



ROCKY VIEW COUNTY

BYLAW C-8164-2021

A bylaw of Rocky View County, in the Province of Alberta, to adopt the Wheatland County and Rocky View County Intermunicipal Development Plan.

The Council of Rocky View County enacts as follows:

Title

- 1 This bylaw may be cited as *Bylaw C-8164-2021*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
 - (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 THAT Schedule A of Bylaw C-8164-2021 is adopted as the “Wheatland County and Rocky View County Intermunicipal Development Plan”, to provide a policy framework to minimize land use and development conflicts, provide opportunities for collaboration and communication, and outline a process for resolution of issues that may arise within the areas adjacent to the municipal boundary.

Effective Date

- 4 Bylaw C-8164-2021 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME this _____ 23 day of March, 2021PUBLIC HEARING HELD this _____ 11 day of May, 2021READ A SECOND TIME this _____ 11 day of May, 2021

READ A THIRD AND FINAL TIME this _____ day of _____, 2021

Reeve_____
Chief Administrative Officer or Designate_____
Date Bylaw Signed



WHEATLAND COUNTY
Where There's Room to Grow



INTERMUNICIPAL DEVELOPMENT PLAN

Between

ROCKY VIEW COUNTY

And

WHEATLAND COUNTY

Draft Version 4.1
Spring 2021

DRAFT

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1.0 Introduction

1.1 Purpose of the Plan

The purpose of the Rocky View County and Wheatland County Intermunicipal Development Plan (IDP) is to foster a collaborative planning approach for lands along the common border between the two municipalities (see Map 1: Municipal Boundaries). The Municipal Government Act (MGA) mandates municipalities that share common boundaries to develop an Intermunicipal Development Plan. Municipalities are mandated to work together to adopt IDPs to:

- promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area;
- provide a framework for addressing land use concerns with regard to joint planning matters;
- establish a procedure for dealing with development proposals within a defined planning area; and
- address any other matters relating to development considered necessary within a joint planning area.

An IDP is a planning tool that can provide numerous benefits to participating municipalities, which may include, but are not limited to the following:

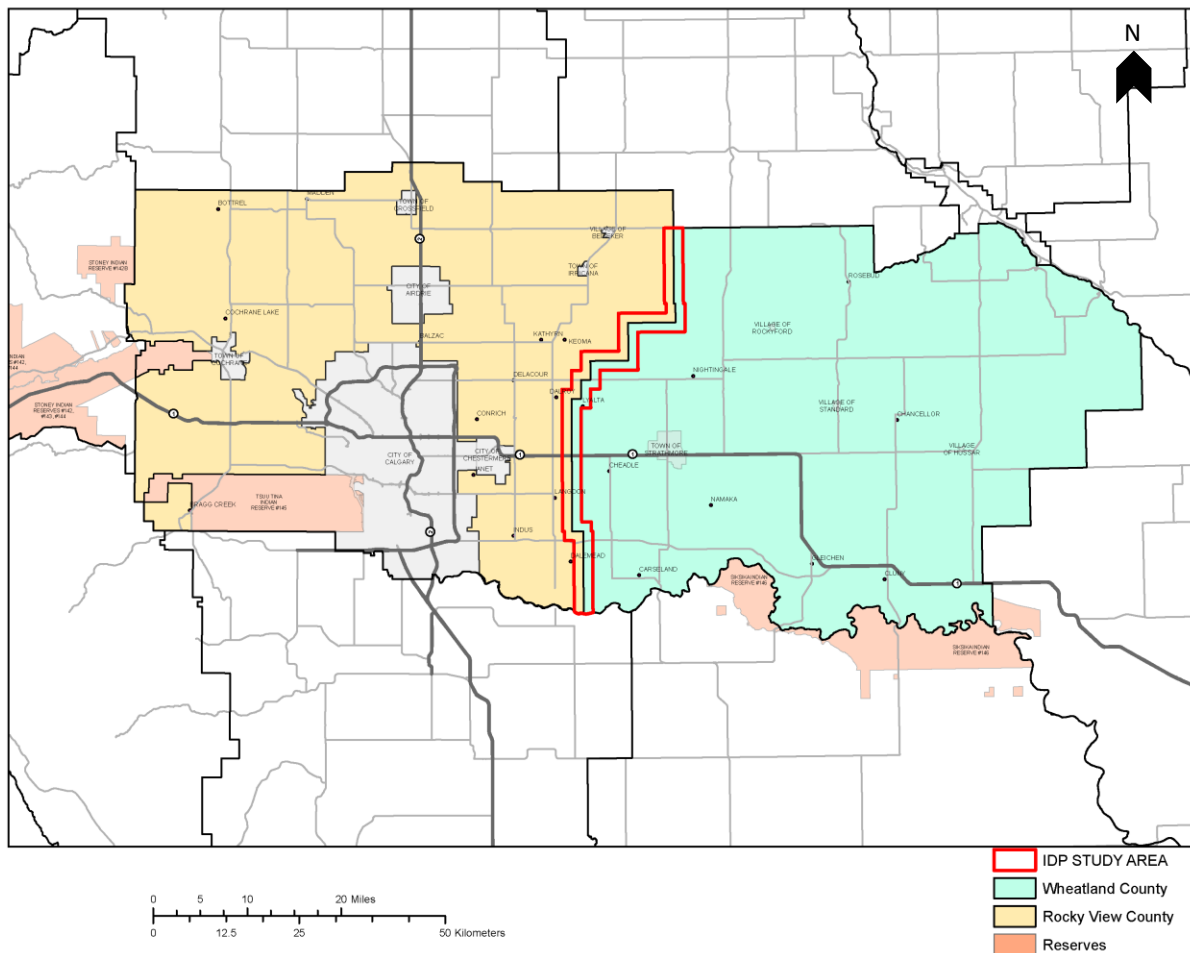
- reinforcing and protecting both municipalities' development philosophies and goals while mitigating the potential for future intermunicipal conflict; and
- ensuring development for both municipalities occurs in an orderly, economic, efficient, and harmonious manner that is sustainable by considering 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, the IDP 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.

