VULCAN COUNTY

Vulcan - Alberta

BYLAW 2018-041

Being a Bylaw of Vulcan County in the Province of Alberta to amend Bylaw 2015-009, being the Vulcan County and Wheatland County Intermunicipal Development Plan.

WHEREAS the Council of Vulcan County wishes to amend the existing Intermunicipal Development Plan (IDP) in consultation with Wheatland 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 principal purpose of the proposed bylaw is to ensure that policies contained within the plan are compliant with the changes to the Municipal Government Act (MGA) and the South Saskatchewan Regional Plan (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 the attached Schedule 'A' illustrating the exact revisions to the bylaw in red text, is hereby adopted.

2. Update Map 4 to reflect current land use designation within each municipality in the plan area.

3. That the aforementioned amendments to the Vulcan County and Wheatland County Intermunicipal Development Plan Bylaw shall make use of formatting that maintains the consistency of the portions of the bylaw being amended.

4. Bylaw No. 2018-041 shall come into effect upon third and final reading thereof.

Bylaw 2015-009 is hereby rescinded.

This bylaw shall take effect on the date of the third and final reading.

Received first reading this 5 day of DECEMBER, 2018

Jason Schneider, Reeve

Nels Petersen, CAO

Received second reading this 27 day of FEBRUARY, 2019

Jason Schneider, Reeve

Nels Petersen, CAO

Received third reading and finally passed this 27 day of FEBRUARY, 2019

Jason Schneider, Reeve

Nels Petersen, CAO

WHEATLAND COUNTY
IN THE PROVINCE OF ALBERTA

BYLAW NO. 2018-35

BEING a bylaw of Wheatland County in the Province of Alberta, to adopt Bylaw No. 2018-35 to amend the Vulcan County and County of Wheatland Intermunicipal Development Plan (Vulcan County Bylaw No. 2015-009 and Wheatland County Bylaw No. 2015-15).

WHEREAS the Council of Wheatland County wishes to amend the existing intermunicipal development plan (IDP) in consultation with the County of Vulcan 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 principal 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 the attached Schedule 'A' illustrating the exact revisions to the bylaw in red text, is hereby adopted.

2. Update Map 4 to reflect current land use designation within each municipality in the plan area.

3. That the aforementioned amendments to the Vulcan County and Wheatland County Intermunicipal Development Plan Bylaw shall make use of formatting that maintains the consistency of the portions of the bylaw being amended.

4. Bylaw No. 2018-35 shall come into effect upon third and final reading thereof.

5. Bylaw No. 2015-15 is hereby amended and consolidated.

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

_____ _____

***Reeve** – Amber Link* ***Chief Administrative Officer** – Alan Parkin*

READ a **second** time this 5th day of February, 2019.

_____ _____

***Reeve** – Amber Link* ***Chief Administrative Officer** – Alan Parkin*

READ a **third** time and finally PASSED this 5th day of February 2019.

_____ _____

***Reeve** – Amber Link* ***Chief Administrative Officer** – Alan Parkin*

This bylaw shall take effect on the date of the third and final reading.

Received first reading this 5 day of DECEMBER, 2018

Jason Schneider, Reeve

Nels Petersen, CAO

Received second reading this 27 day of FEBRUARY, 2019

Jason Schneider, Reeve

Nels Petersen, CAO

Received third reading and finally passed this 27 day of FEBRUARY, 2019

Jason Schneider, Reeve

Nels Petersen, CAO

Schedule 'A'



Vulcan County &

Wheatland County

Intermunicipal Development Plan

Bylaw No. 2015-009 & Bylaw No. 2015-15

May 2015

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The following individuals and organizations are thanked for their assistance in the development of this document:

Residents and Stakeholders who provided comments

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OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Rural Multi-jurisdictional Intermunicipal Development Plan Project

In 2012, Vulcan County and seven other rural municipalities initiated a process to create a series of 11 rural-to-rural intermunicipal development plans. The impetus of the project is to improve consultation between rural municipalities in Southern Alberta, who in many cases share expansive borders. Although the border areas are primarily used for agricultural purposes, in many cases significant ecological, mineral and hydrogeological resources exist, as well as important infrastructure including transportation and utilities.

The Rural Multi-jurisdictional Intermunicipal Development Plan Project involves the participation of:

- Cardston County
- County of Newell
- County of Warner No. 5
- Municipal District of Foothills No. 31
- Municipal District of Ranchland No. 66
- Municipal District of Willow Creek No. 26
- Vulcan County
- Wheatland County

