VULCAN COUNTY

Vulcan - Alberta

BYLAW 2018-031

BEING a bylaw of Vulcan County in the Province of Alberta, to adopt Bylaw No. 2018-031, to amend the Vulcan County and County of Newell Intermunicipal Development Plan (County of Newell Bylaw No. 1829-15 and Vulcan County Bylaw No. 2015-008).

WHEREAS the Council of Vulcan County wishes to amend the existing intermunicipal development plan (IDP) in consultation with the County of Newell to be compliant with the recent amendments to the Municipal Government Act (MGA), Revised Statutes of Alberta 2000, Chapter M-26, specifically changes affecting Part 17 and the South Saskatchewan Regional Plan (SSRP) 2014 – 2024, amended February 2017;

AND WHEREAS the purpose of the proposed bylaw is to ensure that policies contained within the plan are compliant with the changes the MGA and the SSRP.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. That section 1.2 be amended to reflect the County of Newell population to be 7,524 persons in 2017 and Vulcan County's population to be 3,984 persons in 2017.

2. That section 1.3 be amended replace the previous Municipal Government Act section 631(1) and 631(2) with the new section as follows:

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, 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.

(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.

(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, 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.

(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.

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

3. That section 1.4 Other Plans and Statutory Documents be amended by updating the Majorville Guidelines for Land and Resource Management (formerly the Majorville Heritage Landscape Management Plan draft) statement as follows:

   Majorville Guidelines for Land and Resource Management

   On the Vulcan County side of the Plan Area, adjacent to the Bow River (see Map 2), the Government of Alberta (GoA) has prepared the "Majorville Guidelines for Land and Resource Management" (MGLRM). This area consists primarily of relatively undisturbed native grasslands, much of which is occupied by grazing lease holders. Recognizing the existence of significant cultural features, including the Majorville Cairn and Medicine Wheel, and the unique biophysical resources associated with the planning area, the GoA commissioned the development of Guidelines that would assist in protecting the cultural and historic resources contained within the area.

   Reference to the MGLRM can be found in the Implementation Plan (notably Strategy 3.6) section of the South Saskatchewan Regional Plan. The Guidelines, which were adopted in November 2015, were established following a robust, 10 year planning process, which included First Nations and stakeholder engagement. The MGLRM area, which is comprised primarily of Crown owned lands, is further divided into west and east "Heritage Landscape" areas. Land use activity is more stringently regulated within these areas, and prohibits development like solar farms or recreational use. Within these areas are two "no surface access" designations (limiting surface mineral extraction) that are fenced off, and which contains the site designating the Majorville Cairn and Medicine Wheel provincial historic resource. Archaeological studies indicate that this site has been used for the last 4,500 years, making it one of the oldest religious monuments in the world.

   The MGLRM document should be referenced alongside relevant GoA departments for any land use applications within the MGLRM area. The development of IDP policies must be consistent with Majorville Guidelines for Land and Resource Management established for this important area.

4. That section 4.1 General Land Use Policies be amended to reflect the adoption of the Majorville Guidelines for Land and Resource Management:

   4.1.6 The Majorville Guidelines for Land and Resource Management (MGLRM) apply exclusively to lands that fall with the MGLRM boundary as illustrated in Map 2. If there is any discrepancy between the IDP policies and the policies in the MGLRM, the MGLRM prevails.

5. That section 4.2 Agriculture be amended by adding the following policy for clarification:

4.2.1 Agriculture will continue to be the predominant land use in the Plan Area. The impact on agricultural uses should be a consideration when determining suitability of non-agricultural land uses in the Plan Area.

6. That the following section be added on the Natural Environment to comply with s. 631(2)(a)(v) of the MGA:

4.8 Natural Environment

INTENT

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.

POLICIES

4.8.1 When making land use decisions, each municipality will:

a) utilize and incorporate measures which minimize possible impacts on the Bow River and any other important water resource;

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

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

4.8.2 Lands that have been identified that may contain an environmentally significant site may be required to conduct an environmental impact assessment (EIA) and the proponent should contact Alberta Environment and Parks.

4.8.3 Lands that have been identified that may contain a historic resource may be required to conduct a historical resource impact assessment (HRIA) and the proponent should consult the Historical Resources Act and Alberta Culture and Tourism. Both municipalities should give consideration to the Majorville Guidelines for Land and Resource Management where appropriate.

4.8.4 Both municipalities should consider the provincial Wetland Policy when making land use decisions with the goal of sustaining environment and economic benefits.

7. The policy 5.3.3 be amended by deleting the following: "... and remains in effect until: a) either Council rescinded the Plan by bylaw after giving six (6) months' notice to the other municipality; or b) mutual agreement of both municipalities to rescind the bylaw."

8. That the aforementioned amendments to the Vulcan County and County of Newell Intermunicipal Development Plan Bylaw No. 2015-008 and Bylaw No. 1829-15, shall make use of formatting that maintains the consistency of the portions of the bylaw being amended.