MAP 1: Municipal Boundaries



1.2 Goals

1. Maintain the local autonomy of each municipality responsible for decision making within their municipal jurisdiction.
2. Ensure long-term compatibility of future land uses within both municipalities.
3. Recognize that agriculture continues to be an important use of land in the IDP area and support the preservation of agricultural land except where statutory plans support non-agricultural use.
4. Establish plan administration, amendment, and dispute resolution procedures.
5. Identify items that are of importance to the municipalities, and items that may be mitigated through the policies of this Plan. These include:
 - Agricultural Activities
 - Economic Development

- The Environment
- Resource Extraction
- Industrial Development
- Energy Development
- Transportation and Infrastructure

1.3 Municipal Profiles

Wheatland County

Wheatland County encompasses an area approximately 460,000 hectares (1.1 million acres) in size and has a population of 8,788 (Census Canada 2016). Wheatland County surrounds four urban municipalities, twelve hamlets and a number of other communities not officially designated as hamlets. The County is bordered by six rural municipalities, one urban municipality, and Siksika Nation to the south. A portion of Wheatland County that surrounds the Town of Strathmore is within the Calgary Metropolitan Region Board jurisdiction. The economy of the Wheatland County is based on agriculture and energy resource development. The Red Deer River and Bow River are the major watercourses within the County.

Rocky View County

Rocky View County encompasses an area approximately 393,463 hectares (972,264 acres) in size and has a population of 39,407. Seven urban municipalities and thirteen hamlets are contained within the County. Rocky View County also shares borders with five rural municipalities, one Special Area, and two First Nations. The economy of Rocky View County is based on agriculture, energy resource development, services, and manufacturing. Two rivers, the Bow and the Elbow, are the major watercourses within the County.

1.4 Legislative Framework

Intermunicipal Development Plans (IDPs) are now mandatory for all municipalities to complete with their municipal neighbours. However, Bill 25 amended Section 631 of the Municipal Government Act (MGA) to include a new subsection that states if the two municipalities that are mandated to enter into an IDP agree they do not require one, they are not required to enter into one.

