

Municipal District of Willow Creek No. 26 &

Municipal District of Foothills No. 31

Intermunicipal Development Plan

Bylaw No. 1728 & Bylaw No. 82/2015

November 2015

ACKNOWLEDGEMENTS

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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BYLAW NO. 1728

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

IN THE PROVINCE OF ALBERTA

Bylaw No. 1728 of the Municipal District of Willow Creek No. 26 is for the purpose of adopting the Municipal District of Willow Creek No. 26 and Municipal District of Foothills No. 31 Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcends municipal boundaries.

AND WHEREAS both the Councils of Municipal District of Willow Creek No. 26 and Municipal District of Foothills No. 31 agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned; orderly, and managed growth.

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 of the M.D. of Willow Creek No. 26 duly assembled hereby enacts the following:

1. Council shall adopt the Municipal District of Willow Creek No. 26 and Municipal District of Foothills No. 31 Intermunicipal Development Plan in consultation and as agreed to with Municipal District of Foothills No. 31.
2. This plan, upon adoption, shall be cited as the Municipal District of Willow Creek No. 26 and Municipal District of Foothills No. 31 Intermunicipal Development Plan Bylaw No. 2015-006 & Bylaw No. 1728.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a first time this 8th day of September, 2015.

Reeve – Neil Wilson

CAO – Cynthia Vizzutti

READ a second time this 8th day of September, 2015.

Reeve – Neil Wilson

CAO – Cynthia Vizzutti

READ a third time and finally PASSED this 8th day of September, 2015

Reeve – Neil Wilson

CAO – Cynthia Vizzutti

BYLAW 82/2015

A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 FOR THE PURPOSE OF ADOPTING THE WILLOW CREEK NO. 26 AND MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS pursuant to the provisions of the Municipal Government Act, Sections 631 and 692, Chapter M-26, Revised Statutes of Alberta 2000, and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, has adopted Land Use Bylaw No. 60/2014 as amended;

AND WHEREAS Municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcends municipal boundaries;

AND WHEREAS both the Councils of Willow Creek No. 26 and the Municipal District of Foothills No. 31 agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly and managed growth;

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

NOW THEREFORE THE COUNCIL OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 ENACTS AS FOLLOWS:

1. Council shall adopt the Willow Creek No. 26 and Municipal District of Foothills No. 31 Intermunicipal Development Plan in consultation and as agreed to with Willow Creek No. 26.

2. This plan, upon adoption, shall be cited as the Willow Creek No. 26 and Municipal District of Foothills No. 31 Intermunicipal Development Plan.

3. This Bylaw shall have effect on the date of its third reading and upon being signed

FIRST READING: September 30, 2015

Reeve

Municipal Manager

SECOND READING: November 4, 2015

Reeve

Municipal Manager

THIRD READING: November 4, 2015

Reeve

Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 4th day of Novmeber, 2015.

