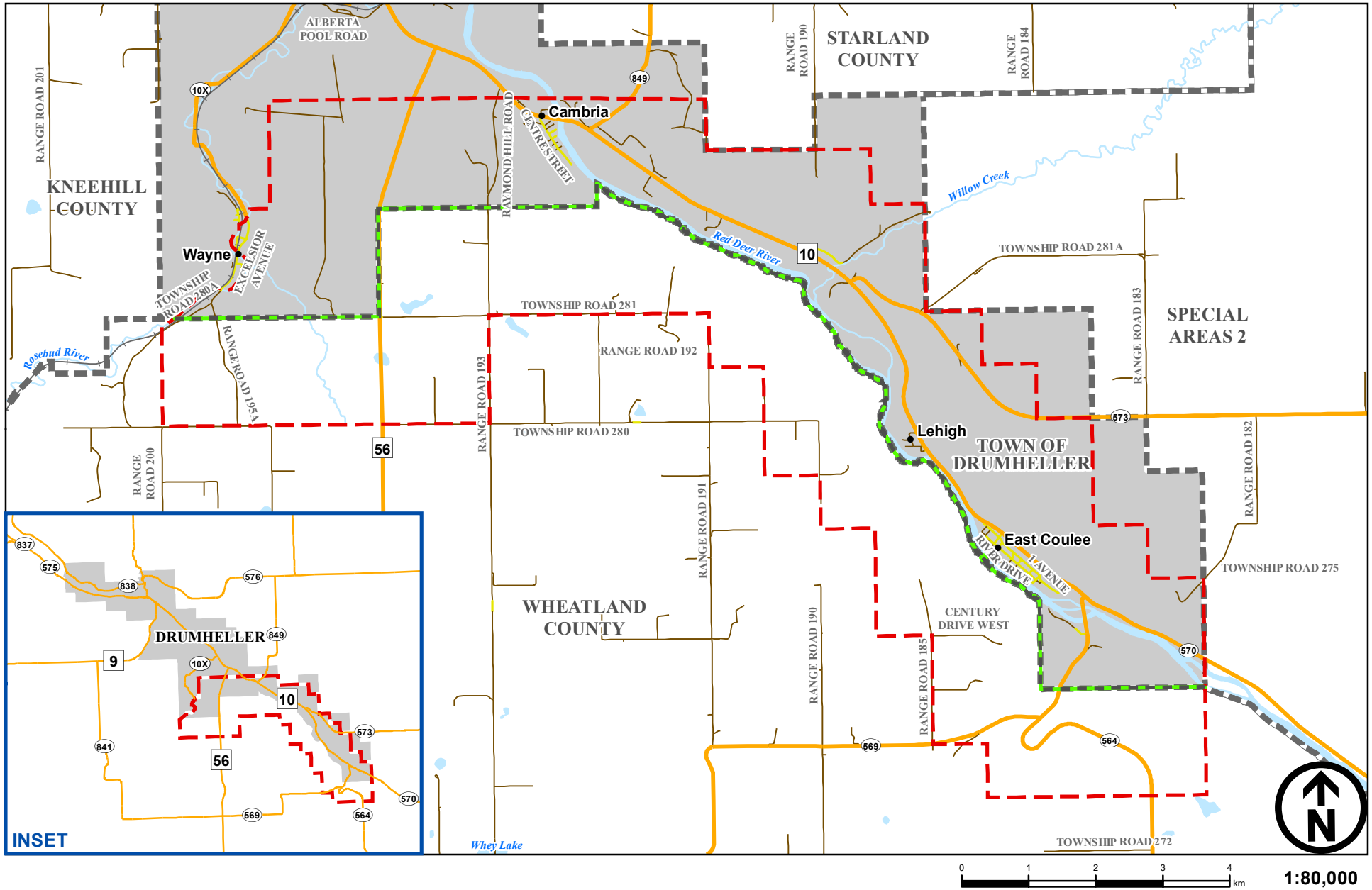
- Neighbourhood
- Railway
- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Provincial Highway
- Road
- Municipal Boundary
- Town of Drumheller

Map 5: Historic Resources

Wheatland County - Town of Drumheller Intermunicipal Development Plan

September 2019

Map and data for informational and planning purposes only.



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Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Town of Drumheller
- Neighbourhood
- Provincial Paved Highway
- Paved
- Unpaved
- Railway
- Watercourse
- Waterbody

