

Special Areas Board & Wheatland County

Intermunicipal Development Plan

Bylaw No. 2020-14
&
Ministerial Order No.
xxx/20



ACKNOWLEDGEMENTS



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<https://rickschmidtphotography.squarespace.com/>

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1 INTRODUCTION

1.1 PURPOSE OF THE PLAN

The purpose of the Special Areas Board 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 IDP.

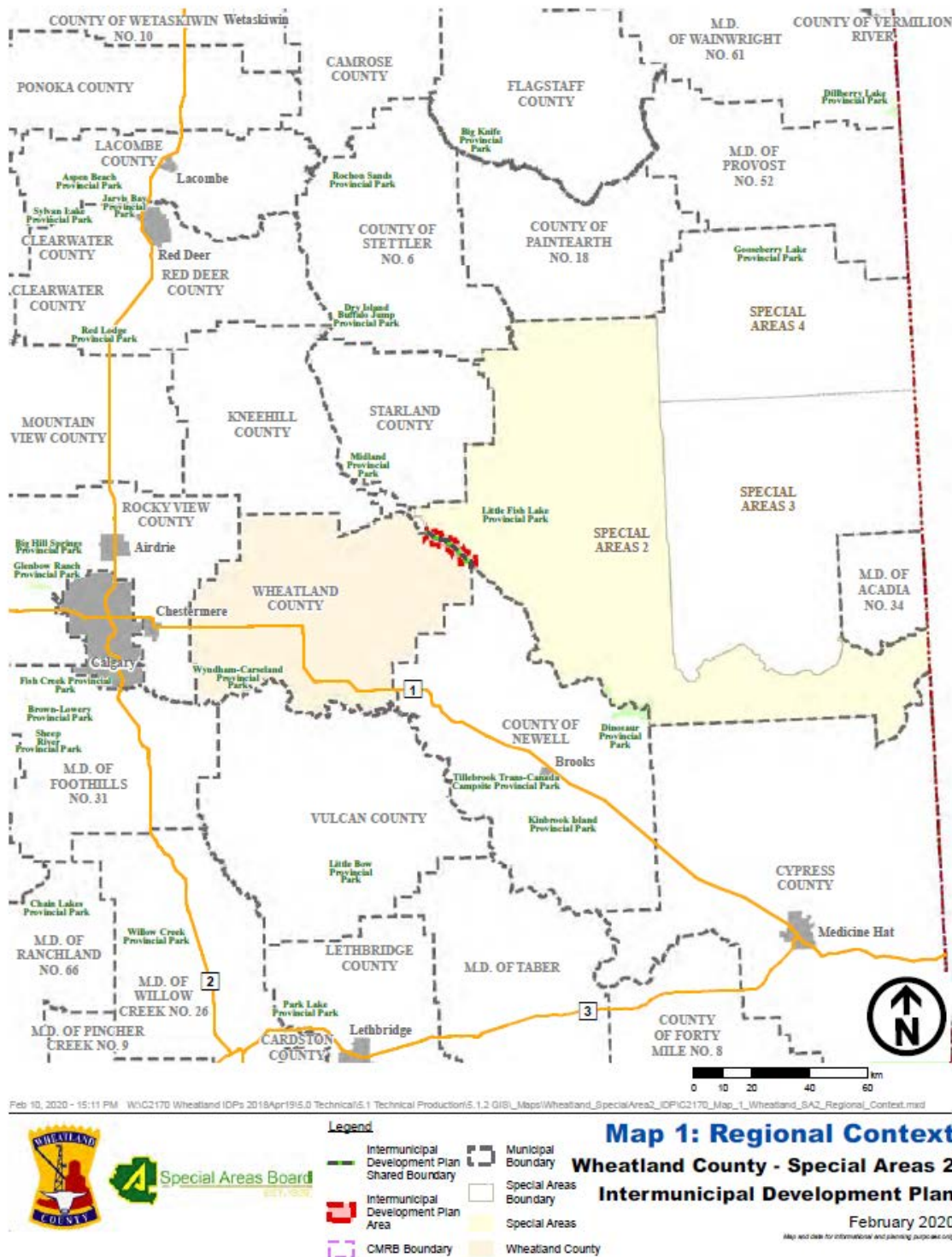
Municipalities are mandated to work together to adopt IDPs to:

- 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 a 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.



Map 1: Regional Context

The IDP 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 IDP; and
- documentation for administration of the IDP.

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

“The purpose of the Special Areas Board and Wheatland County Intermunicipal Development Plan (IDP) is to foster a collaborative planning approach for lands along the common border between the two municipalities.”

1.2 MUNICIPAL PROFILES

Special Areas Board

Special Areas is made up of three areas that total 5.2 million acres, and is located in south-eastern Alberta, nestled in the Canadian Badlands. It is bounded by 9 other municipalities and the Province of Saskatchewan.

The Red Deer River makes up significant portions of Special Area’s western boundary, including its boundary with Wheatland County. The largest municipality by population within Special Areas is the Town of Hanna with a population of approximately 2,559 (Statistics Canada, 2016 Census).

The majority of the land is zoned for agricultural uses, allowing the population of 1,905 spread out over 9,348km² of land (Statistics Canada, 2016 Census) to enjoy a rural way of life. Oil and gas is a major industry in the region. Special Areas Board is currently supporting and facilitating the creation of a wireless high-speed internet network throughout the region.

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 a number of 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 First Nation. A portion of the County around Strathmore is within the Calgary Metropolitan Region Board jurisdiction. The economy of the 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 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 granted an extension to April 1, 2021 where the plan is between municipalities and special areas, with the caveat that the parties need to agree to the extension and submit the resolutions to the Minister.

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.*
- (2) *Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).*
- (3) *The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.*
- (4) *Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.*
- (5) *If 2 or more councils that are required to adopt an intermunicipal development plan under subsection (1) do not have an intermunicipal development plan in place by April 1, 2020 because they have been unable to agree on a plan, they must immediately notify the Minister and the Minister must, by order, refer the matter to the Municipal Government Board for its recommendations in accordance with Part 12.*
- (6) *Where the Minister refers a matter to the Municipal Government Board under this section, Part 12 applies as if the matter had been referred to the Board under section 514(2).*
- (7) *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.*
- (8) *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, and

(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.