Municipal Government Act (MGA)

The Intermunicipal Development Plan was prepared in accordance with the requirements of Sections 631, 636, and 638.1 of the *Municipal Government Act* (MGA). The MGA mandates that when an IDP is completed between neighbouring municipalities, the document must address the following items:

- 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 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.

South Saskatchewan Regional Plan (SSRP)

The South Saskatchewan Regional Plan, established under the Land Use Framework and the Alberta Land Stewardship Act, creates a long-term vision for the South Saskatchewan Region. The SSRP aligns provincial policies at the regional level to balance Alberta's economic, environmental and social goals. The regional plan also includes strategies for responsible energy development, sustainable farming and ranching, recreation, forest management, and nature-based tourism. As Rocky View County and Wheatland County are within the SSRP area boundaries, both municipalities are required to align with the direction and policies of the document to achieve the goals and strategies of the Land Use Framework and the Alberta Land Stewardship Act.

Calgary Metropolitan Regional Board (CMRB)

The Calgary Metropolitan Region Board was established

- to promote long term sustainability of the Calgary Metropolitan Region;
- to ensure environmentally responsible land-use planning, growth management, and efficient use of land;
- to develop policies regarding the coordination of regional infrastructure investment and service delivery; and
- to promote the economic well-being and competitiveness of the Calgary Metropolitan Region.

To fulfill this mandate, the CMRB is developing a long-term Growth Plan and Servicing Plan. While the long-term Plans are being completed, an Interim Growth Plan has been adopted to provide guidance on land-use, growth, and infrastructure planning matters. The Interim Growth Plan enables development to proceed prior to the adoption of the long-term Growth Plan and Servicing Plan.

Any statutory plan passed or amended by member municipalities must conform with the Interim Growth Plan until the Growth Plan and Servicing Plan are approved and adopted. Statutory plans and amendments approved under the Interim Growth Plan will remain in full effect once the Growth Plan and Servicing Plan are approved and adopted. Rocky View County is a member municipality within the CMRB and is therefore subject to the requirements of this plan. Only a portion of Wheatland County, around the Town of Strathmore, is within the CMRB. The Rocky View County and Wheatland County Intermunicipal Development Plan has been drafted in consideration of the principles of the Interim Growth Plan.

2.0 Plan Area

2.1 Plan Preparation Process

The Intermunicipal Development Plan was jointly prepared by Rocky View County and Wheatland County. The project received oversight from a Review Committee consisting of Councillors and Senior Administration from both municipalities. The plan was developed through four stages:

Stage 1: Research, analysis, and stakeholder input

Stage 2: Draft IDP and review of the IDP by the Committee

Stage 3: Public review of the IDP to receive suggestions and representations

Stage 4: IDP approval process

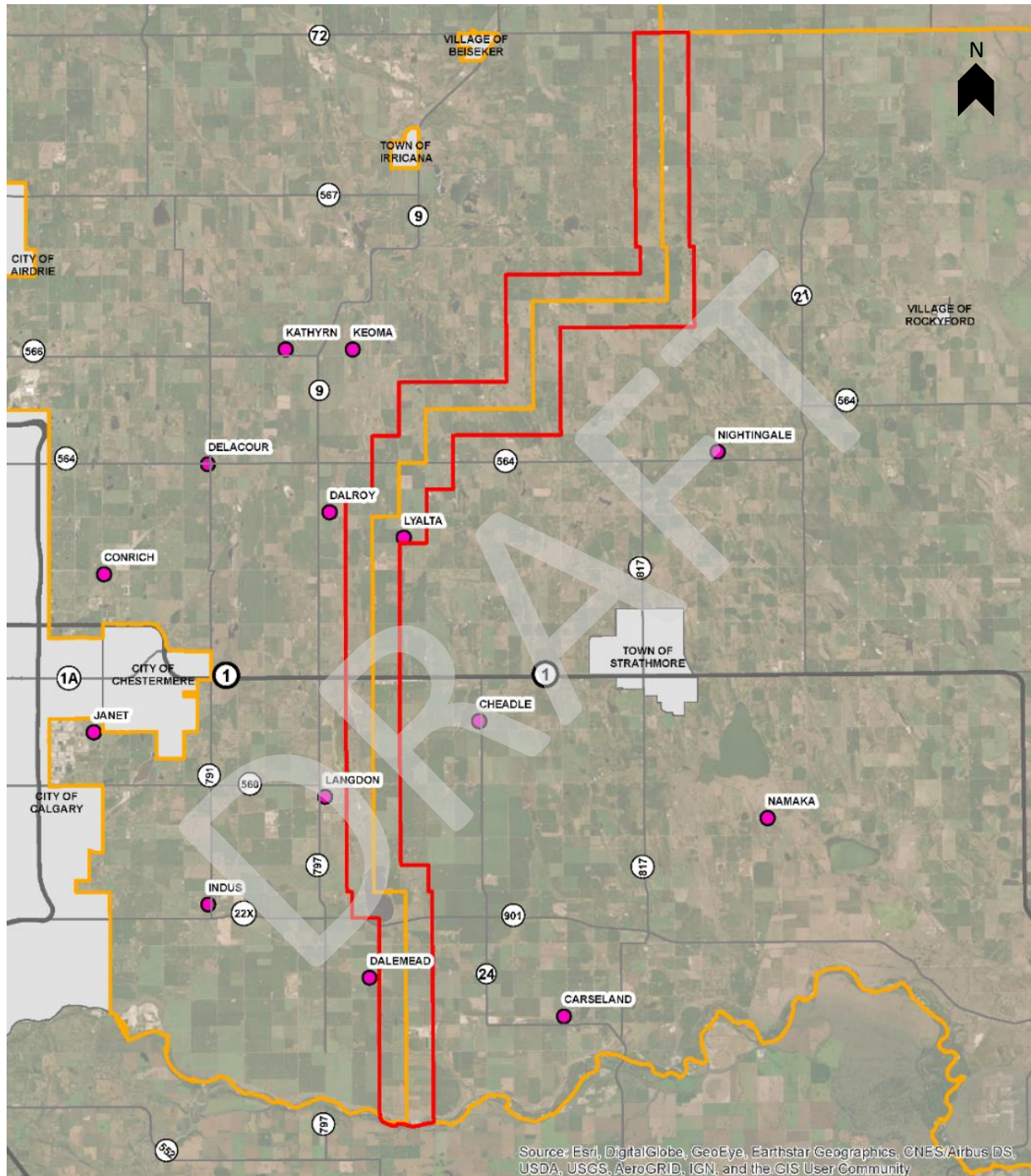
2.2 Intermunicipal Development Plan Area

The Plan Area consists of an area approximately 1.6 km (1 mile) on either side of the shared municipal boundary. The Plan Area is approximately 27,690 hectares (68,424 acres) in size (see Map 2).

To determine the extent of the Plan Area, the municipalities considered a number of opportunities and constraints within the Plan Area, including:

- Residences and Developed Areas
- Existing and Potential Land Use
- Development Potential
- Growth Potential along the Highway 1 corridor
- Environmentally Significant Areas
- Transportation Corridors
- Oil and Gas Activity
- Confined Feeding Operations (CFOs)
- Existing and Potential Areas of Aggregate Extraction
- Historical Resource Value (HRV) Sites

MAP 2: IDP Area



3.0 Land Use Policies

3.1 General Land Use Policies

The land use policies contained in this Plan are intended to provide direction to Rocky View 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.

Policies

- 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 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.
- 3.1.3 The municipalities 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.
- 3.1.4 Non-agricultural development within the Plan Area shall be aligned with each municipality's Municipal Development Plan (MDP) or other statutory plans (e.g. Area Structure Plans).
- 3.1.5 The 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.

3.2 Highway Growth Area Land Use Policies

Objective

The Plan Area contains multiple highway corridors that provide development opportunities. Both municipalities recognize the need to collaborate in these areas in order to avoid potential development conflicts.

Policies

- 3.2.1 The municipalities recognize the future growth potential of the lands adjacent to Highway 1. Applications within the Plan Area adjacent to Highway 1 should be considered in accordance to local statutory plans and the policies of this plan.
- 3.2.2 Applications within the Plan Area adjacent to Highway 1 should consider using the natural land features, sight lines, setbacks, innovative building design, and high quality landscaping and signage to achieve a high quality appearance.