9. Bylaw No. 2018-031 shall come into effect upon third and final reading thereof.

10. Bylaw No. 2015-008 is hereby amended.

Received first reading this 5 day of SEPTEMBER, 2018

Jason Schneider, Reeve

Nels Petersen, CAO

Received second reading this 3 day of OCTOBER, 2018

Jason Schneider, Reeve

Nels Petersen, CAO

Received third reading and finally passed this 3 day of OCTOBER, 2018

Jason Schneider, Reeve

Nels Petersen, CAO

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1923-18

BEING a bylaw of the County of Newell in the Province of Alberta, to adopt Bylaw No. 1923-18, to amend the Vulcan County and County of Newell Intermunicipal Development Plan (County of Newell Bylaw No. 1829-15 and Vulcan County Bylaw No. 2015-008).

WHEREAS the Council of the County of Newell wishes to amend the existing intermunicipal development plan (IDP) in consultation with Vulcan County to be compliant with the recent amendments to the Municipal Government Act (MGA), Revised Statutes of Alberta 2000, Chapter M-26, specifically changes affecting Part 17 and the South Saskatchewan Regional Plan (SSRP) 2014 – 2024, amended February 2017;

AND WHEREAS the purpose of the proposed bylaw is to ensure that policies contained within the plan are compliant with the changes the MGA and the SSRP.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. That section 1.2 be amended to reflect the County of Newell population to be *7,524 persons in 2017* and Vulcan County's population to be *3,984 persons in 2017*.

2. That section 1.3 be amended replace the previous Municipal Government Act section 631(1) and 631(2) with the new section as follows:

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, 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.

(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.

(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, 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.

(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.

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

3. That section 1.4 Other Plans and Statutory Documents be amended by updating the Majorville Guidelines for Land and Resource Management (formerly the Majorville Heritage Landscape Management Plan draft) statement as follows:

Majorville Guidelines for Land and Resource Management

On the Vulcan County side of the Plan Area, adjacent to the Bow River (see Map 2), the Government of Alberta (GoA) has prepared the "Majorville Guidelines for Land and Resource Management" (MGLRM). This area consists primarily of relatively undisturbed native grasslands, much of which is occupied by grazing lease holders. Recognizing the existence of significant cultural features, including the Majorville Cairn and Medicine Wheel, and the unique biophysical resources associated with the planning area, the GoA commissioned the development of Guidelines that would assist in protecting the cultural and historic resources contained within the area.

Reference to the MGLRM can be found in the Implementation Plan (notably Strategy 3.6) section of the South Saskatchewan Regional Plan. The Guidelines, which were adopted in November 2015, were established following a robust, 10 year planning process, which included First Nations and stakeholder engagement. The MGLRM area, which is comprised primarily of Crown owned lands, is further divided into west and east "Heritage Landscape" areas. Land use activity is more stringently regulated within these areas, and prohibits development like solar farms or recreational use. Within these areas are two "no surface access" designations (limiting surface mineral extraction) that are fenced off, and which contains the site designating the Majorville Cairn and Medicine Wheel provincial historic resource. Archaeological studies indicate that this site has been used for the last 4,500 years, making it one of the oldest religious monuments in the world.

The MGLRM document should be referenced alongside relevant GoA departments for any land use applications within the MGLRM area. The development of IDP policies must be consistent with Majorville Guidelines for Land and Resource Management established for this important area.

4. That section 4.1 General Land Use Policies be amended to reflect the adoption of the Majorville Guidelines for Land and Resource Management:

4.1.6 The Majorville Guidelines for Land and Resource Management (MGLRM) apply exclusively to lands that fall with the MGLRM boundary as illustrated in Map 2. If there is any discrepancy between the IDP policies and the policies in the MGLRM, the MGLRM prevails.

5. That section 4.2 Agriculture be amended by adding the following policy for clarification:

4.2.1 Agriculture will continue to be the predominant land use in the Plan Area. The impact on agricultural uses should be a consideration when determining suitability of non-agricultural land uses in the Plan Area.

6. That the following section be added on the Natural Environment to comply with s. 631(2)(a)(v) of the MGA:

4.8 Natural Environment

INTENT

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.

POLICIES

4.8.1 When making land use decisions, each municipality will:

a) utilize and incorporate measures which minimize possible impacts on the Bow River and any other important water resource;

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

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

4.8.2 Lands that have been identified that may contain an environmentally significant site may be required to conduct an environmental impact assessment (EIA) and the proponent should contact Alberta Environment and Parks.

4.8.3 Lands that have been identified that may contain a historic resource may be required to conduct a historical resource impact assessment (HRIA) and the proponent should consult the Historical Resources Act and Alberta Culture and Tourism. Both municipalities should give consideration to the Majorville Guidelines for Land and Resource Management where appropriate.

4.8.4 Both municipalities should consider the provincial Wetland Policy when making land use decisions with the goal of sustaining environment and economic benefits.

7. The policy 5.3.3 be amended by deleting the following: *"... and remains in effect until: a) either Council rescinded the Plan by bylaw after giving six (6) months' notice to the other municipality; or b) mutual agreement of both municipalities to rescind the bylaw."*

8. That the aforementioned amendments to the Vulcan County and County of Newell Intermunicipal Development Plan Bylaw No. 2015-008 and Bylaw No. 1829-15, shall make use of formatting that maintains the consistency of the portions so the bylaw being amended.

9. Bylaw No. 1923-18 shall come into effect upon third and final reading thereof.

10. Bylaw No. 1829-15 is hereby amended and consolidated.

READ a **first** time this 6 day of September, 2018.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*

READ a **second** time this 11th day of October, 2018.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*

READ a **third** time and finally PASSED this 11th day of October, 2018.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*