(9) Despite subsection (8), to the extent that a matter is dealt with in a framework under Part 17.2, the matter does not need to be included in an intermunicipal development plan.

(10) In creating an intermunicipal development plan, municipalities must negotiate in good faith.

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.

With regard to 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.

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2 IDP AREA

2.1 IDP AREA CHARACTERISTICS

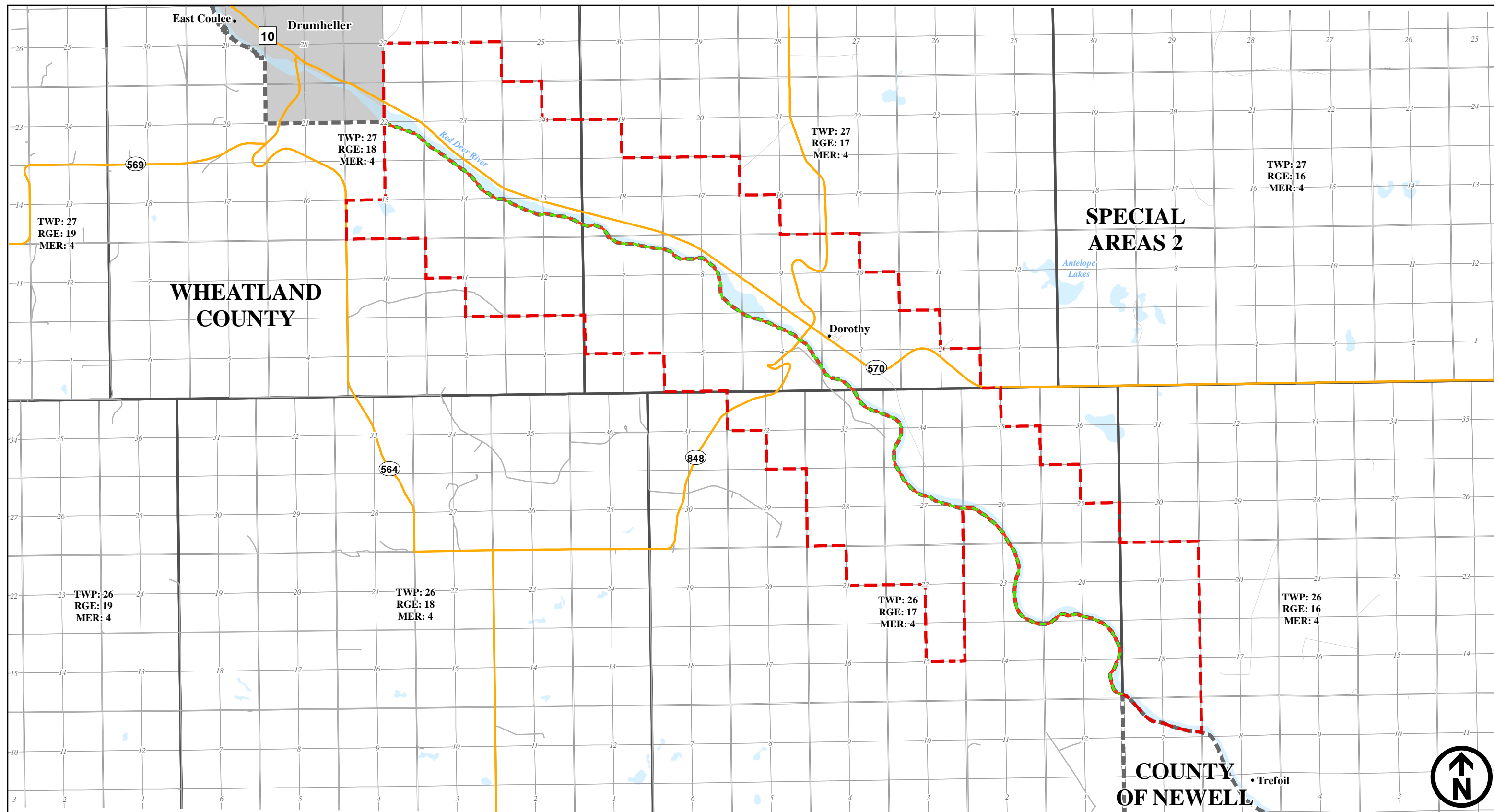
The IDP Area consists of an area approximately 1.6 to 2.5 km (1.0 to 1.5 miles) on either side of the shared municipal border (the Red Deer River), which consists of approximately 9,216 hectares (22,773 acres) and is illustrated in **Map 2: IDP Plan Area**.

Key characteristics of the IDP Area include the following:

AGRICULTURE & SOIL CHARACTERISTICS



- Most of the land has no capacity or limited capacity for agriculture, other than grazing, due to it being located within the river valley (see **Map 3: Soil Classification**).
- The area contains a variety of soil characteristics ranging from having no capacity for arable crops or permanent pasture to moderately severe limitations that restrict the range of crops or require special conservation practices. As shown on **Map 3: Soil Classification** soil classes 3 through 7 are present, resulting in minimal agricultural capacity and associated agricultural activities.



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0 0.5 1 2 3 4 km



Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area Boundary
- Municipal Boundary