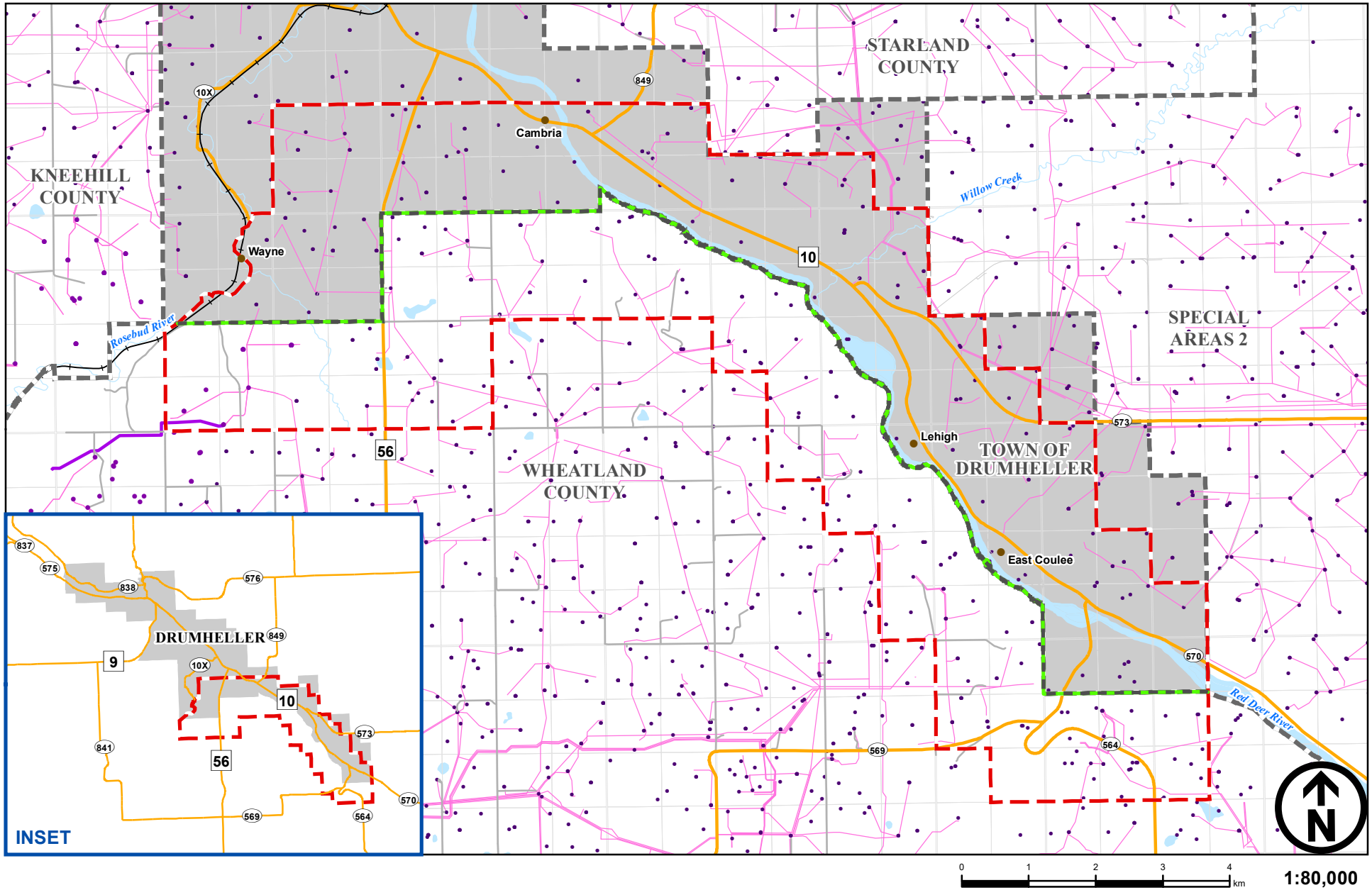
Map 6: Hydrological and Road Network

Wheatland County - Town of Drumheller

Intermunicipal Development Plan

July 2019

Map and data for informational and planning purposes only.



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Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Town of Drumheller
- Wellsite
- Pipline
  - Natural Gas
  - Oil
- Neighbourhood
- Provincial Highway
- Railway
- Road
- Watercourse
- Waterbody

Map 7: Energy

Wheatland County - Town of Drumheller Intermunicipal Development Plan

July 2019

Map and data for informational and planning purposes only.

2.2 LAND USE DESIGNATIONS

LAND USE DESIGNATIONS	
	The existing land use designations are determined by each municipality's land use bylaw and are predominantly agricultural with the Agricultural General (AG) district in Wheatland County and the Agricultural (A) District in the Town of Drumheller, covering the area as shown on **Map 8: Land Use Designations**. The Land Use Designations shown on **Map 8** are provided as a point-in-time capture for information purposes only and are subject to change without amendment to this Plan.

2.3 URBAN EXPANSION & POPULATION GROWTH

It is typical within an IDP involving an urban municipality to determine if future municipal expansion may be necessary or desirable in the foreseeable future. Historic land use and population growth patterns can provide a picture of whether this is likely or not to occur. Below is a simple population growth chart of the Town's population change since 1996.

In 1998 the Town of Drumheller amalgamated with the MD of Badlands No. 7 and absorbed a number of small hamlets and rural areas into its municipal boundaries. This provided the municipality with sufficient land base for anticipated growth. Between 2001 and 2011 the municipality grew in population from 7,833 to a high of 8,029 before dropping in 2016 to 7,982. This relatively flat growth and the presence of available developable land likely means the municipality has sufficient land for future growth. However, a more in-depth study would be needed to fully verify this assumption. Furthermore, since the municipality's core urban area is not in close proximity to the shared border with Wheatland County, any potential expansion plans are not likely to impact this Drumheller – Wheatland IDP.

