



PLANNING REPORT

Public Hearing, 1st 2nd, & 3rd Reading – COUNCIL
March 24, 2020

BYLAW #: 2019-33	File No: Kneehill / Wheatland IDP
LOCATION: Approximately 1 – 1.5 miles on either side of the shared municipal border.	AFFECTED AREA: 19,640 hectares (48,532 acres)
EXISTING DOCUMENT: N/A	PROPOSED DOCUMENT: Kneehill County and Wheatland County Intermunicipal Development Plan (IDP)

LOCATION:

The Intermunicipal Development Plan Area covers approximately 19,640 hectares (48,532 acres) in Kneehill County and Wheatland County. Kneehill County is located on the northern boundary of Wheatland County. The boundary is demarcated by an abandoned CN rail line, Highway 9, and Range Road 213.

BACKGROUND INFORMATION:

Municipalities that shared a border were required to enter into an Intermunicipal Development Plan (IDP) as of the April 1st, 2018 amendments to the *Municipal Government Act (MGA)*. The purpose and intent of an IDP is to foster intermunicipal relations by addressing:

- The future land use within the area,
- The manner of and the proposals for future development in the area,
- The provision of transportation systems for the area, either generally or specifically,
- The co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,
- Environmental matters within the area, either generally or specifically,
- Any other matter related to the physical, social or economic development of the area that the councils consider necessary,
- A procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
- A procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- Provisions relating to the administration of the plan.

Kneehill County and Wheatland County did not have an existing IDP, so Wheatland County retained B&A Planning Group to assist in writing the document. Staff from both municipalities were provided an opportunity for input, review, and make changes throughout the process. Once a final draft was completed, the document was presented to the Intermunicipal Committee (IMC) for review and feedback. The draft Kneehill / Wheatland IDP was accepted.

An open house was hosted in Carbon on March 27th, where residents from both municipalities attended and had an opportunity to ask questions about the document. Residents raised concerns in regard to environmentally sensitive areas throughout the Plan Area, with the Rosebud River being the focus of these concerns. After discussions between Staff and the Intermunicipal Committee, it was determined



that some of the concerns could be addressed in the IDP, but that the majority of the concerns were better addressed through Provincial regulations.

Overview of the IDP:

The IDP's land use goals and objectives focus on retaining agriculture and grazing as primary land uses in the Plan area while also allowing for growth centres as identified in each municipality's statutory plans. As there is little development pressure within the Plan area, the IDP's policies are high-level, focusing on when to notify the other municipality of new developments and encouraging collaboration. The policies address all of the above noted topics while allowing each municipality to retain control within their respective jurisdictions.

The portion of Wheatland County that is within the Calgary Metropolitan Regional Board is not within the Plan area, and so the IDP does not contain policies referencing the CMRB.

Wheatland County opened the public hearing on December 17th, 2019. A resident gave a presentation that detailed several concerns. After the presentation was finished, Council moved to table the public hearing in order to hold an intermunicipal committee meeting to review the proposed amendments.

Kneehill's Council granted first reading to the IDP on November 26th, 2019 with no comments or concerns raised by their Council. They held their public hearing on January 14th, a similar presentation from the resident was given at their public hearing.

Committee Meeting

An Intermunicipal Committee Meeting was held February 10th to discuss the public hearing proposed amendments and other updates to the IDP. Based on the concerns raised, and recent changes to the M.G.A. The changes the committee are proposing include:

- 1) Section 1.3: Legislative requirements were updated to reflect the updated Municipal Government Act. The Intermunicipal Collaboration Framework was removed as IDPs are now no longer a requirement of an ICF.
- 2) Natural Landscape background box amended to include a sentence highlighting conservation efforts throughout the Plan Area.
- 3) Policy 3.1.6 amended to respect the statutory plan hierarchy. Still states the policies within the ASP are to be followed if there are any that conflict with the IDP.
- 4) Clarify Policy 3.4.1; the municipalities aren't specifically encouraging renewable energy within the plan area. Compatibility with existing land uses shall be a consideration for renewable energy development applications.
- 5) Clarify intent of Section 3.8; development in environmentally significant areas/natural areas shouldn't be 'promoted'. Development should be balanced with the protection, preservation, and enhancement of natural systems and environmentally significant areas.
- 6) Amend Policy 3.8.2 to specify satisfaction needs to be gained by the approving municipality, and that the study needs to be completed by a qualified professional.



- 7) Under Policy 4.1.3 clarify the Committee's functions. Committee is in place to exclusively review the IDP, not development applications.
- 8) Amend Policy 4.2.13 to exclude the referral of development permit applications that fall within an approved ASP or ACP.

The draft IDP in Council's package include the above changes. Where Wheatland County has not given Bylaw 2019-33 First Reading, these changes do not result in an amendment of the IDP.

At this time Wheatland County Staff is proposing that the public hearing be re-opened, followed by 1st reading, with further motions if no major amendments or changes to the IDP document are requested.

CIRCULATION COMMENTS:

As the Public Hearing for this bylaw was not closed, Staff recirculated the landowners within the Plan Area to notify them of the new public hearing date. No new written comments were received at the time of writing this report.

During the agency circulation, the NRCB noted that their statutory documents were not amended to require compliance with IDPs. They noted they are required to comply with MDPs and that a policy should be included in the MDP referencing the IDP if the municipality wanted the NRCB to consider the IDP in their development reviews.