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

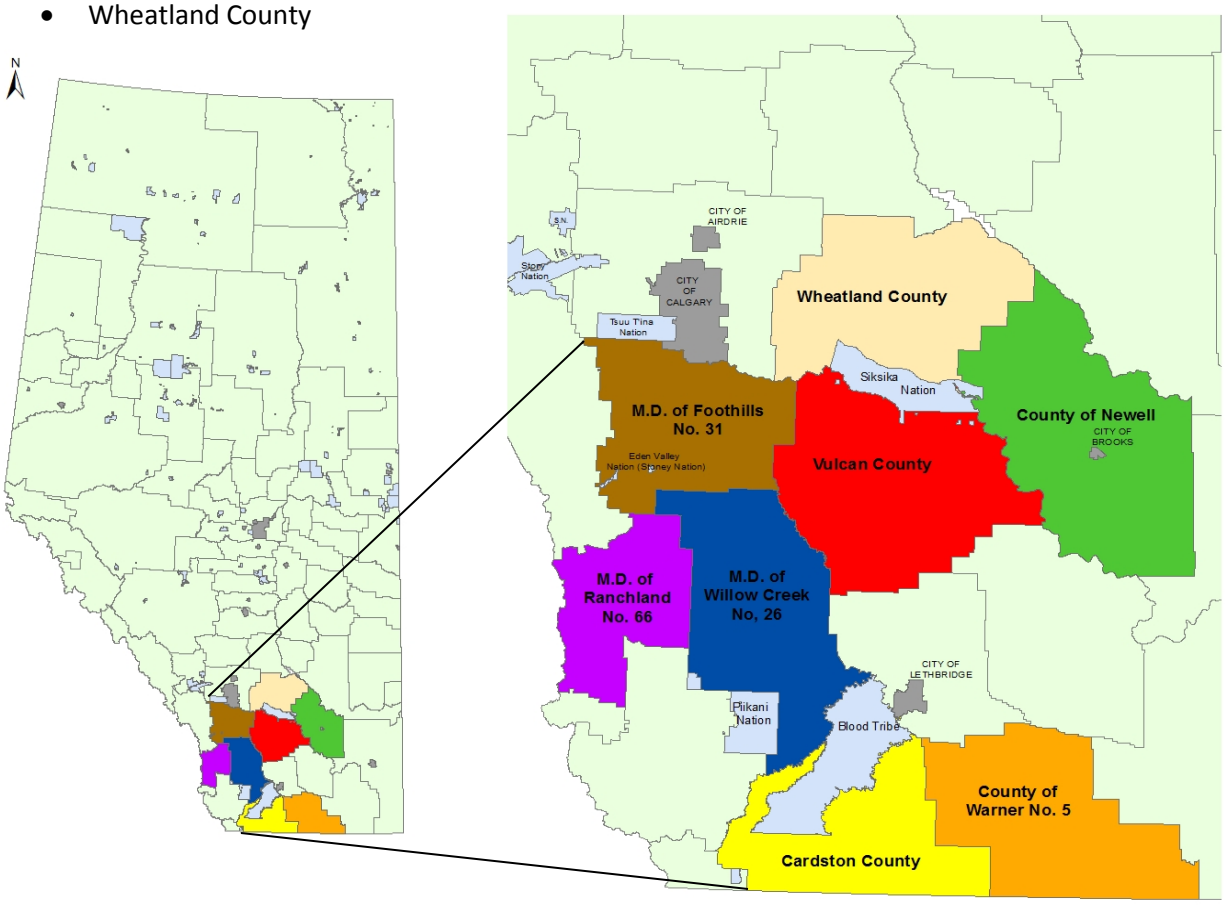


Figure 1: The eight Rural Multi-jurisdictional Development Plan Project participating municipalities

Table of Contents

1 | INTRODUCTION 1

1.1 Purpose of the Plan 1

1.2 Municipal Profiles 2

Municipal District of Willow Creek No. 26 2

Municipal District of Foothills No. 31 2

1.3 Legislative Requirements 3

1.4 Plan Preparation Process 5

2 | PLAN AREA 6

2.1 Study Area Analysis 6

2.2 Defining the Intermunicipal Development Plan Area 6

3 | PLAN ADMINISTRATION & IMPLEMENTATION 7

3.1 Intermunicipal Referral Process 7

General 7

Municipal Development Plans 8

Other Statutory Plans and Non-Statutory Plans 8

Land Use Bylaws 8

Subdivision and Development 9

Response Timelines 9

Consideration of Responses 9

3.2 Plan Validity and Amendment Policies 9

Addressing Provincial Regional Planning Requirements 10

Addressing Municipal Amendments and Plan Validity 10

4 | DISPUTE RESOLUTION 12

4.1 General Dispute Process 12

General Agreement 12

Dispute Resolution 12

Filing an Intermunicipal Dispute under the Municipal Government Act 13

Dispute Resolution Flowchart 14

5 | INTERPRETATION OF LANGUAGE 15

5.1 Interpretation 15

APPENDIX A | DEFINITIONS

APPENDIX B | DATA SOURCES

Municipal District of Willow Creek No. 26 & Municipal District of Foothills No. 31

Intermunicipal Development Plan

1 | INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Municipal District of Willow Creek No. 26 & Municipal District of Foothills No. 31 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. 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)* and the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended (MGA)*.

Municipalities 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. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

1.2 Municipal Profiles

Municipal District of Willow Creek No. 26

The Municipal District of Willow Creek No. 26 covers an area of approximately 450,000 hectares (1.1 million acres) with a 2013 population of 5107 (Alberta Municipal Affairs, 2013). The M.D. surrounds five urban municipalities, contains four hamlets, and is bordered by six rural municipalities and two First Nations. The economy of the M.D. is agricultural, with ranching towards the eastern slopes. Natural resource, utility, and alternative energy developments have begun to provide non-agricultural land use pressures. The M.D. has a number of large reservoirs including Twin Valley, Clear Lake and Pine Coulee.