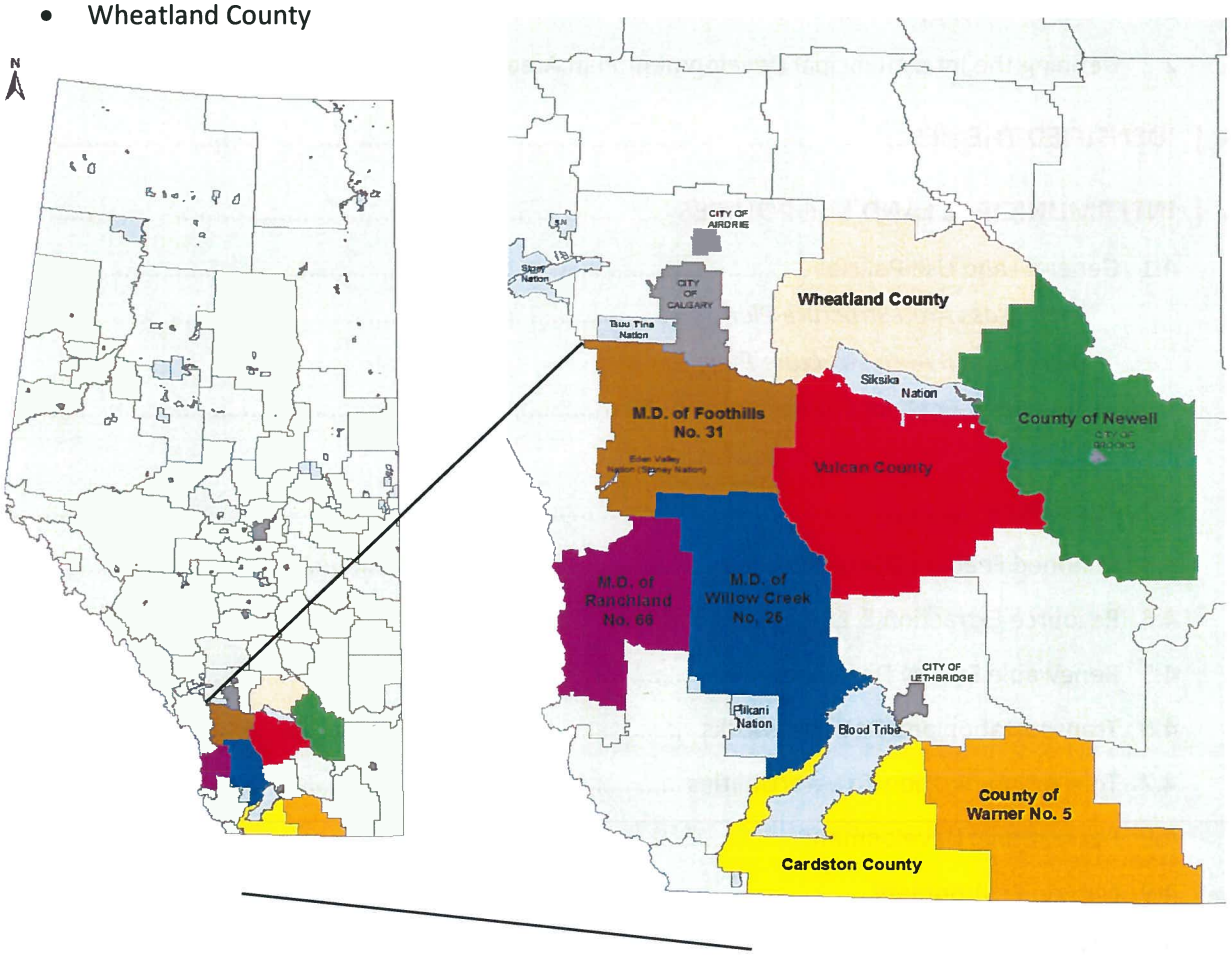


Figure 1: The eight Rural Multi-jurisdictional Development Plan Project participating municipalities

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Vulcan County & Wheatland County

Intermunicipal Development Plan

1 | INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Vulcan County and Wheatland County Intermunicipal Development Plan (also known as the IDP or the Plan) is to foster an inter-jurisdictional approach to address planning issues on lands that connect these municipalities. It is a requirement through the Municipal Government Act (MGA) to develop an Intermunicipal Development Plan between adjacent counties and municipalities. The Plan serves as a means for information exchange between the municipalities, in accordance with the *Alberta Land Stewardship Act, Statutes of Alberta 2009, Chapter A 26.8 (ALSA)* ~~the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-2,6 as amended (MGA)*~~ the MGA, Revised Statutes of Alberta 2000, Chapter M-26, as amended, and the South Saskatchewan Regional Plan (SSRP).

The South Saskatchewan Regional Plan (SSRP) came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region until 2024. The SSRP is a foundational component of the Land Use Framework and provides strategic direction for the region over the next 10 years, making it an important document that this plan must adhere to.

Municipalities are ~~encouraged~~ 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.

The Plan contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. As such, this Plan 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

Vulcan County

Vulcan County covers an area of approximately 550,000 hectares (1.3 million acres), with a population of 3,984 (Census Canada, 2016) ~~3,893 (Alberta Municipal Affairs, 2013).~~ The County surrounds six urban municipalities, contains eight hamlets, and is bordered by six rural municipalities and one First Nation. The economy of Vulcan County has traditionally centered on agriculture, although recently there has been an increase in oil, gas and renewable energy development. The County has a number of recreational residential developments, particularly around McGregor Lake and Travers Reservoirs.

Wheatland County

Wheatland County covers an area of approximately 460,000 hectares (1.1 million acres), with a population of 8,788 (Census Canada, 2016) ~~8,285 (Alberta Municipal Affairs, 2013).~~ Wheatland County surrounds four urban municipalities, contains 12 hamlets and a number of other communities not officially designated as hamlets. The County is bordered by five rural municipalities, one urban municipality and one First Nation. 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.



"Municipalities are encouraged to work together to adopt IDPs to...promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area."

1.3 Legislative Requirements

~~In order to foster cooperation and mitigate conflict between municipalities the MGA includes two mechanisms that allow a municipality to:~~

- ~~include policies regarding coordination of land use, future growth patterns and other infrastructure with adjacent municipalities in their municipal development plans [Section 632(3)(iii)] if no intermunicipal development plan exists with respect to those matters;~~
- ~~complete and adopt an intermunicipal development plan with adjacent municipalities to address the above matters.~~

Intermunicipal Development Plans (IDP) are now mandatory for all municipalities to complete with their municipal neighbors. 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*

~~631(1) Two or more Councils, 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.~~

(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 or conditions that the Minister considers necessary.

(1.2) Two or more councils of municipalities that are not otherwise requires to adopt an Intermunicipal Development Plan under subsection (1) may, by each passing a bylaw in accordance with this Part ort 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)* ~~*may provide for*~~ *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 attept 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.

~~In addition to the MGA, the South Saskatchewan Regional Plan (SSRP) came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region until 2024.~~

Pursuant to Section 13 of the *Alberta Land Stewardship Act*, regional plans are legislative instruments. The SSRP has four key parts including the Introduction, Strategic Plan, Implementation Plan and Regulatory Details Plan. Pursuant to section 15(1) of *ALSA*, the Regulatory Details of the SSRP are

enforceable as law and bind the Crown, decision makers, local governments and all other persons while the remaining portions are statements of policy to inform and are not intended to have binding legal effect.

The Regional Plan is guided by the vision, outcomes and intended directions set by the Strategic Plan portion of the SSRP, while the Implementation Plan establishes the objectives and the strategies that will be implemented to achieve the regional vision. As part of the Implementation Plan, Section 8: Community Development includes guidance regarding Plan Cooperation and Integration between municipalities with the intention to foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments, boards and agencies. Section 8 contains the following broad objectives and strategies.

Objectives

- *Cooperation and coordination are fostered among all land use planners and decision-makers involved in preparing and implementing land plans and strategies.*
- *Knowledge sharing among communities is encouraged to promote the use of planning tools and the principles of efficient use of land to address community development in the region.*

Strategies

8.1 *Work together to achieve the shared environmental, economic, and social outcomes in the South Saskatchewan Regional Plan and minimize negative environmental cumulative effects.*

8.2 *Address common planning issues, especially where valued natural features and historic resources are of interests to more than one stakeholder and where the possible effect of development transcends jurisdictional boundaries.*

8.3 *Coordinate and work with each other in their respective planning activities (such as in the development of plans and policies) and development approval process to address issues of mutual interest.*

8.4 *Work together to anticipate, plan and set aside adequate land with the physical infrastructure and services required to accommodate future population growth and accompanying community development needs.*

8.5 *Build awareness regarding the application of land-use planning tools that reduce the impact of residential, commercial and industrial developments on the land, including approaches and best practices for promoting the efficient use of private and public lands.*

8.6 *Pursue joint use agreements, regional services commissions and any other joint cooperative arrangements that contribute specifically to intermunicipal land use planning.*

8.7 *Consider the value of intermunicipal development planning to address land use on fringe areas, airport vicinity protection plan or other areas of mutual interest.*

8.8 *Coordinate land use planning activities with First Nations, irrigation districts, school boards, health authorities and other agencies on areas of mutual interest.*

The above strategies were considered by both municipalities when developing policy within this IDP and will be considered when rendering land use decisions pertaining to development within the Plan Area. Other strategies contained in the SSRP should be considered in the context of each rural municipality's Municipal Development Plan, Land Use Bylaw or through policies found within this Plan.