INTERMUNICIPAL DEVELOPMENT PLAN AREAS

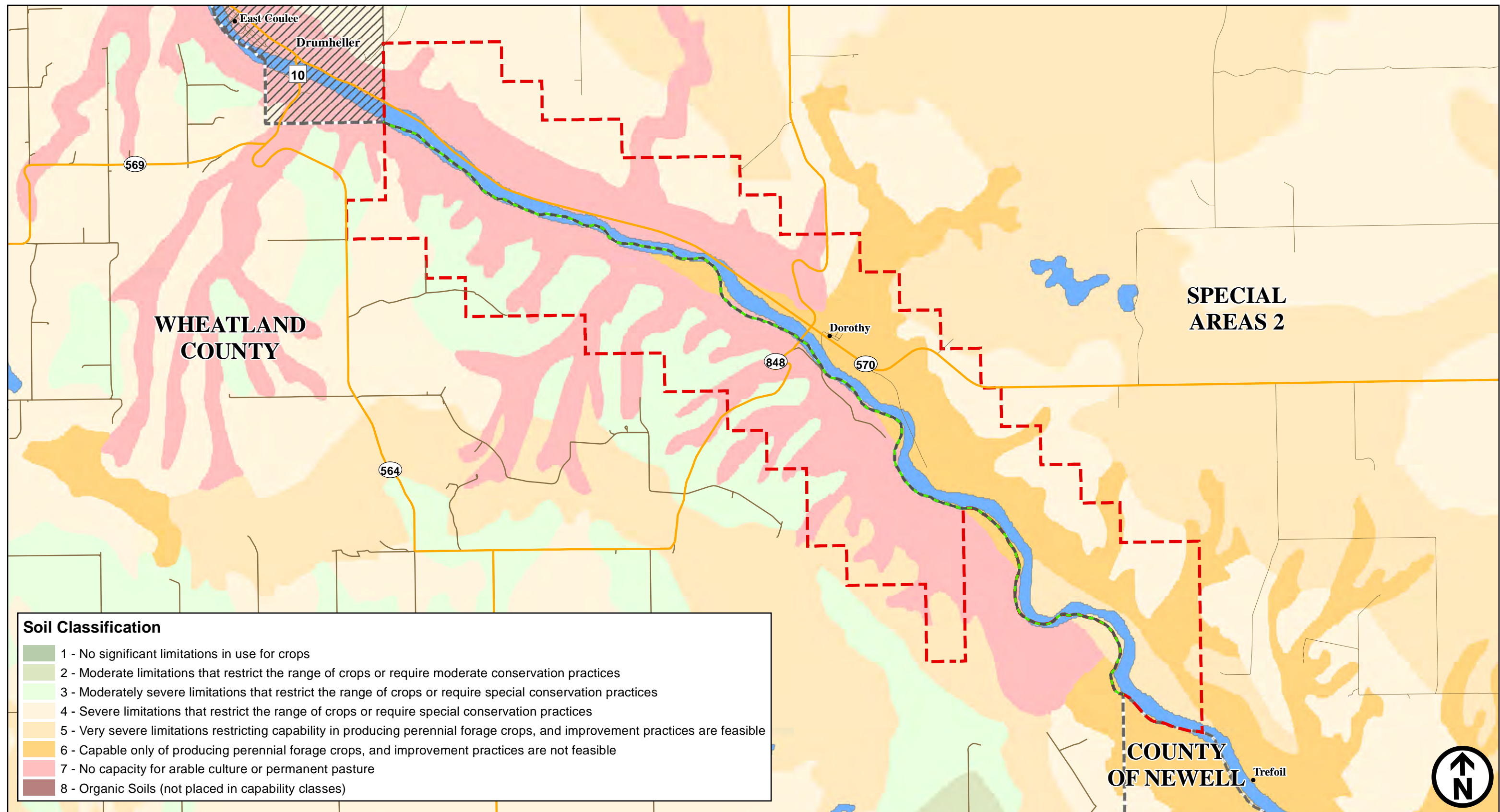
Wheatland County: 4572.85 ha (11299.75 ac)
Special Areas 2: 7893.73 ha (19505.83 ac)
Total: 12466.58 ha (30805.58 ac)

Map 2: IDP Plan Area

Wheatland County - Special Areas 2
Intermunicipal Development Plan

February 2020

Map and data for informational and planning purposes only.



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0 0.5 1 2 3 4 km



Legend

- Intermunicipal Development Plan Shared Boundary
- - - Intermunicipal Development Area Boundary
- ▣ Municipal Boundary

Map 3: Soil Classification

Wheatland County - Special Areas 2
Intermunicipal Development Plan

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Map and data for informational and planning purposes only.

NATURAL AND HISTORIC LANDSCAPE



- The IDP Area consists almost entirely of the valley of the Red Deer River, which flows from the northwest to the southeast. The river valley area is environmentally and historically significant for the region, Alberta, Canada, and the world.
- The IDP Area is located within the Canadian Badlands, which is a tourism destination recognized by Travel Alberta for unique coulee landscapes and hoodoo formations.
- Environmental features are shown on **Map 4: Environmental Considerations and Historic Resources**. Most of the IDP Area is considered Environmentally Significant and has a high potential to contain a historic resource or is a Historic Resource.

TRANSPORTATION INFRASTRUCTURE



- Highway 570 is the main transportation corridor through the IDP Area and is located in the northern portion. Highway 848 intersects Highway 570 near the Hamlet of Dorothy and provides the only direct link between the two municipalities over the Red Deer River by way of a one lane bridge.
- Several municipal roads exist within the IDP Area, such as Range and Township Roads and the streets of Dorothy.
- There are no other provincial roadways or any railways within the IDP Area. In particular, no transportation links exist in the southern portion of the IDP Area or along the Wheatland County side.
- Transportation Infrastructure is shown on **Map 5: Hydrological and Road Network**.