3.3 Agriculture

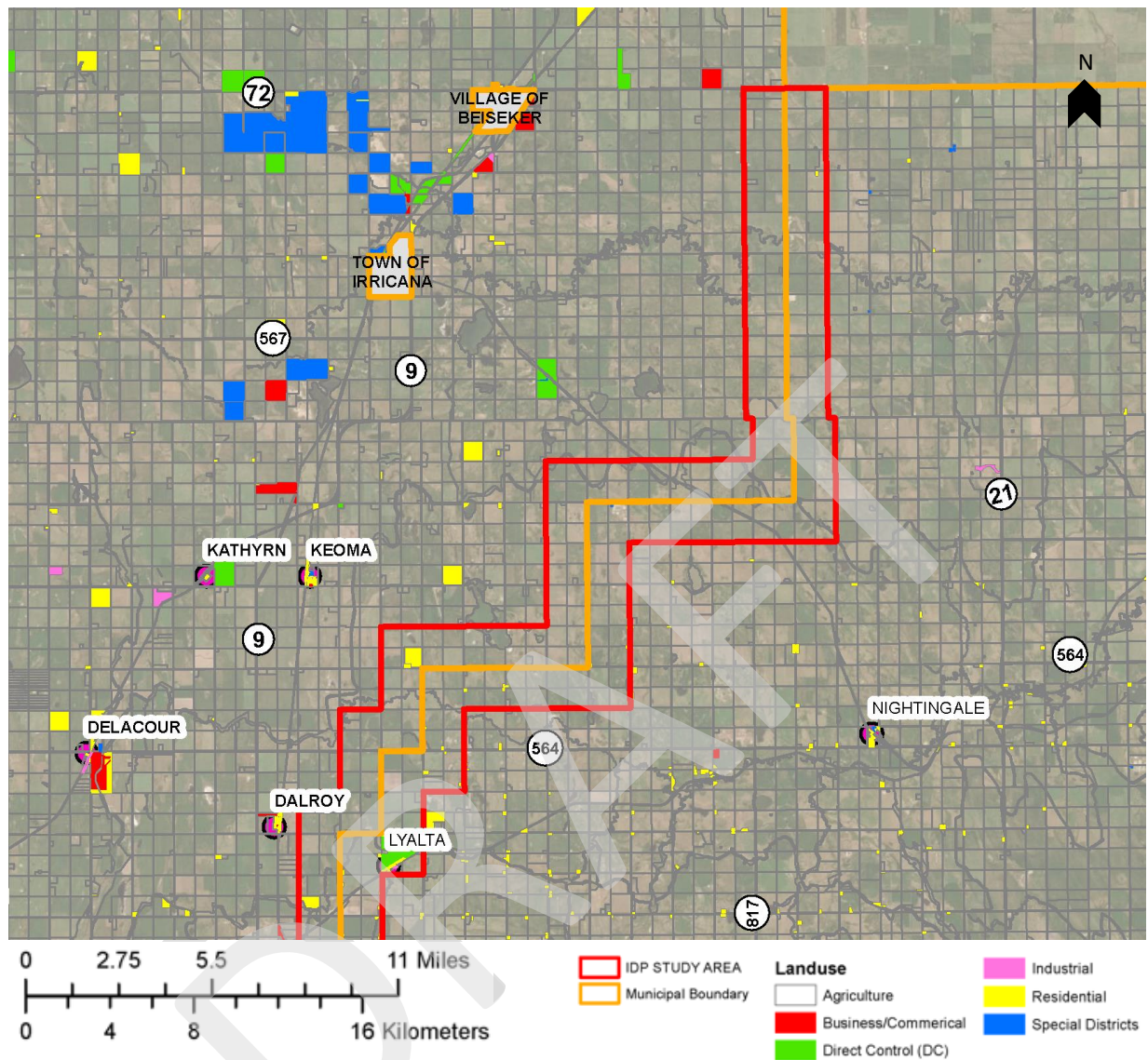
Objective

Promote and support agricultural development within the Plan Area and encourage the use of transition land uses or buffers to avoid potential conflicts between agricultural and non-agricultural uses.