1.4 Other Statutory Documents and Plans

Three ~~Two~~ area structure plans have been adopted by bylaw or resolution for specific lands within the Plan Area. The development of the plan policies must consider these more detailed plans when formulating a land use strategy for the larger area. As development occurs, additional ASPs or design schemes may be prepared to support site specific development and must conform to the policies outlined in this IDP.

As the three ~~two~~ plans affect some of the same lands, the policies of this IDP must be congruent with these existing lower order plans to the extent that they interact with one another. Pursuant to Section 633(3)(a) of the Municipal Government Act (MGA), an area structure plan must be consistent with an intermunicipal development plan in respect of land that is identified in the both plans.

Speargrass Area Structure Plan (SASP)

The Speargrass Area Structure Plan (SASP) (Wheatland County Bylaw No. 97-12) was prepared to support development along the Bow River in Wheatland County as a year-round recreation based settlement. The SASP is in keeping with recreation settlement development as outlined in Wheatland County's Municipal Development Plan and was initiated as a reclamation plan to a gravel operation that previously existed on the land.

Speargrass II Area Structure Plan (SIIASP)

The Speargrass II ASP was prepared to support low-density, large country-residential style suburban lots in a "ranchlands-meadow" style concept with a focus on connections to nature and open space. This development has not moved forward since the ASP's adoption in 2002 and the ASP would likely require significant updates to technical reports and urban design if the community was to move forward today.

Wyndham-Carseland Area Structure Plan (WCASP)

The Wyndham-Carseland Area Structure Plan (WCASP)(Vulcan County Bylaw No. 95-025) was prepared for the Wyndham-Carseland area of Vulcan County along a stretch of valley lowland and coulee that received its name due to the close proximity of the Wyndham-Carseland Provincial Park. The WCASP provides a framework and set of guidelines for orderly development of the land within the river valley and is a general plan that provides a framework for possible development, rather than detailed designs.

Intermunicipal Collaboration Framework (ICF)

Under the Municipal Governement Act (MGA), an Intermunicipal Collaboration Framework (ICF) is a mandatory requirement for all municipalities that are outside of the growth management areas. An ICF will highlight and formalize collaboration between adjacent municipalities for managing growth, and coordinating service delivery and resources, thereby providing a forum for neighboring municipalities to work more closely together.

With respect to the formulation of an ICF, 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.

708.3

(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.

1.5 Plan Preparation Process

The formation of the Plan was guided by the IDP Review Committee as established by the respective municipalities. The Review Committee was composed of two Council members from each municipality. Senior administration from both municipalities were also involved throughout the process as technical

advisors. With respect to committee decision making, both parties agreed at the outset of the process that their chosen decision-making model would be based on reaching consensus on the issues discussed.

A background and study area analysis was undertaken which served as the foundation from which both municipalities could review the existing land use conditions and determine the relevant issues, goals and objectives.

Prior to identifying areas of importance and concern with the Review Committee, planners from ORRSC met with each municipality privately to clarify their municipal perspectives on general issues. Once each municipality's perspectives were identified, a draft document was prepared for review by the Review Committee. An outline of the project purpose, process, ideas and concepts was then reviewed with affected landowners, stakeholders and the general public at an Open House.

After the Open House the Review Committee and each municipal Council reviewed the draft; a refined document was then prepared and submitted for the Review Committee's final approval. Upon approval, the final draft document was then forwarded to each Council for review. As required by the MGA, mandatory public hearings were held by each Council and subsequent to the public hearings, the IDP was adopted by each municipality under separate municipal bylaws. Both municipalities then appointed two Councilors to the Intermunicipal Development Plan Committee to ensure continued dialogue and cooperation throughout the continued use of this Plan.



2 | PLAN AREA

2.1 Study Area Analysis

To determine the extent of the Plan Area, the municipalities began by analyzing a Study Area approximately 5 km (3 miles) on either side of the shared border. The following key features in the Study Area were examined:

- Residences and Urban Areas
- Land Use Designations
- Surface Water

- Confined Feeding Operations (CFOs)
- Active/Potential Sites for Surface Materials Extraction
- Transportation Corridors
- Canada Land Inventory (CLI) Soil Index
- Environmentally Significant Areas (ESAs)
- Historical Resource Value (HRV) Sites

Maps of the above features can be found in Appendix B.

2.2 Defining the Intermunicipal Development Plan Area

After careful review by the Committee, the municipalities used the Study Area analysis to help define the Intermunicipal Development Plan Area (also referred to as the Plan Area). It was determined that due to the consistency of key characteristics in the Study Area, that an area approximately 2 km (1.5 miles) on either side of the intermunicipal border would define the Plan Area. The Plan Area consists of approximately 7,038 hectares (17,393 acres) and is illustrated in Map 2.

Key characteristics of the Plan Area include the following:

- **Agriculture**
  - Agriculture is the primary land use of the area.
  - There is a mix of agricultural operations including grazing, irrigation, and confined feeding operations.

- **Residential Development**
  - There is significant residential development within the Plan Area, specifically within the Speargrass Community ~~development~~.
  - There are no designated hamlets within the Plan Area, but the urban area of the Speargrass Community ~~development~~ does exist in Wheatland County.
  - There is an isolated Grouped Country Residential – "GCR" development along Highway 24 in Vulcan County.