RESIDENTIAL DEVELOPMENT

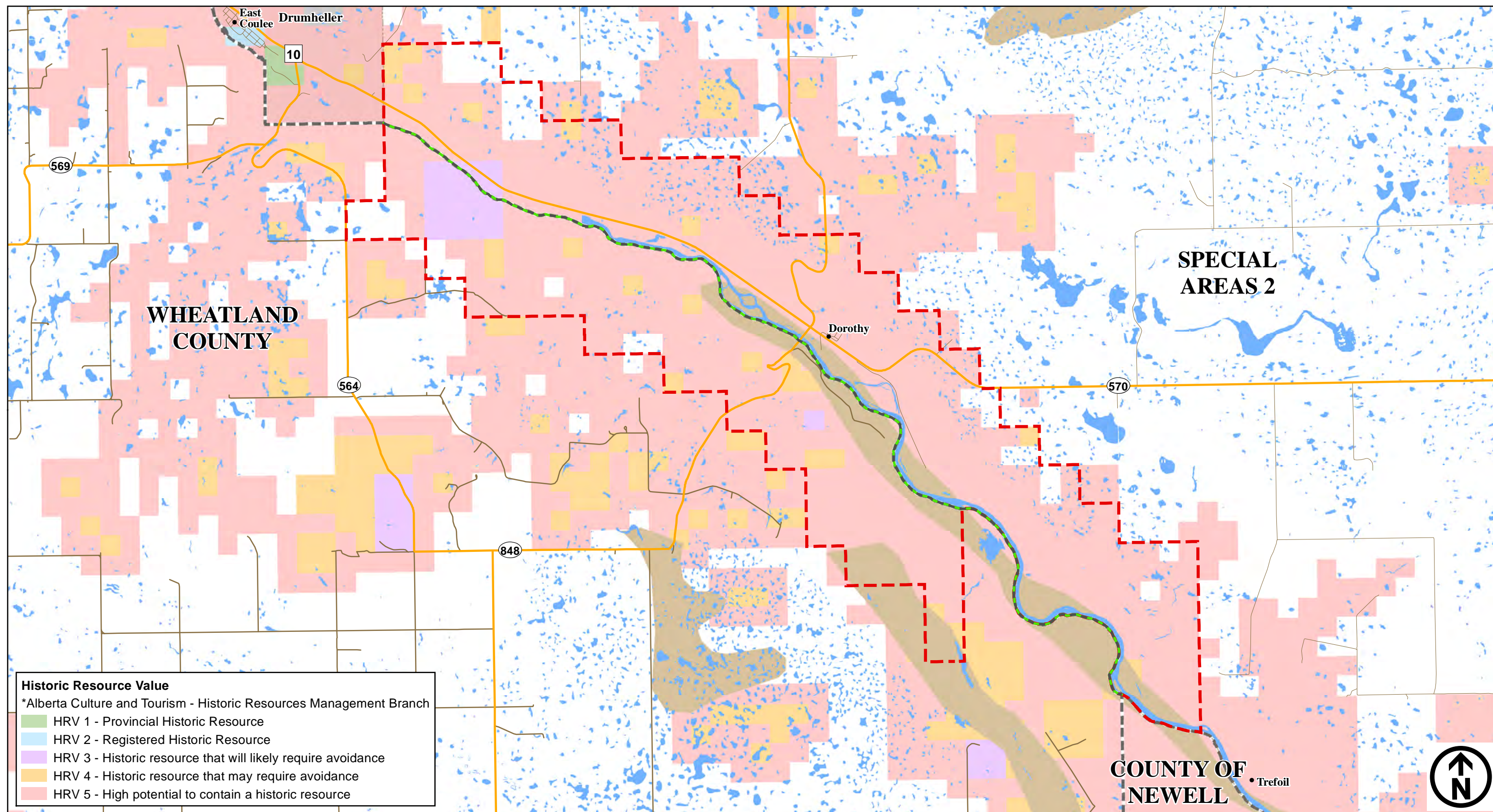


- There is very minimal residential development within the IDP Area.
- The unincorporated Hamlet of Dorothy is located within the IDP Area and has an estimated population of 10.

ENERGY



- There are several energy facilities encroaching within the IDP Area, including well sites and pipelines as shown on **Map 6: Energy**.



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Legend

- Intermunicipal Development Plan Shared Boundary
- Alberta Wetland Inventory
- Intermunicipal Development Plan Area Boundary

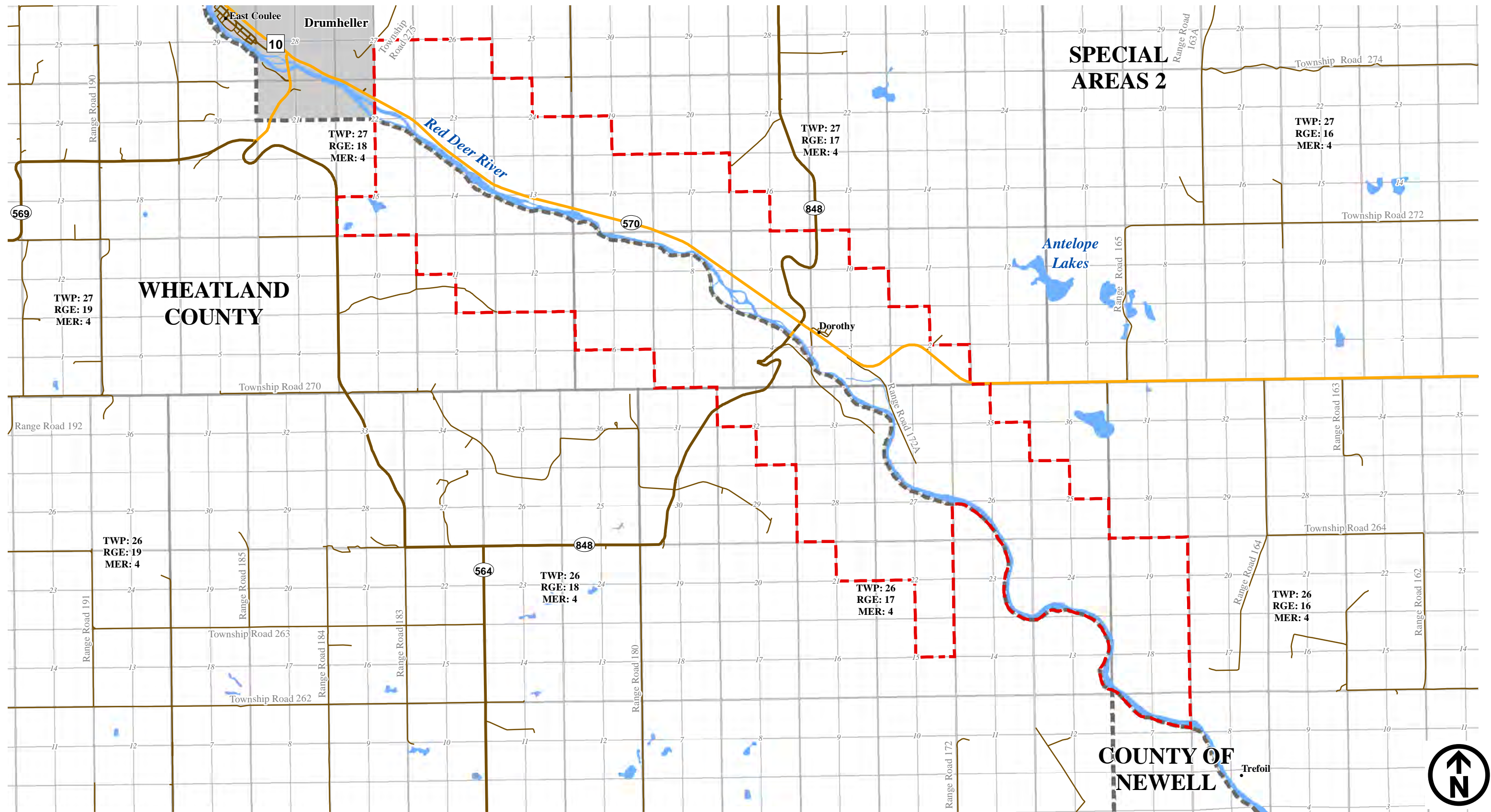
- Municipal Boundary
- Sand And Gravel Deposit

Map 4: Environmental Considerations

Wheatland County - Special Areas 2
Intermunicipal Development Plan

February 2020

Map and data for informational and planning purposes only.