Municipal District of Foothills No. 31

The Municipal District of Foothills No. 31 covers an area of approximately 364,000 hectares (899,463 acres) with a 2013 population of 21,258 (Alberta Municipal Affairs, 2013). The M.D. surrounds four urban municipalities and contains ten hamlets, as well as the Eden Valley First Nation Reserve. The M.D. is also bordered by six rural municipalities, Tsuu T'ina Nation, as well as Alberta's largest City of Calgary. The main economic driver in the M.D. is Agriculture but there is also significant tourism, oil and gas activity and some industrial development. The majority of the M.D.'s industrial development is being directed to the Highway 2A Industrial Corridor between High River and Okotoks.



TSUU T'INA NATION
CITY OF CALGARY
ROCKY VIEW COUNTY
WHEATLAND COUNTY
SIKSIKA NATION
M.D. of Foothills No. 31
EDEN VALLEY NATION
KANANASKIS IMPROVEMENT DISTRICT
VULCAN COUNTY
MUNICIPAL DISTRICT OF TABER
MUNICIPAL DISTRICT OF RANCHLAND NO. 66
M.D. of Willow Creek No. 26
LETHBRIDGE COUNTY
P.N.
CITY OF LETHBRIDGE
MUNICIPALITY OF CROWSNEST PASS
MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
PIIKANI NATION
KAINAI NATION (BLOOD TRIBE)
COUNTY OF WARNER NO. 5

M.D. OF WILLOW CREEK NO. 26/M.D. OF FOOTHILLS NO.31 IDP BOUNDARY

LEGEND

- M.D. of Willow Creek No. 26/M.D. of Foothills No. 31 Boundary
- Major Arterial Roads
- Urban Municipal Boundaries
- Plan Area Boundary
- First Nations Reserve Land

MAP 1

M.D. OF WILLOW CREEK NO. 26 (BYLAW NO. 1728) &
M.D. OF FOOTHILLS NO.31 (BYLAW NO. 82/2015)
INTERMUNICIPAL DEVELOPMENT PLAN

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Kilometers

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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.

Specifically the *MGA* states:

> *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.*
>
> *631(2) An intermunicipal development plan*
>
> *a) may provide for*
>
> *i. the future land use within the area,*
>
> *ii. the manner of and the proposals for future development in the area,*
>
> *iii. any other matter relating 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.*

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 Plan Preparation Process

The formation of the Plan was guided by senior administration and planning staff from both municipalities. With respect to 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 municipalities, planners from ORRSC met with each municipality to clarify their municipal perspectives on general issues. Once each municipality's perspectives were identified, a draft document was prepared for review. 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 endorsement. Upon endorsement, 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.