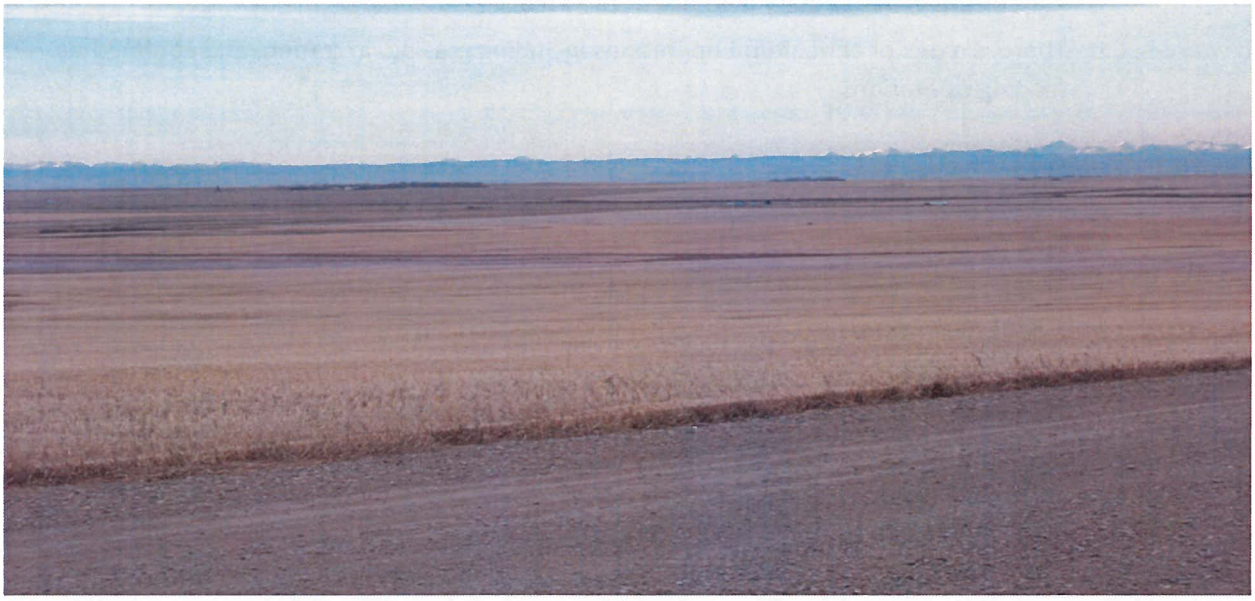
- **Transportation Infrastructure**
  - The only transportation linkage between the two municipalities is the Provincial Highway 24.
  - Alberta Transportation has approved, as of August 2012, the realignment and reclassification of Highway 24. The existing section of Highway 24 from the existing Junction Highway 817 to the Junction Highway 1 will be reclassified as a local municipal

road under the jurisdiction of Wheatland County. The existing alignment of Highway 817 will be renamed Highway 24 in the future.

- **Natural Resource Development**
  - Gravel extraction potential exists throughout.
  - A few currently existing gravel operations exist in both municipalities near Highway 24.

- **Bow River Valley**
  - The Bow River defines the border between the two municipalities.
  - The Wyndham-Carseland Provincial Park exists as a protection area in the River Valley between the two municipalities.
  - Rural Recreational – "RR" zoning has been designated in the Bow River Valley in Vulcan County.
  - Environmentally Significant Areas of National Significance are concentrated along the Bow River on both sides.
  - Historical Resource Value Sites follow the Bow River throughout on both sides.

- **Soil Characteristics**
  - The region contains a variety of soil characteristics that range from poor crop capability to crop capability with no limitations.
  - Soil classes 1 through 7 are present, resulting in a diversity of agricultural practices.



3 | IDENTIFIED THEMES

Contributions from the IDP Review Committee as well as Vulcan County and Wheatland County administrators and planning staff informed the development of the IDP. Together these groups identified both municipalities' land use philosophies and goals, as well as potential areas for conflict.

Items identified as being of importance to the municipalities, and that both parties agree should be protected through policy, include:

- Agriculture Activities
- Economic Development
- Natural Resources
- Environmental Systems
- Transportation, Utility and Water Infrastructure
- Continued Dialogue

Items specifically identified as being potential sources of conflict and that both parties agree should be mitigated through policy include:

- Resource Extraction
- Industrial Development
- Recreational Development

Themes of Importance

Residential and Recreational Development
Water and Air Quality
Agricultural Activities
On-Going Dialogue and Cooperation
Transportation Linkages

Themes of Concern

Industrial Development
Resource Extraction
Recreational Development

4 | INTERMUNICIPAL LAND USE POLICIES

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

4.1 General Land Use Policies

INTENT

The general land use policies are not intended for specific areas within the Plan, but rather are general policies that pertain to the entire Plan Area.

POLICIES

4.1.1 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.

4.1.2 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 if both municipalities agree and enter into discussions and make specific agreements for such.

4.1.3 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.

4.1.4 Vulcan County and Wheatland County shall strive, to the best of their ability and knowledge, to refer all notices of government projects within the Plan Area to the adjacent municipality.

4.1.5 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, where there is the potential for impacts on lands and bodies of water within the adjacent municipality.

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

Speargrass Area Structure Plan

4.1.6 The policies outlined in the Speargrass Area Structure Plan *(Wheatland County Bylaw No. 97-12)* apply exclusively to lands that fall within the Speargrass Area Structure Plan Boundary as illustrated in Map 2. If there is any discrepancy between the IDP policies and the policies in the Speargrass Area Structure Plan, the Speargrass Area Structure Plan prevails.

Wyndham-Carseland Area Structure Plan

4.1.7 The policies outlined in the Wyndham-Carseland Area Structure Plan *(Vulcan County Bylaw No. 95-025)* apply exclusively to lands that fall within the Wyndham-Carseland Area Structure Plan Boundary as illustrated in Map 2. If there is any discrepancy between the IDP policies and the policies in the Wyndham-Carseland Area Structure Plan, the Wyndham-Carseland Area Structure Plan prevails.

4.2 Agriculture

INTENT

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

POLICIES

4.2.1 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.

4.2.2 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.

4.3 Confined Feeding Operations

INTENT

The municipalities recognize that it is the jurisdiction of the Natural Resources Conservation Board (NRCB) to grant approvals and regulate confined feeding operations (CFOs). However, both municipalities agree it is desirable to specifically regulate intensive agricultural operations for the defined Plan Area in an attempt to minimize potential nuisance and conflict.

POLICIES

4.3.1 Existing CFOs located within the Plan Area will be allowed to continue to operate under acceptable operating practices and within the requirements of the *Agricultural Operation Practices Act* and Regulations.

4.3.2 New CFOs are not permitted to be established within the CFO Exclusion Area as defined in the Vulcan County Municipal Development Plan and illustrated on Map 5.

4.3.3 Any existing CFO permit holders may be allowed to expand operations within the CFO Exclusion Areas if it is to upgrade and modernize (within the requirements of the *Agricultural Operation Practices Act* and Regulations), demonstrating changes will reduce negative impacts (e.g., odours) to the residents of the area, additional environmental protection will be considered, and comments from both the municipalities are received and considered by the NRCB.

4.3.4 If either Vulcan County or Wheatland County are in receipt of a referral for new or expanded CFO within the Plan Area, they shall forward a copy of the application to the other municipality.

4.4 Resource Extraction & Energy Development

INTENT

Vulcan County and Wheatland County recognize the importance of resource extraction to the local economy and to the maintenance of transportation routes and other infrastructure.

POLICIES

4.4.1 The municipalities shall consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded gravel pits, or other extractive activities, where they maintain jurisdiction.

4.4.2 If either municipality is in receipt of a notice of application for a new or expanded gravel pit within the Plan Area, they shall forward a copy of the notice to the other municipality.