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Legend

IDP Plan Area Boundary

- Paved Highway
- Unpaved Highway
- Paved Road
- Unpaved Road

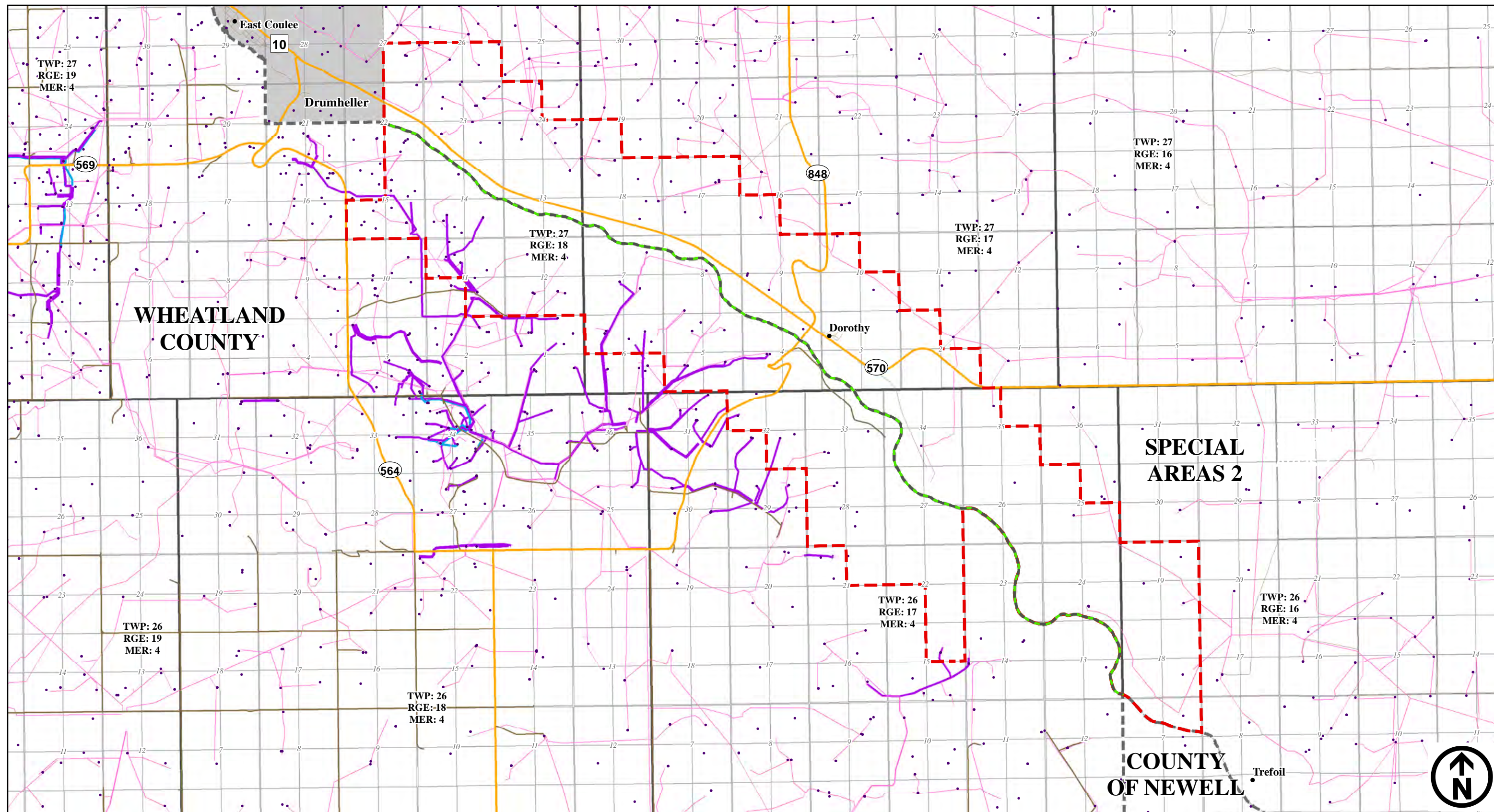
- Railway
- River/Stream
- Water Body
- Municipal Boundary

Map 5: Hydrological and Road Network

Wheatland County - Special Areas 2
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Legend