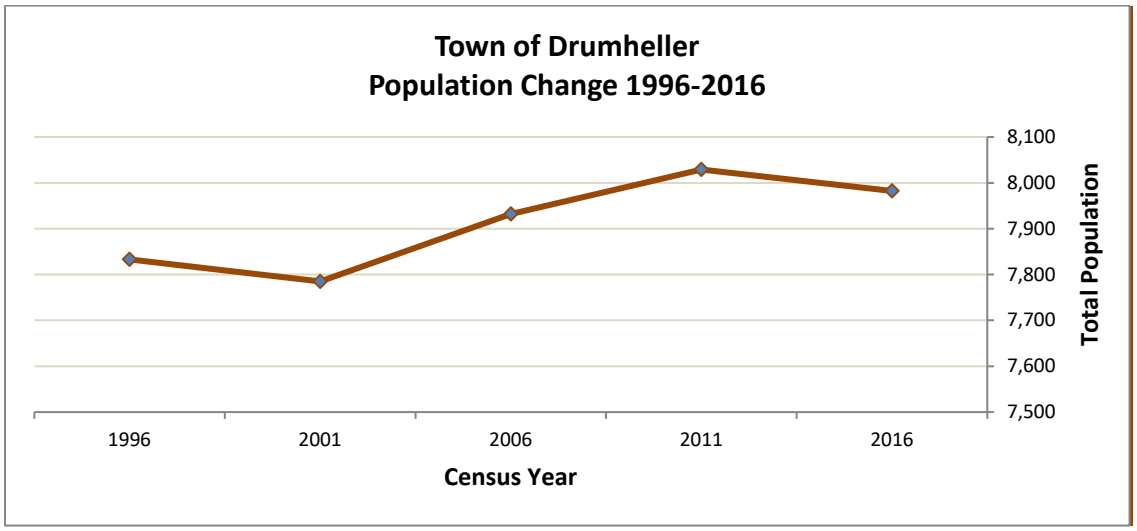
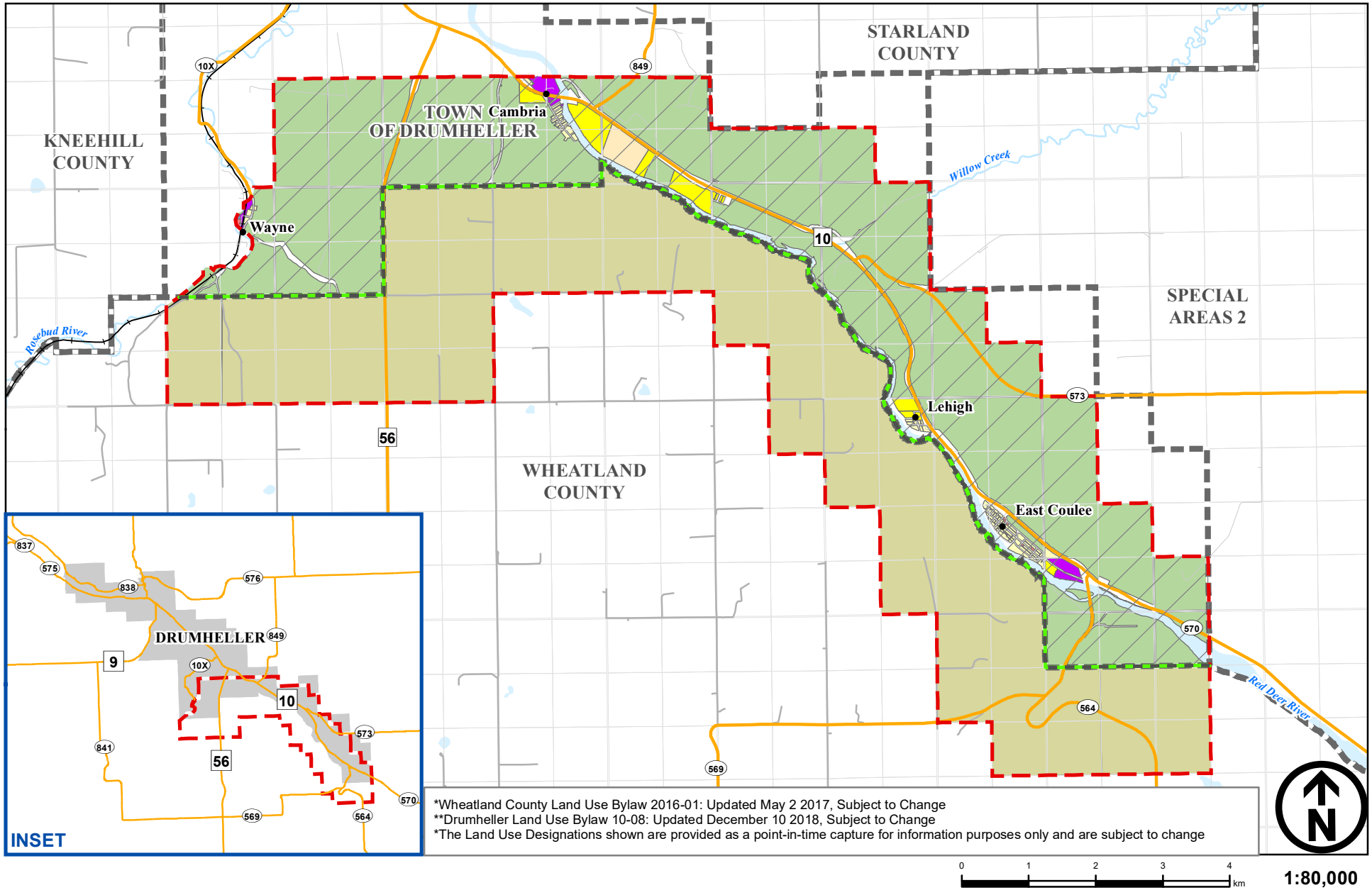


Figure 1: Town of Drumheller Population Change



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Land Use Designation

- A - Agricultural (D)
- AG - Agricultural (General) (WC)
- C-1 - Local Commerical District (D)
- CR - Country Residential District (D)
- CS - Community Service District (D)
- R-CH - Residential Cottage Housing District (D)
- SCR - Suburb Community Residential District (D)
- UT - Urban Transitional District (D)
- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Neighbourhood
- Town of Drumheller
- Watercourse
- Waterbody

Map 8: Land Use Designation

Wheatland County - Town of Drumheller Intermunicipal Development Plan

July 2019

Map and data for informational and planning purposes only.

3 INTERMUNICIPAL LAND USE POLICIES

The land use policies contained in this Plan are intended to provide direction to the Town of Drumheller and Wheatland County administrations, subdivision and development authorities and Councils to encourage and manage the future development of lands contained within the Plan Area.

3.1 GENERAL LAND USE POLICIES

INTENT

The general land use policies address matters that apply to the entire Plan Area and are intended to provide an overall guiding direction for the IDP. Agriculture is intended to remain as the primary land use in the area; however, potential growth centres identified in each municipality's statutory plans (e.g. MDP or ASPs) may identify potential areas for non-agricultural land uses that will be dependent upon market and land owner interest. Each municipality will ensure non-agricultural development is designed in a smart, sustainable, and advantageous form.

POLICIES

3.1.1 The primary land uses in the Plan Area are agriculture and grazing.

3.1.2 Both municipalities recognize and support the region's tourism industry through cooperative land use planning, economic development initiatives, and provision of appropriate servicing and infrastructure.

3.1.3 Non-agricultural development within the Plan Area shall be aligned with each municipality's Municipal Development Plan (MDP) and should be located along major highway corridors,

within existing urban areas, or within growth centres as identified in an MDP or other statutory plan (e.g. ASP).

3.1.4 The municipalities, as per this Plan, shall strive to engage in effective dialogue when considering land use in the Plan Area, while still maintaining complete jurisdiction on lands within their own boundaries.