4.4.3 Each municipality must be notified of any resource development proposal in the other municipality that will result in access being required from a road under its control or management. Administration from both municipalities are encouraged to dialogue regarding the potential impacts the proposed development may have on the affected municipality's roads prior to the acceptance of the application as complete. ~~The affected municipality must give its approval or decision in writing prior to the application being considered as complete by the other municipality.~~

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

4.4.5 If either Vulcan County or Wheatland County are in receipt of a notice for a new or expanded Alberta Transportation gravel pit within the Plan Area, they shall forward a copy of the notice to the other municipality.

4.4.6 Lands under consideration for industrial development that do not currently allow for a proposed use, shall be required to rezone to a suitable land use district before proceeding with subdivision and/or development.

4.5 Renewable Energy Development

INTENT

Vulcan County and Wheatland County recognize the important role that industry and energy development play in supporting the local and regional economy. The policies in this Section address the need to ensure the compatibility of land uses.

POLICIES

4.5.1 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.

4.5.2 Either municipality shall refer any application for a renewable energy development within the Plan Area including but not limited to:

- wind farms,
- hydroelectric development,
- solar power, or
- other related and similar developments,

to the other municipality.

4.6 Transportation and Road Networks

INTENT

Road infrastructure in the Plan Area is limited given the presence and topographical challenges of the Bow River valley. It is important that the municipalities take into consideration the impact of development on municipal and provincial road infrastructure within the Plan Area.

POLICIES

4.6.1 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. Administration from both municipalities are encouraged to dialogue regarding the potential impacts the

proposed development may have on the affected municipality's roads prior to the acceptance of the application as complete. ~~The affected municipality must give its approval in writing prior to the application being considered as complete by the other municipality.~~

4.6.2 Either municipality may require a developer to enter into a Road Use Management 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.

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

4.7 Telecommunication Towers/Utilities

INTENT

The continued demand for the location of telecommunications infrastructure and utility servicing has the potential to impact land use within municipalities; however, the municipalities are aware that the jurisdiction of utility approvals is outside of their direct control. The following policies are to be used by the municipalities when providing comments to applicants or relevant agencies regarding applications within the Plan Area.

POLICIES

4.7.1 Where there is an application for a new, expanded or retrofitted telecommunications tower within the Plan Area, Vulcan County and Wheatland County shall notify the other municipality to seek their comments.

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

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

4.8 Recreational Development

INTENT

To ensure recreational related development occurs in a harmonious and efficient manner with the natural landscape that surrounds it.

POLICIES

4.8.1 Vulcan County and Wheatland County shall endeavor to protect environmentally significant areas and other significant natural areas and resources from inappropriate development.

4.8.2 Both municipalities may consult with other agencies to develop management plans which integrate land use, development and recreational activities.

4.8.3 Subdivision and Development in or adjacent to river valleys shall take into consideration slope stability and soil characteristics in order to minimize negative impacts. Within floodplains developments should be regulated to protect the natural area and to minimize potential flood damage.

4.9 Natural Environment

INTENT

The Bow River and some of its tributaries are found within the Plan Area, which provides a multitude of recreational, ecological and aesthetic values 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.

POLICIES

4.9.1 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.

4.9.2 Proposed developments on lands within the Plan Area that may contain an environmentally significant site may be required to conduct an environmental or biophysical impact assessment (EIA or BIA) to be completed by the developer to the satisfaction of the municipality and the proponent should contact Alberta Environment and Parks.

4.9.3 Proposed developments on lands within the Plan Area 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 the municipality and Alberta Culture and Tourism. The developer must comply with the Historical Resources Act and consult with Alberta Culture and Tourism.

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

4.9.5 Environmentally significant areas should be protected through the use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate methods.

4.9.6 Subdivision and development on slopes or river valleys 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.

4.9.7 Subdivision and development on slopes or river valleys shall take into consideration slope stability and soil characteristics in order to minimize negative impacts. Within floodplains development should be regulated to protect the natural area and to minimize potential flood damage.

4.10 Water Quality and Flood Protection

INTENT

Because of the cumulative impacts that nearby development can have on the Bow River and its tributaries, it is important that both municipalities consider the impact of development on water quality. Further, protective measures should be taken to ensure proposed developments are not located within flood prone areas in either municipality.

POLICIES

4.10.1 Both municipalities will ensure that all potable water supplies within their respective jurisdictions meet provincial guidelines and standards for water quality.

4.10.2 Where new development may affect water quality, appropriate wastewater treatment and collection systems shall be considered using Best Management Practices in each municipality.

4.10.3 Where land use and development is to occur in flood prone areas, appropriate regulations shall be implemented to ensure no negative impacts on the neighboring municipality.

4.10.4 Development proposed in proximity to the Bow River and its tributaries shall be carefully evaluated for any impacts on water quality with regard for the provincial Stepping Back from the Water document.

4.10.5 Where new development is proposed in proximity to the Bow River and its tributaries, stormwater management shall be considered where necessary to reduce runoff and mitigate impacts on water quality.

4.11 Interpretation

INTENT

To ensure the policies and language within this Plan are communicated in the proper context so as to ensure the intent of the Plan is as clear and concise as possible.

POLICIES

4.9.1 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.

4.9.2 All references to a specific agency, body, or department were accurate at the time of writing. It is understood that agency, body and department names change from time to time. All references throughout the Plan shall therefore be considered to be applicable to the current relevant agency, body or department.

4.9.3 The geographical or 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 a rough approximation and not an accurate depiction of its actual or full extension. The Oldman River Regional Services Commission (ORRSC), the respective municipalities, or the Council, administration staff or agents of either municipality do not guarantee or endorse the accuracy of any of the information or interpretations thereof as part of approval of this Plan.



5 | PLAN ADMINISTRATION & IMPLEMENTATION

5.1 Intermunicipal Development Plan Committee Policies

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

5.1.1 For the purposes of administering and monitoring the IDP, Vulcan County and Wheatland County establish the Intermunicipal Development Plan Committee (the Committee) comprised of two (2) members of Council from both Vulcan County 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. Quorum shall consist of four (4) voting members.

5.1.2 The term of appointment for Committee members should be four (4) years, coinciding with the election cycle. 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.

5.1.3 Vulcan County and Wheatland County agree that 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 rezoning applications, changes to land use districts or other land use amendments affecting the Plan Area;

e) address issues in relation to the implementation of Plan policies, and to provide comments related to subdivision and/or development proposals;

f) engage in resolving any conflicts or disputes which arise from this Plan—both municipalities will 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.

5.1.4 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.

5.1.5 A municipality may call a meeting of the Committee at any time upon not less than five (5) days' notice of the meeting being given to all members of the Committee and support personnel, stating the date, the time, purpose and the place of the proposed meeting. The five (5) days' notice may be waived with ¾ of the Committee members' agreement noted.

5.1.6 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.

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

5.1.8 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 10 business days from the Committee meeting date.

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

5.1.10 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution process in Section 6 of this Plan should be adhered to.