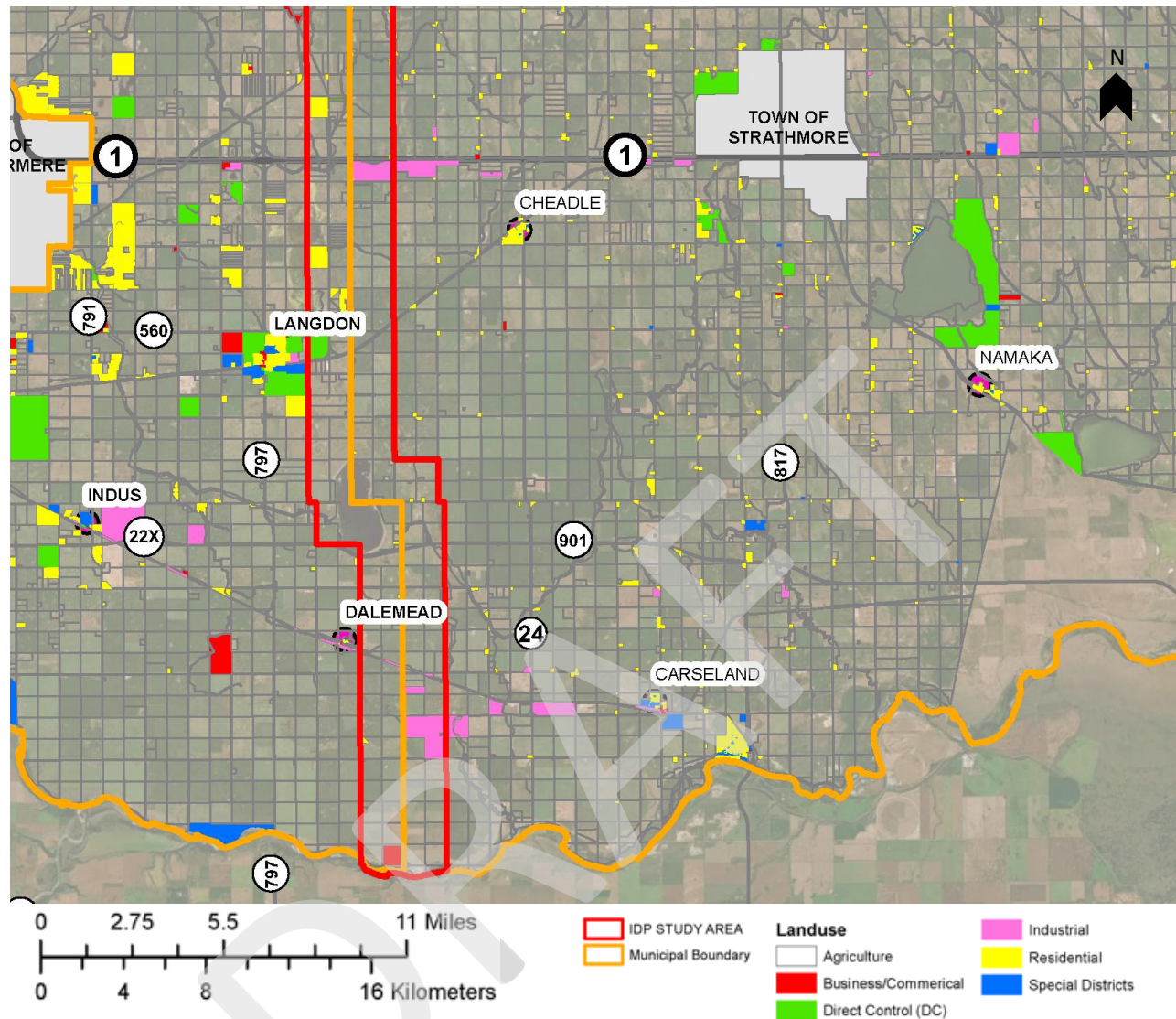
Policies

- 3.3.1 Applications for non-agricultural development within the Plan Area should consider interface or transition tools such as fencing, controlled access and site design, environmental stewardship, and environmental education.
- 3.3.2 Both municipalities will encourage awareness of the best farming practices for dust, weed, and insect control adjacent to developed areas, in accordance with the Agricultural Operations Practices Act.
- 3.3.3 Applications for new or expanded CFOs within the Plan Area shall be referred to the adjacent municipality.