3.1.5 The municipalities may collaborate and investigate methods of giving support to projects that may mutually benefit or enhance the quality of life of residents from both municipalities. This could be in the form of in-kind donations, materials, municipal letters of support, unified government lobbying, application for grants, or other more permanent arrangements upon mutual agreement.

3.1.6 Both municipalities agree to jointly discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are of a mutual benefit.

3.1.7 In any area where the plan area for this IDP overlaps with another IDP plan area, the policies from both IDPs will apply.

3.2 URBAN EXPANSION

INTENT

From time to time urban municipalities require additional land within their jurisdiction to accommodate future population growth and/or to enable the municipality to plan rationally for the future. The Town has not expressed any interest in annexation.

POLICIES

3.2.1 The Town of Drumheller shall consult with Wheatland County and its residents prior to initiating any annexation application to the province.

3.3 AGRICULTURE

INTENT

Agriculture and grazing will continue to be a predominant use on the landscape within the Plan Area. Non-agricultural uses should be considered in such areas where they will not negatively impact agriculture and grazing.

POLICIES

3.3.1 Agricultural operations and development are the primary land use and development within the Plan Area. Where appropriate, non-agriculture development shall be permitted according to each municipality's statutory and guiding documents.

3.3.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed, and insect control adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

3.3.3 If disputes or complaints in either municipality should arise between ratepayers and agricultural operators, the municipality receiving the complaint shall strive to direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution wherever necessary.

3.4 TOURISM AND RECREATIONAL DEVELOPMENT

INTENT

To ensure tourism and recreational related development occurs in a harmonious and efficient manner with the natural landscape that surrounds it and minimizes negative impacts to the communities.

POLICIES

3.4.1 Both municipalities should consult with each other and other agencies and stakeholders to develop management plans which integrate tourism, economic development, land use, development and recreational activities.

3.4.2 Wheatland County acknowledges the Town of Drumheller's Tourism Corridor Bylaw and its linkage to a healthy tourism economy that benefits the entire region. While the bylaw does not affect lands in Wheatland County, the County will encourage its residents and landowners within the vicinity of the Tourism Corridor Bylaw to maintain their properties to a high standard and to minimize unsightly properties that may deter tourism.

3.4.3 Both municipalities recognize that authentic rural living and working landscapes along tourism corridors are supported and encouraged and that these activities may at times require operations and aesthetics not familiar to all tourists (e.g. manure spreading).

3.4.4 When making land use decisions either municipality may wish to consider the preservation of viewscapes / view corridors that are important to the tourism industry and have been recognized by either municipality.

3.5 NATURAL ENVIRONMENT

INTENT

The Red Deer River and the Rosebud River are both located within the Plan Area, which provides a multitude of ecological, tourism and aesthetic value and potential for both municipalities and their residents. Both municipalities recognize the connection between the natural environment and quality of life and strive to protect, preserve, and enhance natural systems and environmentally significant areas while promoting appropriate development and tourism.

POLICIES

3.5.1 When making land use decisions, each municipality will:

a) utilize and incorporate measures which minimize possible impacts on the Red Deer River, Rosebud River, and any other important water resources;

b) determine appropriate land use patterns in the vicinity of significant water resources and other water features including wetlands;

c) establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability, and habitat.

3.5.2 For proposed development on lands within the Plan Area that may contain an environmentally significant site, an environmental/biophysical impact assessment (EIA/BIA) may be required to be completed by the developer to satisfaction of the municipality.

3.5.3 For proposed development on lands that may contain a historic resource, a Historical Resource Overview (HRO) or Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of Alberta Culture and Tourism. The developer must comply with the Historical Resources Act and Alberta Culture and Tourism.

3.5.4 Both municipalities should consider the Alberta Wetland Policy and Stepping Back from the Water Policy when making land use decisions with the goal of sustaining the environment and economic benefits.

3.5.5 Areas identified as environmentally sensitive or environmentally significant through federal, provincial, or municipal reports, policies, or plans, or through supplemental professional studies should be protected through the use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate methods as determined by the municipality and its applicable Municipal Development Plan policies or Land Use Bylaw regulations.

3.5.6 Development on slopes and in river valleys within natural areas is generally discouraged. However, where development is proposed on these natural features, it will proceed only in accordance with the respective municipality's statutory plans, applicable bylaws, and other municipal policies and regulations.

3.5.7 Subdivision and Development in or adjacent to river valleys shall take into consideration slope stability and soil characteristics in order to minimize negative environmental and developmental impacts.

3.5.8 Either municipality shall refer any new environmental or biophysical study or report in support of a planning or development application pertaining to lands within the Plan Area to the other municipality.

3.5.9 Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the Plan Area.

3.6 WATER QUALITY AND FLOOD PROTECTION

INTENT

Water is a precious resource used by agriculture, residential, commercial, industrial, and recreational developments. It is important that both the Town and County consider the impact of development on water quantity and quality as well as the broader watershed impacts. Furthermore, protective measures should be taken to ensure developments are not located within flood prone areas.

POLICIES

3.6.1 Where new development may affect water quality, appropriate water and wastewater treatment and collection systems shall be considered using best management practices in the Town and County.

3.6.2 Development in identified flood fringe and floodways as per provincial mapping (if completed) shall comply with provincial regulations and legislation. Where land use development is to occur in flood prone areas not identified on provincial maps as either flood fringe or floodway, appropriate regulations shall be implemented to ensure no negative impacts on the land and neighboring municipality.

3.7 RESOURCE EXTRACTION & ENERGY DEVELOPMENT

INTENT

Resource extraction is recognized as important to the local economy and to the maintenance of transportation routes and other infrastructure. However, impacts from resource extraction operations may affect nearby lands and must be addressed through proper siting and operation practices.

POLICIES

3.7.1 Upon receipt of a development application for a new or expanded natural resource extraction operation within the Plan Area, the municipality shall forward a copy to the other municipality.

3.7.2 Upon receipt of a notice of application from a provincial agency for a natural resource extraction operation within the Plan Area (e.g. Code of Practice application notice from Alberta Environment & Parks) the municipality shall forward a copy to the other municipality.