5.2 Intermunicipal Referral Policies

INTENT

The purpose of this section of the Plan is to establish a clear and consistent referral process whereby each municipality is able to provide comments on proposed changes to statutory and non-statutory plans as well as proposed subdivision and development applications within the Plan Area.

POLICIES

General

5.2.1 Where an intermunicipal referral is required by the or the policies contained in this Plan, both municipalities agree to share mailing address and property ownership information for circulation purposes with the adjacent municipality, and where applicable, the municipality's processing agency.

5.2.2 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.

5.2.3 Administrative staff or representatives for Vulcan County and Wheatland County are encouraged to discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments, which may impact the Plan Area.

5.2.4 Administrative staff or representatives for Vulcan County and Wheatland County are encouraged to discuss with one another forthcoming subdivision and development applications that may impact lands within the Plan Area.

5.2.5 If either municipality is in receipt of a referral, prior to the holding of a mandatory public hearing, the receiving municipality shall present their comments and concerns at the other municipality's public hearing.

5.2.6 Where an application is for land found within SASP or the WCASP, policies 5.2.7 through 5.2.30 shall be used by each respective municipality when referring plans and applications.

~~*Municipal Development Plans*~~

~~5.2.7 A newly proposed Vulcan County Municipal Development Plan or amendment shall be referred to Wheatland County for comment prior to a public hearing.~~

~~5.2.8 A newly proposed Wheatland County Municipal Development Plan or amendment shall be referred to Vulcan County for comment prior to a public hearing.~~

~~5.2.9 A newly proposed Municipal Development Plan or amendment from either municipality shall be referred to Siksika Nation for comment prior to a public hearing.~~

~~*Other*~~ *Statutory Plans*

5.2.10 A newly proposed Vulcan County statutory plan ~~(excluding a Municipal Development Plan)~~ or amendment that will have an impact on the Plan Area shall be referred to Wheatland County for comment prior to a public hearing. This includes but is not limited to any significant text amendments.

5.2.11 A newly proposed Wheatland County statutory plan ~~(excluding a Municipal Development Plan)~~ or amendment that will have an impact on the Plan Area shall be referred to Vulcan County for comment prior to a public hearing. This includes but is not limited to any significant text amendments.

5.2.12 A newly proposed statutory plan ~~(excluding a Municipal Development Plan)~~ or amendment from either municipality that will have an impact on lands immediately adjacent to Siksika First Nation shall be referred to Siksika First Nation for comment prior to a public hearing. This includes but is not limited to any significant text amendments.

Land Use Bylaws

5.2.13 All Land Use Bylaw amendments in Vulcan County that affect lands in the Plan Area, shall be referred to Wheatland County for comment prior to a public hearing. This includes but is not limited to any significant text amendments to land use districts which are designated within the Plan Area.

5.2.14 All Land Use Bylaw amendments in Wheatland County that affect lands in the Plan Area, shall be referred to Vulcan County for comment prior to a public hearing. This includes but is not limited to any significant text amendments to land use districts which are designated within the Plan Area.

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

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

5.2.17 All redesignation applications affecting lands immediately adjacent to Siksika First Nation shall be forwarded to Siksika First Nation for comment prior to a public hearing.

5.2.18 A newly proposed Land Use Bylaw or amendments from either municipality shall be referred to Siksika First Nation for comment prior to a public hearing.

Design Concepts

5.2.19 All design concepts in support of subdivision or development in Vulcan County that will affect lands in the Plan Area shall be referred to Wheatland County for comment prior to Council Resolution.

5.2.20 All design concepts in support of subdivision or development in Wheatland County that will affect lands in the Plan Area shall be referred to Vulcan County for comment prior to Council Resolution.

5.2.21 All design concepts in support of subdivision or development in either municipality that are immediately adjacent to Siksika First Nation shall be referred to Siksika First Nation for comment prior to Council Resolution.

Subdivision and Development

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

5.2.23 All subdivision applications for lands immediately adjacent to Siksika First Nation shall be referred to Siksika First Nation for comment prior to decision be rendered.

5.2.24 Vulcan County shall refer all discretionary use applications within the Plan Area to Wheatland County for comment prior to a decision being rendered.

5.2.25 Wheatland County shall refer all discretionary use applications within the Plan Area, to Vulcan County for comment prior to a decision being rendered.

5.2.26 All discretionary use applications for lands immediately adjacent to Siksika First Nation, shall be referred to Siksika First Nation for comment prior to a decision being rendered.

Response Timelines

5.2.27 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) 15 calendar days for all development applications,

b) 19 calendar days for subdivision applications, and

c) 30 calendar days for all other intermunicipal referrals.

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

Consideration of Responses

5.2.29 Comments from the responding municipality and/or the Committee regarding proposed Municipal Development Plans, other statutory plans, and 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.

5.2.30 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.

5.3 Plan Validity and Amendment Policies

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 South Saskatchewan Regional Plan (SSRP) has been completed and came into effect September 1, 2014. The municipalities are under the mandate of this legislation and will consider the following in respect of the SSRP legislation:

5.3.1 The municipalities agree that they will comply with the adopted regional plan strategies, and are of the opinion this Plan aligns with the strategies of the SSRP.

5.3.2 After the Plan's adoption, if it is subsequently determined that additional amendments are needed to the Plan to adhere to provincial requirements of the SSRP, both municipalities will review and discuss possible amendments through the Committee.

5.3.3 Should information regarding flood mitigation, including flood mapping or other flood related documents, become available that may have impact on lands within the Plan Area, and both municipalities subsequently determine that additional amendments are needed, both municipalities shall review and discuss possible amendments through the Committee.

~~***Addressing Calgary Metropolitan Plan Requirements***~~

~~5.3.4 The Calgary Metropolitan Plan (CMP) Calgary Metropolitan Region Plan Area (CMRPA), once endorsed, applies exclusively to those municipalities directly participating in the Calgary Regional Partnership (CRP) and does not include, by association, any other municipalities that have separate plans with the CRP partners outside the CMP.~~

5.3.5 After the Plan's adoption, if it is subsequently determined that additional amendments are needed to the Plan, both municipalities will review and discuss possible amendments through the Committee.

Addressing Municipal Amendments and Plan Validity

5.3.6 This Plan comes into effect on the date it is adopted by both Vulcan County and Wheatland County ~~and remains in effect until:~~

~~a) either Council rescinds 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.~~

5.3.7 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.

5.3.8 Amendments to this Plan by parties other than Vulcan County or Wheatland County shall be accompanied by the following:

a) an application for amendment submitted to Vulcan County 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.

5.3.9 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.

5.3.10 A formal review of the Plan shall occur within 10 years from the date the IDP is adopted by both municipalities.



6 | DISPUTE RESOLUTION

6.1 General Dispute Process

INTENT

The policies of this Plan are designed to be general in nature, ensuring that both Vulcan County 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:

6.1.1 It is important to avoid dispute by ensuring that 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.

6.1.2 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.