OPTIONS:

Option #1 THAT Council Approve Bylaw 2019-33

Resolution 1: That Council move First Reading of Bylaw 2019-33, this being a bylaw for the purpose of adopting the Wheatland County and Kneehill County Intermunicipal Development Plan in accordance with Sections 230, 606, 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Resolution 2: That Council move Second Reading of Bylaw 2019-33, this being a bylaw for the purpose of adopting the Wheatland County and Kneehill County Intermunicipal Development Plan in accordance with Sections 230, 606, 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Resolution 3: That Council move approval to proceed with Third and Final Reading of Bylaw 2019-33.

Resolution 4: That Council move Third and Final Reading of Bylaw 2019-33, this being a bylaw for the purpose of adopting the Wheatland County and Kneehill County Intermunicipal Development Plan in accordance with Sections 230, 606, 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Option #2 THAT Bylaw 2019-33 be refused.

Resolution #1 That Council move to Refuse Bylaw 2019-33, this being a bylaw for the purpose of adopting the Wheatland County and Kneehill County Intermunicipal



Development Plan in accordance with Sections 230, 606, 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Option #3 THAT Council approve an alternate recommendation.

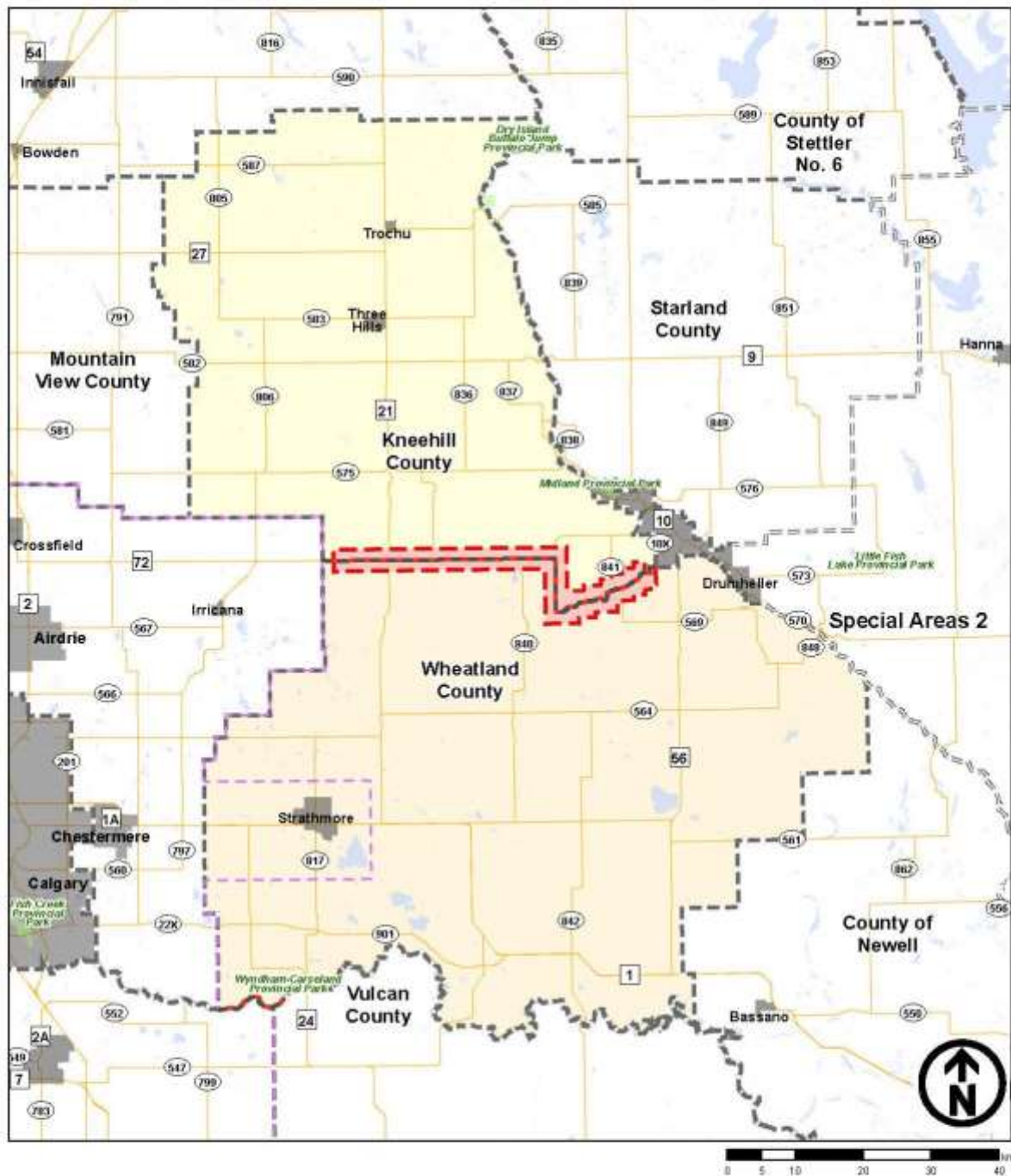
RECOMMENDATION

Staff is recommending Option #1 - Approval for the following reasons:

- The proposed IDP meets all the requirements of the amended *Municipal Government Act* (MGA);
- The proposed IDP meets all the objectives and goals of the SSRP.

Respectfully submitted,

Megan Williams, Planner II
Planning and Development Department



Legend

- Wheatland County - Kneehill County Shared Boundary
- Wheatland County
- Kneehill County
- Municipal Boundary
- CMRB Boundary
- IDP Plan Area Boundary

Map 1: Regional Context
Wheatland County - Kneehill County
Intermunicipal Development Plan

December 2019

Map 1: Regional Context is a map of the Wheatland County - Kneehill County Intermunicipal Development Plan area.



KNEEHILL/WHEATLAND INTERMUNICIPAL DEVELOPMENT PLAN BYLAW # 2019-33

PLAN AREA