3.7.3 When evaluating an application for a new or expanded natural resources extraction development the approving municipality shall ensure the development provides evidence of

how it will mitigate the potential negative impacts of dust, noise, traffic, air, and water pollution.

3.7.4 Each municipality must be notified of any natural resource extraction development proposal in the other municipality that will result in access being required from a road under its control or management. After the application is deemed complete, the affected municipality must be notified of the application and give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.

3.7.5 Either municipality may require an agreement regarding the construction, repair, and maintenance of any municipal roads which may be impacted by natural resource extraction development, when the development requires access to come from the other municipality's road.

3.7.6 If either the Town of Drumheller or Wheatland County are in receipt of a notice for a new or expanded Alberta Transportation gravel pit or other natural resource extraction operation within the Plan Area, they shall forward a copy of the notice to the other municipality.

3.8 RENEWABLE ENERGY DEVELOPMENT

INTENT

The availability of wind, sun and other renewable natural resources in both municipalities allows for the potential of large and small renewable energy developments. However, the appropriate siting of these types of developments is critical to minimizing the impacts to adjacent lands and local infrastructure.

POLICIES

3.8.1 The municipalities encourage the location of renewable energy developments within the Plan Area:

a) where compatible with existing land uses; and

b) in consideration of comments from the adjacent municipality.

3.8.2 Either municipality shall refer to the other municipality any application, after it is deemed completed, for a renewable energy development within the Plan Area. Small scale renewable energy developments that either do not require a development permit or are listed as a permitted use in the applicable Land Use Bylaw District do not require referral to the other municipality.

3.9 TRANSPORTATION

INTENT

It is important that each municipality take into consideration the impact of development on provincial highways and municipal roads located within the Plan Area that form the area's transportation infrastructure.

POLICIES

3.9.1 Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.

3.9.2 Each municipality shall be notified of any road closure or development of an undeveloped road that will result in access being increased, decreased, or removed for a road under its control or management. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.

3.9.3 Either municipality may require a developer to enter into a road use agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.

3.9.4 When required by Alberta Transportation, developers shall conduct traffic studies with respect to the impact and access onto provincial highways. Any upgrading identified by a traffic study conducted by a developer with respect to a highway shall be implemented by the developer at its sole cost and to the satisfaction of Alberta Transportation.

3.10 TELECOMMUNICATION TOWERS / UTILITIES

INTENT

Telecommunication towers and associated infrastructure is largely outside the jurisdiction of municipalities despite potential impacts to the local area. Municipalities can provide comments to applicants and approving authorities/agencies regarding applications within the Plan Area and municipality.

POLICIES

3.10.1 Where there is an application for a new, expanded, or retrofitted telecommunications tower within the Plan Area, the municipality within which the application is located shall refer the application to the other municipality for comment. If the municipality in which the application is located chooses to send a letter in response to an application for a telecommunications tower (sometimes referred to as a 'Letter of Concurrence') to the approving authority/agency the municipality shall include any comments received from the other municipality. If the municipality in which the application is located chooses not to send a letter it shall instruct the adjacent municipality to send their comments directly to the approving authority.

3.10.2 When providing a response letter or Letter of Concurrence for a new, expanded or retrofitted telecommunications tower, the Town of Drumheller and Wheatland County shall request telecommunications companies to co-locate within the Plan Area where technically feasible.

3.10.3 When providing comments to provincial and federal departments regarding utility development within the Plan Area, the Town of Drumheller and Wheatland County shall request that consideration be given to the establishment of utility corridors with multiple users.

3.11 INTERPRETATION

INTENT

To ensure the policies and language within this Plan are as clear and concise as possible.

POLICIES

3.11.1 All references to a specific agency, body, or department were accurate at the time of writing. All references throughout the Plan shall therefore be considered applicable to the current relevant agency, body, or department.

3.11.2 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act, Chapter I-8, RSA 2000* as amended, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.

3.11.3 The relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as an approximation and not a precise depiction of its actual or full extension.

4 PLAN ADMINISTRATION & IMPLEMENTATION

The administration and implementation of polices contained in this Plan are intended to assist the Town of Drumheller and Wheatland County administrations, subdivision and development authorities, and Councils with the initial and ongoing execution of this Plan over its lifespan and define the roles of each municipality in the Plan execution.

4.1 INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE

INTENT

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

POLICIES

4.1.1 For the purposes of administering and monitoring the IDP, the Town of Drumheller and Wheatland County shall establish an Intermunicipal Development Plan Committee ("the Committee") comprised of an even number of members of Council from both the Town of Drumheller and Wheatland County. Each municipality may appoint an alternate Committee member in the event a regular member cannot attend a scheduled meeting. Alternate Committee members shall have standing.

4.1.2 The term of appointment for Committee members should be as determined by each municipality. Following each election, Members of the Committee shall be appointed by respective Councils at their Organizational Meeting. If a Council wishes to appoint a new

member to the Committee (including the alternate), they must do so by motion of Council at a regular Council meeting. The municipalities shall notify one another upon appointing members and alternate members to the Committee.

4.1.3 The Town of Drumheller and Wheatland County agree the main functions of the Committee are to:

a) create a forum for dialogue on issues of common concern and interest;

b) address concerns regarding the policies of the Plan;

c) address proposed amendments to the Plan;

d) address issues in relation to the implementation of Plan policies;

e) engage in resolving any conflicts or disputes which arise from this Plan;

f) equally share costs associated with using outside assistance to resolve a dispute; and

g) address any other land use issues deemed appropriate, but which are not explicitly identified in the Plan.

4.1.4 Meetings of the Committee shall be held on an "as-needed" basis, or at the request of either municipality. Committee meetings should be held as soon as possible if any conflict arises, or if any matter is brought before it.

4.1.5 A municipality may call a meeting of the Committee at any time with no less than five (5) days notice of the meeting being given to all members of the Committee and support personnel stating the date, time, purpose, and place of the proposed meeting. The five (5) days notice may be waived with three-quarters of the Committee members' agreement noted.

4.1.6 The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.

4.1.7 At least one (1) member of each municipality's administrative staff should attend each meeting in the capacity of technical, non-voting advisor.