- Wellsite
- Intermunicipal Development Plan Shared Boundary

- Intermunicipal Development Plan Area Boundary

- Pipeline Type**
- Water
 - Natural Gas
 - Oil Pipeline

- Municipal Boundary


Map 6: Energy

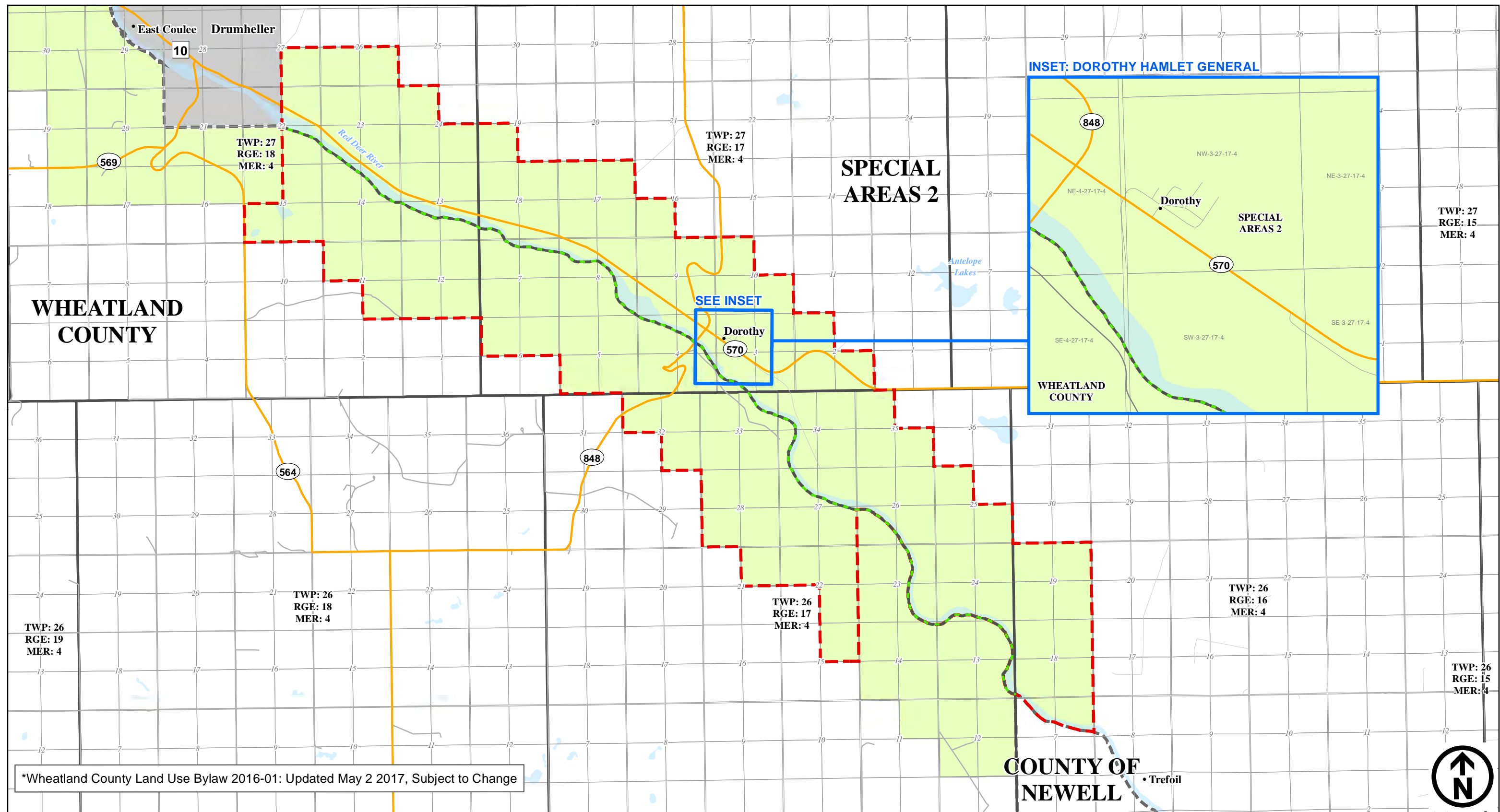
Wheatland County - Special Areas 2
Intermunicipal Development Plan

February 2020

Map and data for informational and planning purposes only.

2.2 LAND USE DESIGNATIONS

LAND USE DESIGNATIONS	
	<p>The existing land use designations are determined by each municipality’s land use bylaw or order and are predominantly agricultural with the Agricultural General (AG) district in Wheatland County and the Agricultural (A) district in Special Areas covering the area as shown on Map 7: Land Use Designations. The Hamlet of Dorothy is designated as Hamlet General (HG). The Land Use Designations shown on Map 7 are provided as a point-in-time capture for information purposes only and are subject to change without amendment to this Plan.</p>



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Legend

- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area Boundary

Land Use

- Agricultural (AG/A)

Municipal Boundary

Map 7: Land Use Designation

Wheatland County - Special Areas 2
Intermunicipal Development Plan

February 2020

Map and data for informational and planning purposes only.

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3 INTERMUNICIPAL LAND USE

This IDP is intended to provide direction to Special Areas Board and Wheatland County administrations, subdivision and development authorities, and Councils to encourage and manage the future development and/or protection of lands contained within the IDP Area.

3.1 GENERAL LAND USE

INTENT

The following general land use matters apply to the entire IDP Area and are intended to provide an overall guiding direction for the IDP.

- 3.1.1 The primary land use in the IDP Plan Area shall be agriculture and grazing. Non-agricultural land uses should be limited in size and scale and considered only in such areas where they will not result in significant negative impacts to agricultural lands or environmentally / historically sensitive areas.
- 3.1.2 The municipalities, as per this IDP, shall strive to engage in effective dialogue when considering land use in the IDP Plan Area, while still maintaining complete jurisdiction on lands within their own boundaries.
- 3.1.3 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, application for grants, or other more permanent arrangements upon mutual agreement.

- 3.1.4 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 and to protect the environmentally / historically significant areas that are of a mutual benefit.

3.2 AGRICULTURE

INTENT

Agriculture and grazing will continue to be the primary land use designation in the IDP Plan Area, and non-agricultural uses should be considered only in such areas where they will not negatively impact agriculture and grazing.

- 3.2.1 Agriculture and grazing shall continue to be the primary land use in the IDP Plan Area.
- 3.2.2 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.
- 3.2.3 Should disputes or complaints in either municipality 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.

3.3 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, particularly environmentally / historically significant areas, and must be addressed through proper siting and operation practices.

- 3.3.1 Upon receipt of a development application for a new or expanded natural resource extraction operation within the IDP Plan Area, the municipality shall forward a copy to the other municipality.
- 3.3.2 Upon receipt of a notice of application from a provincial agency for a natural resource extraction operation within the IDP Plan Area (e.g. Code of Practice application notice from Alberta Environment & Parks) the municipality shall forward a copy to the other municipality.

- 3.3.3 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, particularly within the environmentally / historically significant areas.
- 3.3.4 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.
- 3.3.5 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.
- 3.3.6 If either Special Areas Board 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 IDP Plan Area, they shall forward a copy of the notice to the other municipality.

3.4 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, local infrastructure, and the environmentally / historically significant lands.

- 3.4.1 The municipalities encourage the location of renewable energy developments within the IDP Plan Area:
 - a) where compatible with existing land uses,
 - b) that will consider impacts to the environmentally / historically significant areas, and
 - b) in consideration of comments from the adjacent municipality.
- 3.4.2 Either municipality shall refer to the other municipality any application, after it is deemed completed, for a renewable energy development (e.g. WECS 1 & 2, solar farm) within the IDP 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 / Land Use Order do not require referral to the other municipality.