6.1.3 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:

6.1.4 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.

6.1.5 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.

6.1.6 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.

6.1.7 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

6.1.8 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw 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 that the provincial statutory right and timeframe to file an appeal is not lost.

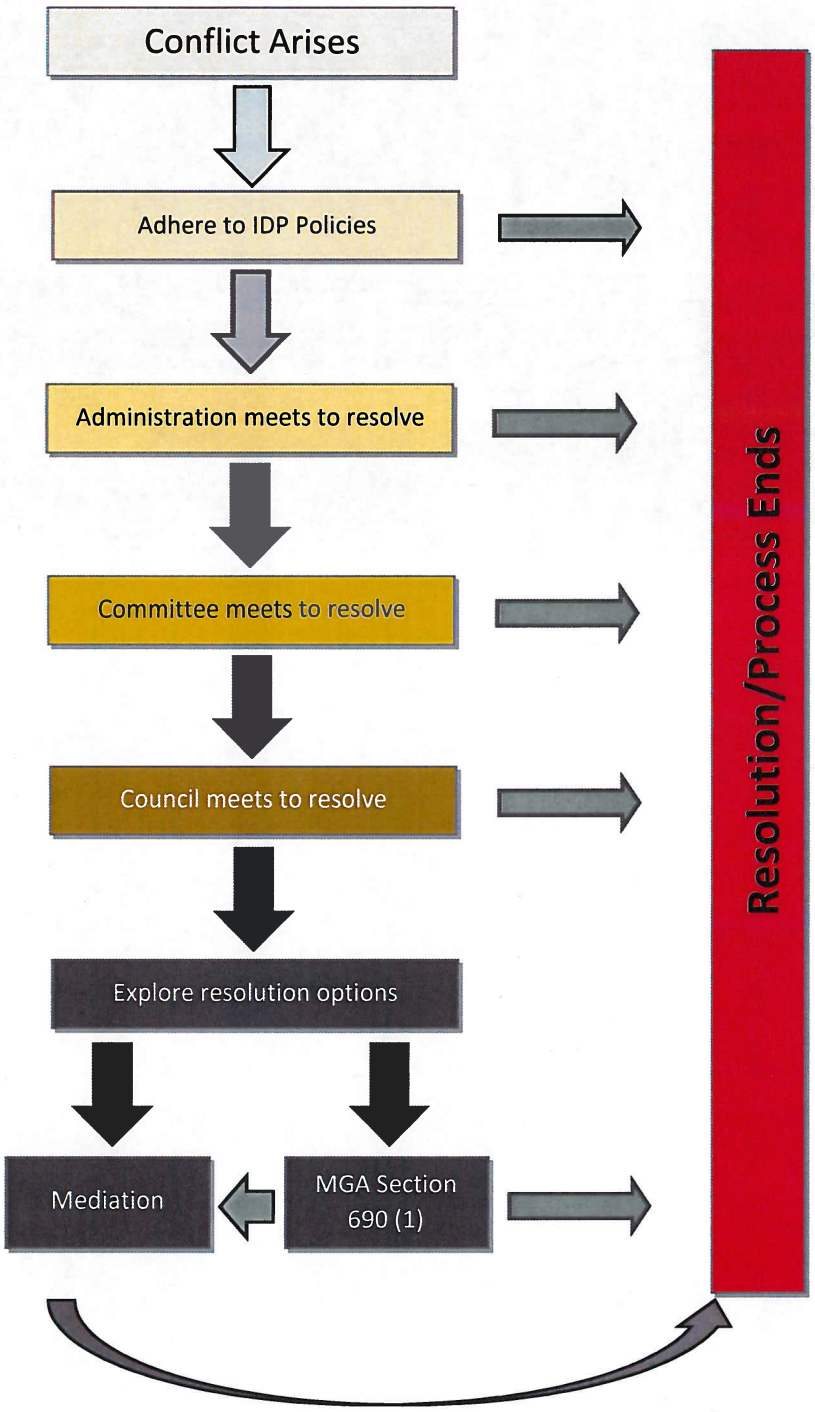
6.1.9 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the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



APPENDIX A | DEFINITIONS

APPENDIX A | DEFINITIONS

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.

~~**Calgary Metropolitan Plan (CMP):** A collaborative regional framework for the members of the Calgary Regional Partnership intended to guide sustainable growth and promote cooperation for Calgary and the region surrounding it.~~

~~**Calgary Metropolitan Region Board (CMRB):** The firs provincially mandated growth management board for the Calgary region. The boards provincial mandate is to develop long term plan for managed, sustainable growth in the Calgary region.~~ *The growth board does not fall within the IDP area*

~~**Calgary Regional Partnership (CRP):** A voluntary association of municipalities in the Calgary region that have formed a regional partnership and have developed a planning framework known as the Calgary Metropolitan Plan.~~

Confined Feeding Operations (CFO): An activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the *Agricultural Operation Practices Act (AOPA), Revised Statues of Alberta 2000, Chapter A-7,* as amended from time to time, but does not include seasonal feeding and bedding sites.

CFO Exclusion Area: The area within the Intermunicipal Development Plan where new confined feeding operations (CFOs) are not permitted to be established or existing operations allowed to expand.

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 agreement.

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

Counties: The Municipality of Vulcan County and 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 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. Lands eligible for environmental reserve dedication include swamps, steep slopes, gullies, coulees or natural drainage courses, land that is subject to flooding, land that is unstable, or lands adjacent to a body of water. Environmental reserve lands are typically required to be left in a natural state.

Environmental Reserve Easement: Similar to an Environmental Reserve, an environmental reserve easement (ERE) allows the ownership of the land to remain with the landowner, instead of with the Municipality. Similar restrictions apply with an ERE as do for titled environmental reserve, such that the land would be left in its natural state.

Environmentally Significant Areas (ESA): Means

a) "Hazard" lands and areas which are unsuitable for development in their natural state such as floodplains, permanent wetlands, and steep and unstable slopes; or which pose severe constraints on types of development such as areas of artesian flow and aeolian surficial deposits;
b) areas which perform a vital environmental, ecological or hydrological function such as aquifer recharge;
c) areas which contain unique geological or physiographic features;
d) areas which contain significant, rare or endangered species;
e) areas which are unique habitats with limited representation in the region or are a small remnant of once large habitats which have virtually disappeared;
f) areas which contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;
g) areas which contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;
h) areas which contain plants, animals or land forms which are unusual or of regional, provincial or national significance;
i) areas which provide an important linking function and permit the movement of wildlife over considerable distance.

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 Vulcan County 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 Vulcan County and Wheatland County.

***Municipal Government Act (MGA)*:** The *Municipal Government Act Revised Statues of Alberta ~~1~~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 Vulcan County and Wheatland County Intermunicipal Development Plan.