4.1.8 Both Councils agree the Committee is not a decision-making body and that the Committee shall issue a written response in the form of comments and/or recommendations to the appropriate and relevant decision-making body within ten (10) business days from the Committee meeting date.

4.1.9 Any changes to the Committee format, composition, roles, responsibilities, or any aspect of its existence or operation may be requested by either municipality.

4.1.10 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution Process in Section 5 of this Plan should be adhered to.

4.2 INTERMUNICIPAL REFERRAL POLICIES

INTENT

The purpose of this section of the Plan is to establish clear and consistent expectations and protocols pertaining to the referral process for applications within both municipalities.

POLICIES

General

4.2.1 Where an intermunicipal referral is required by policies contained in this Plan, each municipality agrees to provide the other municipality with the required landowner information for the circulation area.

4.2.2 Where a plan or bylaw (including amendments) or application requires notifications to be sent to a municipality that is external to this Plan, the referring municipality shall follow the referral requirements outlined in the Municipal Government Act (MGA), or where applicable, those contained in a relevant Intermunicipal Development Plan.

4.2.3 The Town of Drumheller and Wheatland County may wish to notify the other municipality of major municipal infrastructure or public works projects within the Plan Area (e.g. major road upgrades, bridge construction).

Response Timelines

4.2.4 The responding municipality shall, from the date of notification by either postal mail or electronic mail, have the following timelines to review and provide comment on intermunicipal referrals:

a) 14 calendar days for all complete subdivision or development applications,
b) 14 calendar days for all complete redesignation applications, and
c) 14 calendar days for all other intermunicipal referrals.

4.2.5 In the event that either municipality, the Committee, or any other referral does not reply within the response time for intermunicipal referrals stipulated in this Section, it is presumed the responding municipality and/or Committee has no comment or objection to the referred planning application or matter.

Statutory Plans

4.2.6 A newly proposed Municipal Development Plan or amendment pertaining to the Plan Area shall be referred to the other municipality for comment prior to a public hearing.

4.2.7 A newly proposed statutory plan or amendment pertaining to the Plan Area shall be referred to the other municipality for comment prior to a public hearing.

Land Use Bylaws

4.2.8 All Land Use Bylaw amendments pertaining to the Plan Area shall be referred to the other municipality prior to a public hearing.

4.2.9 All redesignation applications within the Plan Area shall be referred to the other prior to a public hearing.

4.2.10 A newly proposed Land Use Bylaw from either municipality shall be referred to the other prior to a public hearing.

Outline Plans, Area Concept Plans & Design Concepts

4.2.11 All outline plans, area concept plans, design concepts, or similar non-statutory plans in support of a subdivision or development that are located within the Plan Area shall be referred to the other municipality for comment prior to approval.

Subdivision and Development

4.2.12 All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.

4.2.13 All discretionary use applications within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.

4.2.14 Both municipalities are encouraged to share with the adjacent municipality the results of all publicly available technical analyses required by a Subdivision and Development Authority as part of an application within the Plan Area.

Consideration of Responses

4.2.15 Comments from the responding municipality and/or the Committee regarding proposed Municipal Development Plans, other statutory plans, Land Use Bylaws, or amendments to any of those documents shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered.

4.2.16 Comments from the responding municipality and/or the Committee regarding subdivision and development applications shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered on the application.

4.3 PLAN VALIDITY

INTENT

This Plan may require amendments from time to time to accommodate unforeseen situations and to keep the Plan relevant. This Plan does not contain a "sunset" clause, but rather a method of continuous updating.

POLICIES

Addressing Provincial Regional Planning Requirements

The two municipalities are located within different provincial regional plans. The Town of Drumheller is within the Red Deer Regional Plan, which has not yet been completed. Wheatland County is within the South Saskatchewan Regional Plan (SSRP) which has been completed and came into effect September 1, 2014.

4.3.1 The municipalities agree that they will comply with any relevant adopted regional plan.

4.3.2 This Plan aligns with the strategies of the SSRP for lands lying within the boundary of Wheatland County.

Addressing Municipal Amendments and Plan Validity

4.3.3 This Plan comes into effect on the date it is adopted by both the Town of Drumheller and Wheatland County.

4.3.4 Amendments shall be adopted by both Councils using the procedures outlined in the Municipal Government Act (MGA). No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

4.3.5 Proposed amendments to this Plan by parties other than the Town of Drumheller or Wheatland County shall be accompanied by the following:

a) an application for amendment submitted to the Town of Drumheller along with the applicable municipal fee for processing amendments to a statutory document; and

b) an application for amendment submitted to Wheatland County along with the applicable municipal fee for processing amendments to a statutory document.

4.3.6 The Plan shall only be repealed if mutually agreed upon by both municipalities and under the condition the Plan will be replaced with a new IDP that will be adopted by both municipalities at the time of the repeal.

4.3.7 In the case where only one municipality wishes to repeal the Plan, sixty (60) days notice shall be given to the other municipality stating the intent and reasons for repealing the Plan. Both Councils shall pass the bylaw repealing the Plan and adopting a new IDP for the repeal to take effect.

4.3.8 Should only one municipality wish to repeal the Plan, the dispute resolution process in Section 5.0 shall be initiated.

4.3.9 Administrative staff should review the policies of the Plan annually and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective Councils for amendment to the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.

4.3.10 A formal review of the Plan shall occur within five (5) years from the date the IDP is adopted by both municipalities.

4.3.11 A formal review of the Plan shall occur when the Drumheller Flood Mitigation and Climate Adaptation System Plan is completed.

5 DISPUTE RESOLUTION

The MGA mandates that every IDP must have policies pertaining to dispute resolution.

5.1 GENERAL DISPUTE PROCESS

INTENT

The policies of this Plan are designed to be general in nature, ensuring that both the Town of Drumheller and Wheatland County maintain jurisdiction over the decisions made within their borders. It is anticipated that by following the process below, any disputes or conflicts that may arise can first be avoided, and where necessary, settled at the local level. Only in those circumstances where a resolution cannot be achieved locally would the dispute be referred to outside parties.