2 | PLAN AREA

2.1 Study Area Analysis

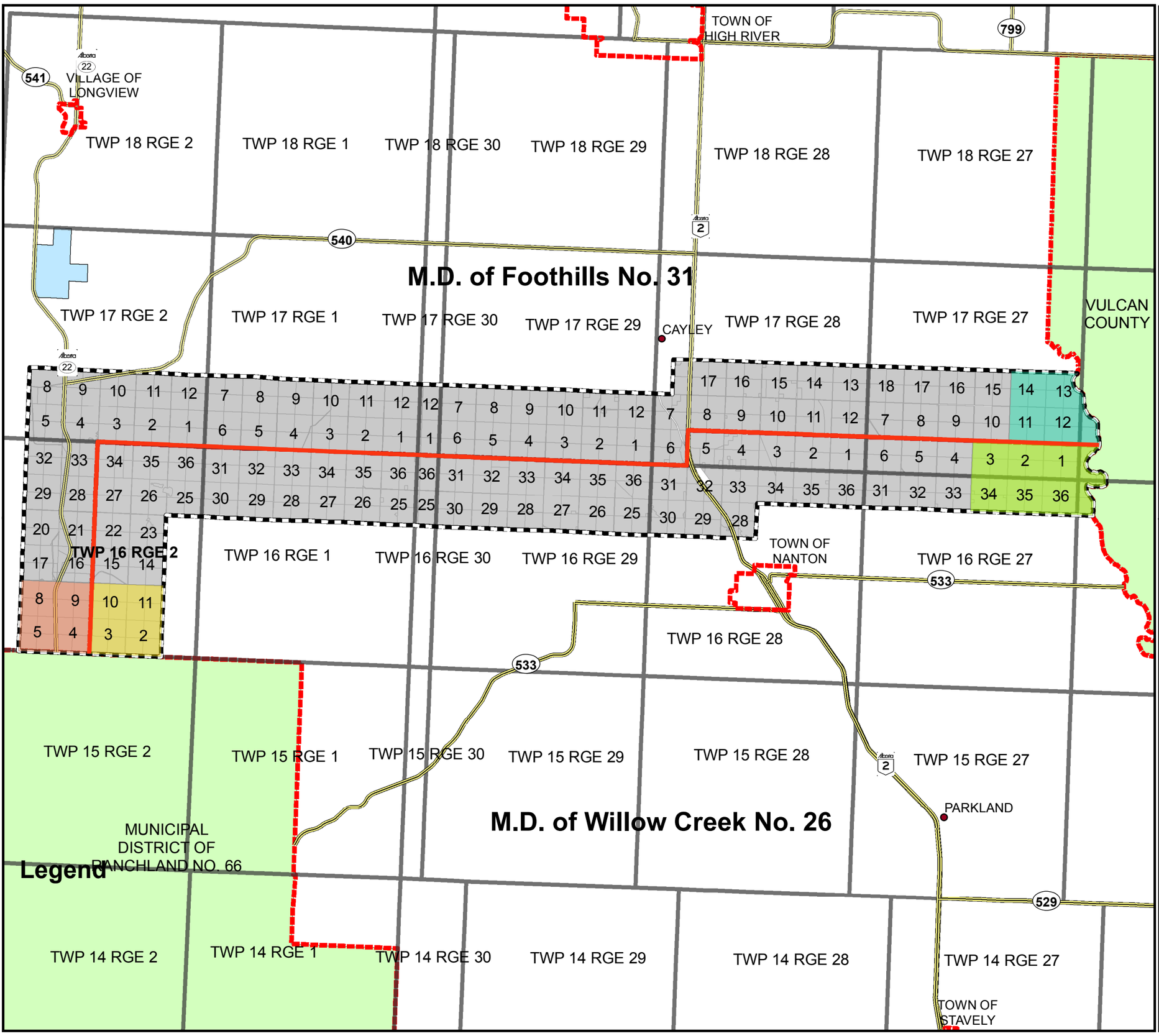
To determine the extent of the Plan Area, the municipalities began by analyzing a Study Area approximately 3 km (2 miles) on either side of the shared border. The following key features in the Study Area were examined:

- Land Use
- Transportation Corridors

2.2 Defining the Intermunicipal Development Plan Area

After review by administration and planning staff, 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 relative consistency of key characteristics within the Study Area that the Plan Area boundary would include the Study Area. This would not only encompass the natural landscape between the two municipalities, but would make for a consistent Plan Area. The Plan Area consists of approximately 36,417 hectares (89,988 acres) and is illustrated in Maps 1 and 2.





PLAN AREA BOUNDARY

LEGEND

- M.D. of Willow Creek No. 26/ M.D. of Foothills No. 31 Boundary
- Major Arterial Roads
- Municipal Boundaries
- Plan Area Boundary
- Eden Valley Nation
- IDP Overlap with Vulcan County/ M.D. of Willow Creek No. 26 IDP Boundary
- IDP Overlap with M.D. of Foothills No. 31/ Vulcan County IDP Boundary
- IDP Overlap with M.D. of Ranchland No. 66/ M.D. of Willow Creek No. 26 IDP Boundary
- IDP Overlap with M.D. of Foothills No. 31/ M.D. of Ranchland No. 66 IDP Boundary

MAP 2

M.D. OF WILLOW CREEK NO. 26 (BYLAW NO. 1728) &
M.D. OF FOOTHILLS NO. 31 (BYLAW NO. 82/2015)
INTERMUNICIPAL DEVELOPMENT PLAN

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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3 | PLAN ADMINISTRATION & IMPLEMENTATION

3.1 Intermunicipal Referral Process

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

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

3.1.2 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.

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

3.1.4 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.

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

3.1.6 Administrative staff or representatives for the M.D. of Willow Creek No. 26 and the M.D. of Foothills No. 31 are encouraged to discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments, which may impact the Plan Area.

3.1.7 Administrative staff or representatives for the M.D. of Willow Creek No. 26 and the M.D. of Foothills No. 31 are encouraged to discuss, with one another, forthcoming subdivision and development applications that may impact lands within the Plan Area.