3.5 TRANSPORTATION

INTENT

With provincial highways and municipal roads located within the IDP Plan Area, in particular Highway 848, which crosses and connects the two municipalities, it is important each municipality take into consideration the impact of development on the area's transportation infrastructure.

- 3.5.1 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.
- 3.5.2 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.
- 3.5.3 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.
- 3.5.4 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.

3.6 TELECOMMUNICATION TOWERS / UTILITIES

INTENT

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

- 3.6.1 Where there is an application for a new, expanded or retrofitted telecommunications tower within the IDP 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.
- 3.6.2 When providing a response letter or Letter of Concurrence for a new, expanded or retrofitted telecommunications tower, Special Areas Board and Wheatland County shall request telecommunications companies to co-locate within the IDP Plan Area where technically feasible and where there would be minimal impacts to the environmentally / historically significant areas.
- 3.6.3 When providing comments to provincial and federal departments regarding utility development within the IDP Plan Area, Special Areas Board and Wheatland County shall request consideration be given to the establishment of utility corridors with multiple users.

3.7 NATURAL AND HISTORICAL ENVIRONMENT

INTENT

The Red Deer River defines the boundary of the two municipalities. It is located within the naturally and historically significant Canadian Badlands landscape, which provides a multitude of ecological and aesthetic values and potential for both municipalities, its residents, and visitors from across Alberta, Canada, and around the world. Both municipalities recognize the connection between the natural environment, quality of life, and economy, and strive to protect, preserve, and enhance these environmentally and historically significant areas while allowing for appropriate forms of development.

- 3.7.1 When making land use decisions within the IDP Plan Area, each municipality will:
 - a) utilize and incorporate measures which minimize possible impacts on the Red Deer River, any other important water resources, and the Canadian Badlands valley area;
 - b) determine appropriate land use patterns in the vicinity of environmentally / historically significant areas;
 - c) establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability, and habitat; and
 - d) consider the importance of and minimize impacts to the environmentally / historically significant areas prior to making any decisions.

- 3.7.2 For proposed development on lands within the IDP 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.
- 3.7.3 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.
- 3.7.4 Both municipalities should consider the Alberta Wetland Policy and Stepping Back from the Water when making land use decisions with the goal of sustaining environment and economic benefits.
- 3.7.5 Development on slopes and river valleys within natural areas is 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. Significant consideration must be given to environmentally / historically significant areas.
- 3.7.7 Development in identified flood fringe and floodways as per provincial mapping (if completed) shall comply with provincial regulations and legislation.
- 3.7.8 Where land use and 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.
- 3.7.9 Development proposed in proximity to local creeks, rivers or water bodies shall be carefully evaluated for any impacts on water quality.
- 3.7.10 Subdivision and Development in or adjacent to river valleys shall take into consideration slope stability and soil characteristics in order to minimize negative impacts.
- 3.7.11 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 IDP Plan Area to the other municipality for review and consideration.
- 3.7.12 Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the IDP Plan Area.
- 3.7.13 Either municipality shall refer to the other municipality any new or amended municipal bylaw, order or policy pertaining to historically significant matters within the IDP Plan Area, with particular attention paid to the Hamlet of Dorothy.

3.8 INTERPRETATION

INTENT

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

- 3.8.1 All references to a specific agency, body, or department were accurate at the time of writing. All references throughout the IDP shall therefore be considered to be applicable to the current relevant agency, body or department.
- 3.8.2 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 1-8, RSA 2000* as amended, shall be used in the interpretation of this bylaw / order. Words have the same meaning whether they are capitalized or not.
- 3.8.3 The relative boundaries or any variable presented on the maps contained in this IDP, with the exception of the boundaries of the IDP Plan Area, shall be interpreted as an approximation and not a precise depiction of its actual or full extension.

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4 IDP ADMINISTRATION AND IMPLEMENTATION

The administration and implementation of this Plan is intended to assist Special Areas Board and Wheatland County administrations, boards, subdivision and development authorities and Councils with the initial and ongoing execution of this IDP over its lifespan and define the roles of each municipality..

4.1 INTERMUNICIPAL REFERRAL POLICIES

INTENT

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

General

- 4.1.1 Where an intermunicipal referral is required by this IDP, both municipalities agree to provide the other municipality with the required landowner information for the circulation area.
- 4.1.2 Where a plan or bylaw, including amendments, or application, requires notifications to be sent to a municipality that is external to this IDP, the referring municipality shall follow the referral requirements outlined in the *MGA*, or where applicable, those contained in a relevant Intermunicipal Development Plan.

- 4.1.3 Special Areas Board and Wheatland County may wish to notify the other municipality of major municipal infrastructure or public works projects within the IDP Area (i.e. major road upgrades, bridge construction).

Response Timelines

- 4.1.4 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) 21 calendar days for all development applications,
 - b) 21 calendar days for subdivision applications, and
 - c) 21 calendar days for all other intermunicipal referrals.
- 4.1.5 In the event either municipality does not reply within the response time for intermunicipal referrals stipulated in this Section, it is presumed the responding municipality has no comment or objection to the referred planning application or matter.

Statutory Plans

- 4.1.6 A newly proposed Municipal Development Plan or amendment shall be referred to the other municipality for comment prior to a public hearing.
- 4.1.7 A newly proposed statutory plan or amendment pertaining to the IDP Plan Area shall be referred to the other municipality for comment prior to a public hearing.

Land Use Bylaws / Orders

- 4.1.8 All Land Use Bylaw / Order amendments pertaining to the IDP Plan Area, shall be referred to the other municipality prior to a public hearing.
- 4.1.9 All redesignation applications within the IDP Plan Area shall be referred to the other municipality prior to a public hearing.
- 4.1.10 A newly proposed Land Use Bylaw or Order from either municipality shall be referred to the other municipality prior to a public hearing.

Outline Plans, Area Concept Plans & Design Concepts

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

Subdivision and Development

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

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

Consideration of Responses

- 4.1.15 Comments from the responding municipality regarding proposed Municipal Development Plans, other statutory plans, and Land Use Bylaws, Orders 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.
- 4.1.16 Comments from the responding municipality 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.

4.2 PLAN VALIDITY

INTENT

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

Provincial Regional Planning

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

- 4.2.1 The municipalities agree they will comply with any relevant adopted regional plan.
- 4.2.2 This IDP aligns with the strategies of the SSRP for lands lying within the boundary of Wheatland County.