POLICIES

General Agreement

The municipalities agree that:

5.1.1 It is important to avoid dispute by ensuring the Plan is adhered to as adopted, including full circulation of any permit or application that may affect the municipality as required in the Plan and prompt enforcement of the Plan policies.

5.1.2 Prior to the meeting of the Committee, each municipality through its administration will ensure the facts of the issue have been investigated and clarified, and information is made available to both parties. Staff meetings are encouraged to discuss possible solutions.

5.1.3 The Committee should discuss the issue or dispute with the intent to seek a recommended solution by consensus.

Dispute Resolution

In the case of a dispute, the following process will be followed to arrive at a solution:

5.1.4 When a potential intermunicipal issue comes to the attention of either municipality relating to a technical or procedural matter, such as inadequate notification or prescribed timelines, misinterpretation of Plan policies, or a clerical error regarding the policies of this Plan, either municipality's Land Use Bylaw, or any other plan affecting lands in the Plan area, it will be directed to the administrators of each municipality. The administrators will review the technical or procedural matter and, if both administrators are in agreement, take action to rectify the matter.

5.1.5 Should either municipality identify an issue related to this Plan that may result in a dispute that cannot be administratively resolved or any other issue that may result in a dispute, the municipality should contact the other and request that a Committee meeting be scheduled to discuss the issue. The Committee will review the issue and attempt to resolve the matter by consensus.

5.1.6 The dissenting municipality is requested to bring a resolution of Council to the Committee. The resolution of Council should clearly outline the concern(s) and possible remedy requested from the other municipality.

5.1.7 Should the Committee be unable to arrive at a consensus, the administration of each municipality will schedule a joint meeting of the two Councils to discuss possible solutions and attempt to reach consensus on the issue.

5.1.8 Should the Councils be unable to resolve the matter, a formal mediation process to facilitate resolution of the issue shall be initiated.

Filing an Intermunicipal Dispute under the Municipal Government Act

5.1.9 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw, or amendment to such within thirty (30) days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the Municipal Government Act (MGA) so that the provincial statutory right and timeframe to file an appeal is not lost.

5.1.10 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 30-day appeal filing process as outlined in the Municipal Government Act (MGA).

Note: Using section 690(1) of the Municipal Government Act (MGA) is the final stage of dispute settlement, where the municipalities request the Municipal Government Board to intercede and resolve the issue.

Dispute Resolution Flow Chart

The dispute resolution flow chart shown as **Figure 1** is for demonstration purposes only and shall not limit the ability of either municipality to explore other methods of resolution or to choose one method in place of another.

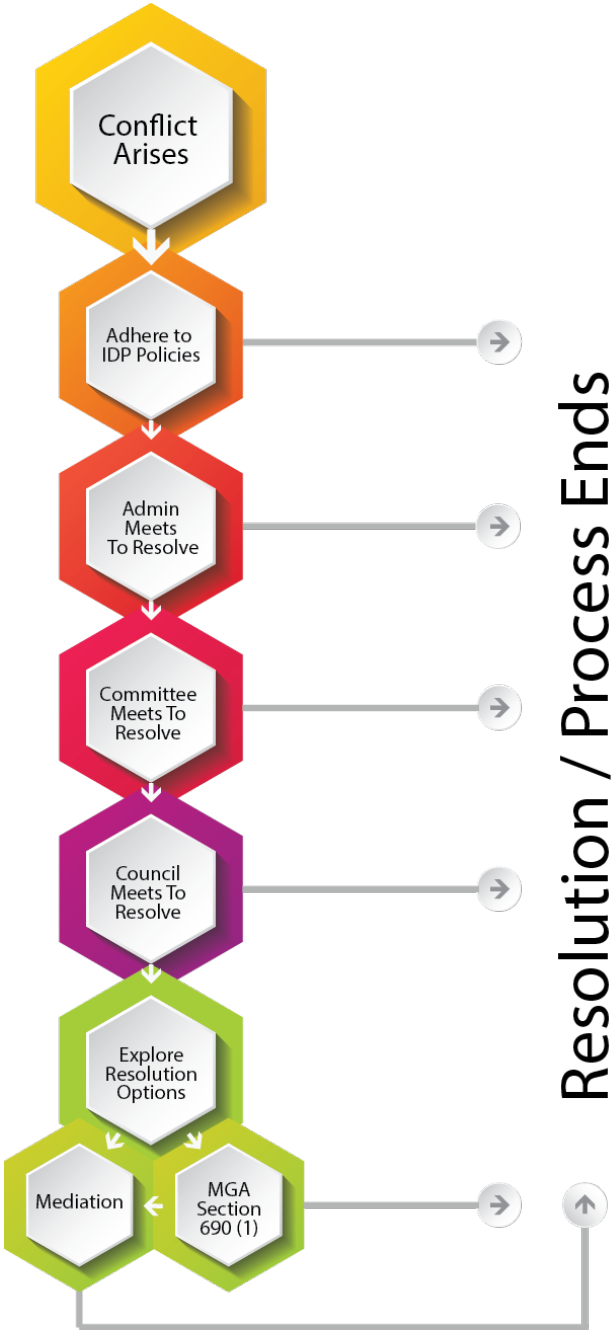

Figure 1: Dispute Resolution Flow Chart

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APPENDIX A | DEFINITIONS

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Adjacent Land(s): Land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway or similar feature and any other land identified in a land use bylaw as adjacent for the purpose of notifications under the *Municipal Government Act, Revised Statues of Alberta 2000, M-26* with amendments.

Agricultural Operation: If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

a) the cultivation of land;
b) the raising of livestock, including game-production animals within the meaning of the "*Livestock Industry Diversification Act*" and poultry;
c) the raising of fur-bearing animals, pheasants or fish;
d) the production of agricultural field crops;
e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
f) the production of eggs and milk;
g) the production of honey (apiaries);
h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
i) the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
j) the collection, transportation, storage, application, use transfer and disposal of manure;
k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

Alberta Land Stewardship Act (ALSA): The *Alberta Land Stewardship Act Statues of Alberta, 2009 Chapter A-26.8*, as amended.