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

Municipal Development Plans

3.1.9 A newly proposed M.D. of Willow Creek No. 26 Municipal Development Plan or amendment shall be referred to the M.D. of Foothills No. 31 for comment prior to a public hearing.

3.1.10 A newly proposed M.D. of Foothills No. 31 Municipal Development Plan or amendment shall be referred to the M.D. of Willow Creek No. 26 for comment prior to a public hearing.

Other Statutory Plans and Non-Statutory Plans

3.1.11 A newly proposed M.D. of Willow Creek No. 26 statutory plan or non-statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to the M.D. of Foothills No. 31 for comment prior to a public hearing.

3.1.11 A newly proposed M.D. of Foothills No. 31 statutory plan or non-statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to the M.D. of Willow Creek No. 26 for comment prior to a public hearing.

Land Use Bylaws

3.1.13 All Land Use Bylaw amendments in the M.D. of Willow Creek No. 26 that affect lands in the Plan Area, shall be referred to M.D. of Foothills No. 31 for comment prior to a public hearing.

3.1.14 All Land Use Bylaw amendments in the M.D. of Foothills No. 31 that affect lands in the Plan Area, shall be referred to the M.D. of Willow Creek No. 26 for comment prior to a public hearing.

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

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

Subdivision and Development

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

3.1.18 The M.D. of Willow Creek No. 26 shall refer all discretionary use applications within the Plan Area to the M.D. of Foothills No. 31 for comment prior to a decision being rendered.

3.1.19 The M.D. of Foothills No. 31 shall refer all discretionary use applications within the Plan Area, to the M.D. of Willow Creek No. 26 for comment prior to a decision being rendered.

Response Timelines

3.1.20 The responding municipality shall, from the date of notification, either by 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.

3.1.21 In the event that either municipality 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 has no comment or objection to the referred planning application or matter.

Consideration of Responses

3.1.22 Comments from the responding municipality 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.

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

3.2 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:

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

3.2.2 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 administration.

Addressing Municipal Amendments and Plan Validity

3.2.3 This Plan comes into effect on the date it is adopted by the M.D. of Willow Creek No. 26 and the M.D. of Foothills No. 31 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.



3.2.4 Amendments shall be adopted by both Councils using the procedures outlined in the *MGA*. No amendment shall come into force until such time as both municipalities adopt separate amending bylaws.

3.2.5 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.

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

4 | DISPUTE RESOLUTION

4.1 General Dispute Process

INTENT

The policies of this Plan are designed to be general in nature, ensuring that both the M.D. of Willow Creek No. 26 and the M.D. of Foothills No. 31 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:

4.1.1 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 or as required in the Plan and prompt enforcement of the Plan policies.

4.1.2 Prior to meeting, 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.

4.1.3 The municipalities' administration should discuss the issue or dispute with the intent to seek resolution on the issue.

Dispute Resolution

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

4.1.4 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.

4.1.5 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 meeting be scheduled with equal representation of councilors or staff in addition to the administration staff chosen in policy

4.1.4 to discuss the issue. The representatives will review the issue and attempt to resolve the matter by seeking resolution on the issue.

4.1.6 Should the Council members and administrative staff be unable to resolve the matter, facilitated mediation shall be initiated if agreed to by both municipalities.

Filing an Intermunicipal Dispute under the Municipal Government Act

4.1.7 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.