Plan Area: The lands defined in this document 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.

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

Study Area: The area identified by both municipalities that encompasses areas of importance and concern and has been identified has an area where additional study took place in order to help define the parameters of the Plan Area.

Themes of Concern: Developments, land uses, activities, systems, resources, geographical areas and issues that have been identified by the involved municipalities as potential sources of future land use and management conflict areas between the municipalities.

Themes of Importance: Developments, land uses, activities, systems, resources, geographical areas and issues that have been identified by the involved municipalities as significant for economic, environmental and or/social reasons which both municipalities are dedicated to protect through creation of specific policies.

APPENDIX B | MAPS

APPENDIX B | MAPS

The following maps highlight key environmental resources, infrastructure and land use information within the Plan Area. To assist in their interpretation, a brief explanation of each map is offered below.

Maps 3 & 4 – *Land Use Designation*

Map 5 - *CFO Exclusion Area*

Map 6 – *ESA Sites, Wildlife Corridors & Protected Areas*

Map 7 – *Hydrologic Features and Infrastructure*

Map 8 – *Oil, Gas, Water Wells and Major Pipelines*

Maps 9 – *Sand/Gravel Potential*

Map 10 – *Historical Resource Value Sites*

Map 11 – *Soil Permeability*

Map 12 – *Soil Classification as indexed by Canada Land inventory*

Data source information for the maps in this Plan is found in Appendix C.

APPENDIX C | DATA SOURCES

APPENDIX C | DATA SOURCES

The following is a list of data used to generate the Maps used in this Plan.

Resources Consistent with all Maps

National Road Network. (2013). GeoBase. Retrieved from http://www.geobase.ca/geobase/en/data/nrn/index.html

Natural Resources Conservation Board (NRCB). (2014). Personal Request to the NRCB. Confined Feeding Operation Locations Data 2002-2014.

Welcome to AltaLIS. (2014). AltaLIS.ca. Retrieved from http://www.altalis.com/

Wheatland County Orthotophotos. (2012). Personal request to Wheatland County.

Maps 3 & 4: Land Use Designation

Vulcan County Land Use Bylaw. (2010). Vulcan County. Retrieved from http://www.vulcancounty.ab.ca/sites/vulcan.civicwebcms.com/files/media/Vulcan%20County%20LUB%202010-010.pdf

Wheatland County Land Use Bylaw. (2007). *Wheatland County Land Use-Bylaw 2007-56.* Retrieved from http://www.wheatlandcounty.ca/DocumentCenter/View/19

Map 5: CFO Exclusion Area

Vulcan County Municipal Development Plan Bylaw No. 2012-003. (2012). Retrieved from http://www.vulcancounty.ab.ca

Map 6: ESA Sites, Wildlife Corridors & Protected Areas

Downloadable Data Sets. (2009). AlbertaParks.ca. from http://www.albertaparks.ca/albertaparksca/library/downloadable-data-sets.aspx

Government of Alberta: Tourism, Parks and Recreation. (2009). Environmentally Significant Areas: Provincial Update 2009. Retrieved from http://www.tpr.alberta.ca/parks/heritageinfocentre/environsigareas/docs/01%20-%20ESA%20Executive%20Summary.pdf

Welcome to the Alberta Open Data Portal. (2010). Welcome to the Alberta Open Data Portal. Retrieved from http://data.alberta.ca/

Map 7: Hydrologic Features and Infrastructure

Geospatial Products - Downloadable Data. (2012). Agriculture and Agri-Food Canada; Government of Canada. Retrieved from http://www.agr.gc.ca/eng/?id=1343256785210

National Hydro Network (NHN). (2010). GeoBase. Retrieved from http://www.geobase.ca/geobase/en/data/nhn/index.htm

Vulcan County Existing Infrastructure Dataset. (2014). Personal Request to Vulcan County.

Wheatland County Existing Infrastructure Dataset. (2014). Personal Request to Wheatland County.

Map 8: Oil, Gas, Water Wells and Major Pipelines

Abacus Datagraphics Ltd. (2014). AbaData Oil and Gas Map Software. Retrieved March 28, 2014, from http://www.abacusdatagraphics.com/abadata.asp

Map 9: Sand & Gravel Potential

Edwards, W. & Budney, H. (2004). Digital Dataset. Alberta Sand and Gravel Deposits with Aggregate Potential (Gis data, polygon features). Retrieved from http://www.ags.gov.ab.ca/publications/abstracts/DIG_2004_0034

Vulcan County Existing Gravel Pits Dataset. (2014). Personal Request to Vulcan County.

Wheatland County Gravel Pits Dataset. (2014). Personal Request to Wheatland County.

Map 10: Historical Resource Value Sites

Government of Alberta: Alberta Culture. (2013). Alberta Culture and Community Spirit: Listing of Historic Resources: Instructions for Use. Retrieved from http://culture.alberta.ca/heritage/resourcemanagement/landuseplanning/Pdf/Listing_Instructions.pdf

Listing of Historic Resources (2013). Land Use Planning, Historic Resource Management. Retrieved from http://www.culture.alberta.ca/heritage/resourcemanagement/landuseplanning/default.aspx

Map 11: Soil Permeability

Geology of Alberta GIS Data (2005). Geology of Alberta GIS Data/ Natural Suitability of geological setting for waste management. Retrieved from http://www.ags.gov.ab.ca/GISdownload_gis.htm

Map 12: Soil Classification as Indexed By Canada Land Inventory

Canada Land Inventory, National Soil DataBase, Agriculture and Agri-Food Canada. 1998. Updated 2013.

APPENDIX D | ADDITIONAL RESOURCES

APPENDIX D | ADDITIONAL RESOURCES

The following resources were used during the creation of the Plan and may be useful to municipal administrators or other stakeholders when interpreting this Plan or for other planning and development purposes.

Agriculture and Agri-Food Canada (2004). Environmental Scan for Agriculture in Alberta.

Agricultural Land Resources Atlas of Alberta – Aquifer Vulnerability Index for the Agricultural Area of Alberta (2004). Agricultural Land Resources Atlas of Alberta – Aquifer Vulnerability Index for the Agricultural Area of Alberta. Retrieved from http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex10331

Alberta Agriculture, Food and Rural Development: Resource Management and Irrigation Division Conservation and Development Branch & Agricultural and Agri-Food Canada. Environmental Scan For Agriculture in Alberta. (2004). Provided by Personal Request to Government of Alberta, Agricultural and Rural Development Department.

Alberta Culture & Community Spirit (2014). Listing of Historic Resources. URL: http://culture.alberta.ca/heritage/resourcemanagement/landuseplanning/

Alberta Tourism, Parks and Recreation (2009). Environmentally Significant Areas. URL: http://www.albertaparks.ca/media/2346445/01%20-%20ESA%20Executive%20Summary.pdf