Area Structure Plan (ASP): A statutory plan in accordance with the Municipal Government Act (MGA) for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality. The Plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), stormwater drainage, fire protection and other utilities across the entire Plan Area.

Biophysical Impact Assessment: means the assessment of the biological and physical elements for the purpose of reducing the potential impacts of the proposed development on the natural environment. The report details specific components of the environment such as topography, geology, hydrology, soils, vegetation, wildlife, and biodiversity (terrestrial and aquatic) for a specific development area. Mitigation measures are suggested to minimize or eliminate potential environmental concerns.

Calgary Metropolitan Region Board (CMRB): The board established by the Calgary Metropolitan Region Board regulation (Alberta Regulation 190/2017).

Calgary Metropolitan Region: The lands lying within the boundaries of the participating municipalities of the Calgary Metropolitan Region Board.

Conservation Easement: A voluntary agreement between a landowner and a conservation organization or government agency. The intent of the Conservation Easement is to protect the ecological, scenic, and or agricultural values of the land. The agreement is placed on title, and the landowner continues using the land subject to the specific restrictions in the easement.

Conservation Reserve: As defined by the Municipal Government Act and used for the purpose of conserving environmentally significant features that cannot be required to be provided as environmental reserve.

Council(s): The Council of the Town of Drumheller and the Council of Wheatland County in the Province of Alberta.

County: The Municipality of Wheatland County.

Development: As defined by the *Municipal Government Act* in Part 17, section 616, means

a) an excavation or stockpile and the creation of either of them;
b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land;
c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
d) a change in the intensity of the land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Discretionary Use: The use of land or a building in a land use district for which a development permit may be approved at the discretion of the Development Authority with or without conditions.

Energy Industry or Energy Development: Industry that uses some form of alternative energy either as the source of its operation or the result of its operation, such as, but not limited to, wind farms, solar farms, hydroelectric dams among others.

Environmental Reserve: Regulated through the Municipal Government Act (MGA), it is the transference of land from the landowner to the municipality through the subdivision process. The lands can consist of water bodies, steep slopes, gullies, or drainage courses, and would be required to remain in its natural state.

Environmental Reserve Easement: Similar to an Environmental Reserve, the ERE however allows the title to remain under the landowner, instead of with the municipality. Similar restrictions apply with an easement, such that the land would be left in its natural state.

Environmentally Significant Area (ESA) means an area defined as an Environmentally Significant Area within the applicable land use bylaw of the approving municipality.

Environmental Site Assessment (ESA – Phase I or II): An investigation in relation to land to determine the environmental condition of property. It includes a Phase 1 environmental site assessment, a Phase 2 environmental site assessment and confirmatory investigation.

Extensive Agriculture: The general raising of crops and grazing of livestock in a non-intensive nature.

Extractives or Extractive Industry: Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource.

Historical Resource Value (HRV): Lands that contain or are believed to contain historic resources, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

Intensive Agriculture: If not defined in the respective municipalities' Land Use Bylaw, it is any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market including, but not limited to,

such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, apiaries, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

Intermunicipal Border: The shared border between the Town of Drumheller and Wheatland County.

Intermunicipal Development Plan (IDP): A statutory document, adopted by bylaw in accordance with section 631 of the *Municipal Government Act*, which is used by municipalities as a long-range planning tool.

Intermunicipal Development Plan Committee (the Committee): The members assigned by each respective Council for the purposes of administering and monitoring the Intermunicipal Development Plan.

May: Is an operative word that means that there is a choice, with no particular direction or guidance intended.

Municipalities (the Municipalities): The municipalities of the Town of Drumheller and Wheatland County.

Municipal Government Act (MGA): The Municipal Government Act Revised Statues of Alberta 2000, Chapter M-26, as amended.

Municipal Development Plan (MDP): A statutory plan, adopted by bylaw in accordance with section 632 of the *Municipal Government Act* and used by municipalities as a long-range planning tool.

Permitted Use: The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

Plan: The Town of Drumheller and Wheatland County Intermunicipal Development Plan.

Plan Area: The lands defined in this document on Map 2 noted as “Plan Area” (approximately 1 to 1.5 miles on either side of the shared border) to which the policies of this document pertain.

Provincial Highway: A road development as such by Ministerial Order pursuant to the *Highway Development and Protection Act,* Alberta Regulation 326/2009.

Ratepayer: A land owner within the municipality who pays taxes to the respective municipality and is considered a stakeholder in public matter relating to the municipality.

Red Deer Regional Plan: The Regional Plan and regulations for the Red Deer Regional Plan area established by Order of the Lieutenant Governor in Council Pursuant to the Alberta Land Stewardship Act.

Renewable Resource/Energy: A natural resource or form of energy that can replenish on its own with time.

Shall: Is an operative word that means the action is mandatory.

Should: Is an operative word that means that in order to achieve the Plan's objectives, it is strongly advised that the action be taken.

Soil Classifications: The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

> **Class 1 –** Soils in this class have no significant limitations in use for crops.
> **Class 2 –** Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.
> **Class 3 –** Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.
> **Class 4 –** Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.
> **Class 5 –** Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible.
> **Class 6 –** Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible.
> **Class 7 –** Soils in this class have no capacity for arable culture or permanent pasture land.

South Saskatchewan Regional Plan (SSRP): The Regional Plan and regulations for the South Saskatchewan Regional Plan area established by Order of the Lieutenant Governor in Council Pursuant to the *Alberta Land Stewardship Act.*

Stakeholder: A person with an interest or concern in matters pertaining to this Plan.

Statutory Plan: As per Part 17 of the *Municipal Government Act*, is an intermunicipal development plan, a municipal development plan, an area structure plan, or an area redevelopment plan adopted by a municipality under Division 4 of the *Municipal Government Act*.

Subdivision and Development Authority: Within the boundary of the Town of Drumheller means the Town of Drumheller Subdivision and Development Authority, and within the boundary of the Wheatland County means the Wheatland County Subdivision and Development Authority.

Town: The Town of Drumheller.