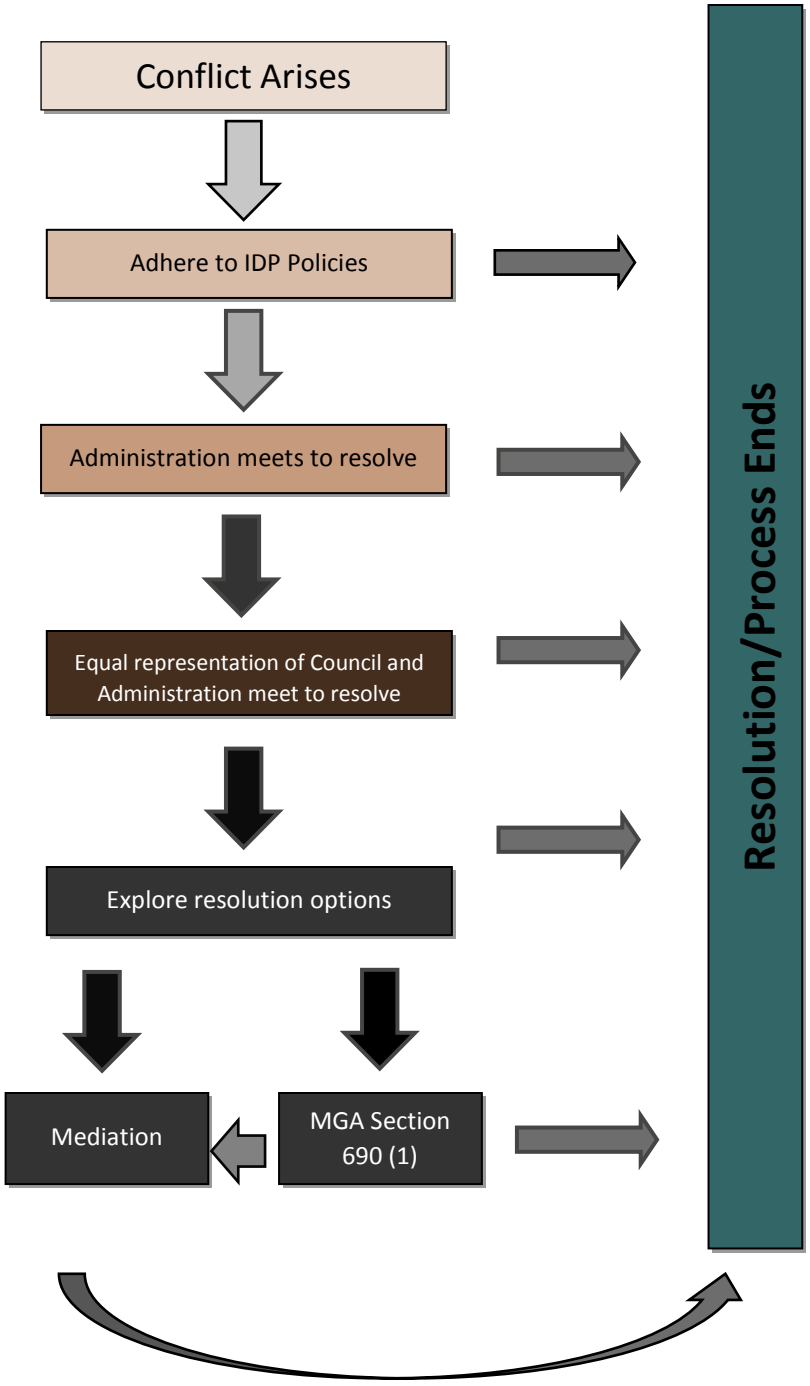
4.1.8 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 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.



5 | INTERPRETATION OF LANGUAGE

5.1 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

5.1.1 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.

5.1.2 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.

APPENDIX A | DEFINITIONS

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

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 *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.

Council: The Council of the M.D. of Willow Creek No. 26 and the Council of the M.D. of Foothills No. 31 in the Province of Alberta.

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

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

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

Intermunicipal Border: The shared border between the M.D. of Willow Creek No. 26 and the M.D. of Foothills No. 31.

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.

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

Mediation: The non-adversarial intervention between conflicting parties to promote settlement, compromise and understanding. It is an informal, confidential and structured process to resolve disputes before they escalate to heightened hostilities such as litigation.

Municipalities (the Municipalities): The municipalities of the Municipal District of Willow Creek No. 26 and the Municipal District of Foothills No. 31.

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

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

Non-Statutory Plan: A municipal planning document, conceptual design scheme or conceptual plan, that is endorsed or approved by resolution of Council, typically to guide future land use, development or subdivision of a specified area within a municipality, but does not include a municipal development plan, area structure plan or area redevelopment plan adopted under the *Municipal Government Act*.

Plan: The Municipal District of Willow Creek No. 26 and the Municipal District of Foothills No. 31 Intermunicipal Development Plan.

Plan Area: The lands defined in this document to which the policies of this document pertain.

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.

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 the M.D. of Foothills No. 31 means the M.D. of Foothills No. 31 Subdivision and Development Authority, and with the boundary of Vulcan County means the Vulcan 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.

APPENDIX B | DATA SOURCES

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The following is a list of data used to generate the Maps used in this Plan. All information was retrieved between March 1, 2014 and June 1, 2014.

ALTALIS, "The Municipal District of Foothills No. 31". Digital Imagery Ortho-rectified by Atlis Geomatics.

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

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