Municipal Amendments and Plan Validity

- 4.2.3 This IDP comes into effect on the date it is adopted by both Special Areas Board and Wheatland County.
- 4.2.4 Amendments shall be adopted by each Council / Board using the procedures outlined in the MGA. No amendment shall come into force until such time as both municipalities adopt the amending bylaw/order.
- 4.2.5 Proposed amendments to this IDP by parties other than Special Areas Board or Wheatland County shall be accompanied by the following:

- a) an application for amendment submitted to Special Areas along with the applicable 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.
- 4.2.6 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.
- 4.2.7 In the case where only one municipality wishes to repeal the Plan, 60 days notice shall be given to the other municipality stating the intent and reasons for repealing the Plan. Both municipalities shall pass the bylaw repealing the Plan and adopting a new IDP for the repeal to take effect.
- 4.2.8 Should only one municipality wish to repeal the IDP, the dispute resolution process in Section 5.5 shall be initiated.
- 4.2.9 Administrative staff should review the IDP annually and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective Council / Board for amendment to the IDP to ensure the IDP remains relevant and continues to meet the needs of both municipalities.
- 4.2.10 A formal review of the IDP shall occur within 10 years from the date the IDP is adopted by both municipalities.



5 DISPUTE RESOLUTION

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

5.1 GENERAL DISPUTE PROCESS

INTENT

The IDP is designed to be general in nature, ensuring that both Special Areas Board 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.

General Agreement

The municipalities agree:

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

- 5.1.2 Each municipality, through its administration, will ensure the facts of the issue have been investigated, clarified, and information is made available to both parties. Joint meetings of staff / administration at both municipalities are encouraged to discuss possible solutions.
- 5.1.3 Administration should discuss the issue or dispute with the intent to develop 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 IDP, or a clerical error regarding the IDP, either municipality's Land Use Bylaw / Order, or any other plan affecting lands in the Plan Area, it will be directed to the CAO and Chair of each municipality. The CAO and Chair will review the technical or procedural matter and if both administrators are in agreement, take action to rectify the matter.
- 5.1.5 Should the CAO and Chair be unable to arrive at a consensus, the administration of each municipality will schedule a joint meeting of the Wheatland Council and Special Areas Board to discuss possible solutions and attempt to reach consensus on the issue.
- 5.1.6 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

- 5.1.7 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw / Order or amendment to such, within 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 *MGA* so the provincial statutory right and timeframe to file an appeal is not lost.
- 5.1.8 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 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 *MGA*.

Note: Using section 690(1) of the *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 in **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.

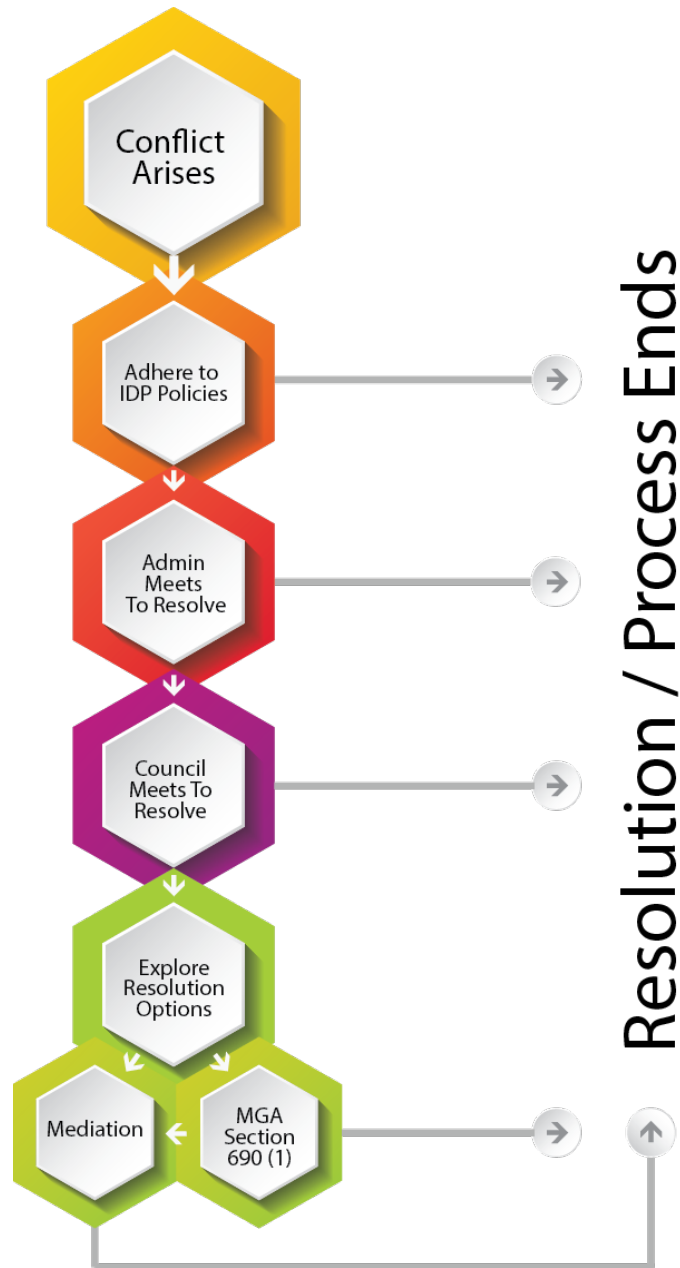


Figure 1: Dispute Resolution Flow Chart

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APPENDIX A | GLOSSARY

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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 Statutes of Alberta 2000, M-26* with amendments.

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

Council: The Council of Wheatland County or Special Areas Board in the Province of Alberta.

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.

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 as per Alberta Culture and Tourism – Historic Resources Management Branch.

Historically Significant Area: Means an area defined as having HRV.

Intermunicipal Border: The shared border between Special Areas and Wheatland County.

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

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 / Order are met.

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 to be established by Order of the Lieutenant Governor in Council Pursuant to the *Alberta Land Stewardship Act*.

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 IDP.

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 Special Areas means Special Areas Subdivision and Development Authority, and within the boundary of the Wheatland County means the Wheatland County Subdivision and Development Authority.