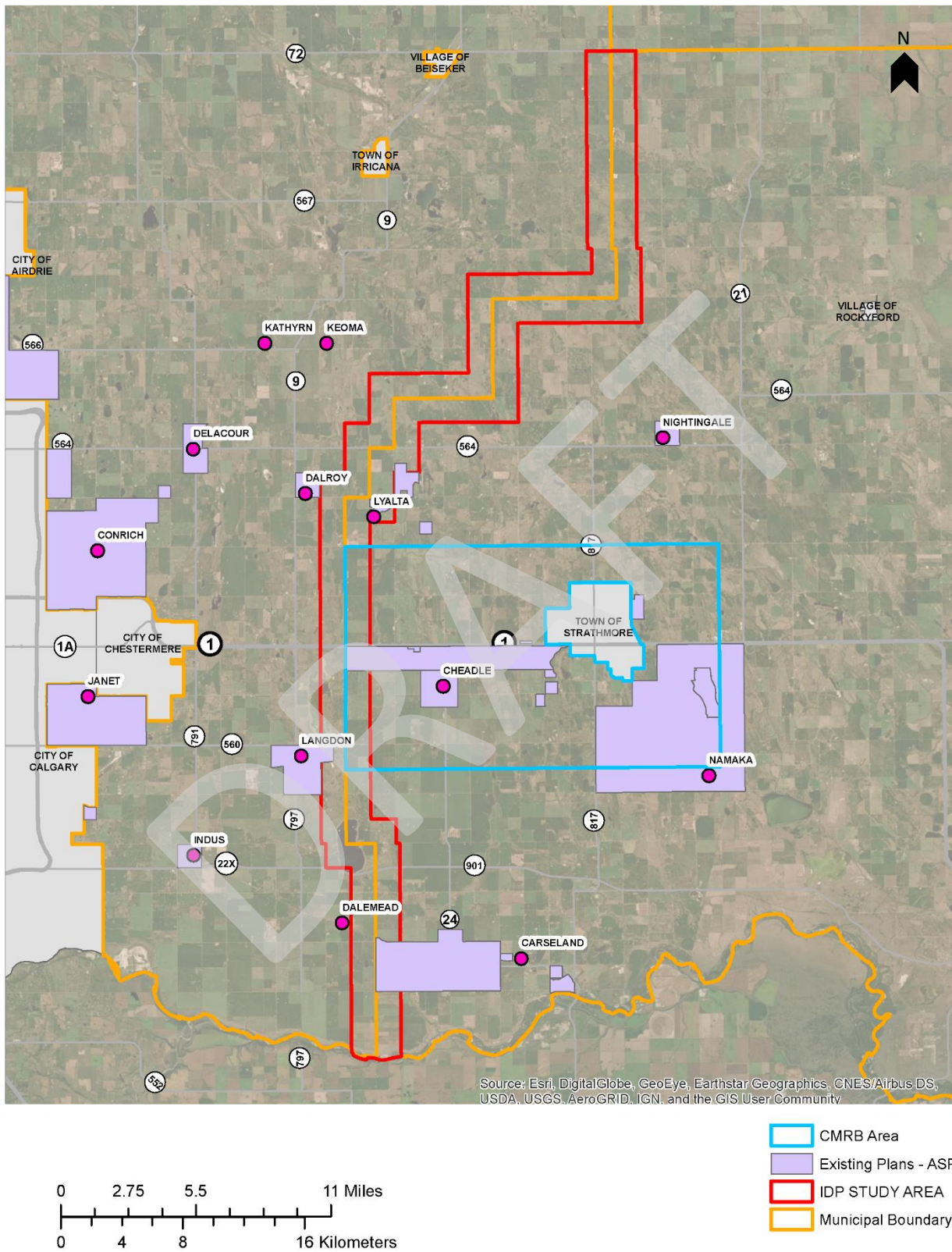
MAP 3a: Land Use – North



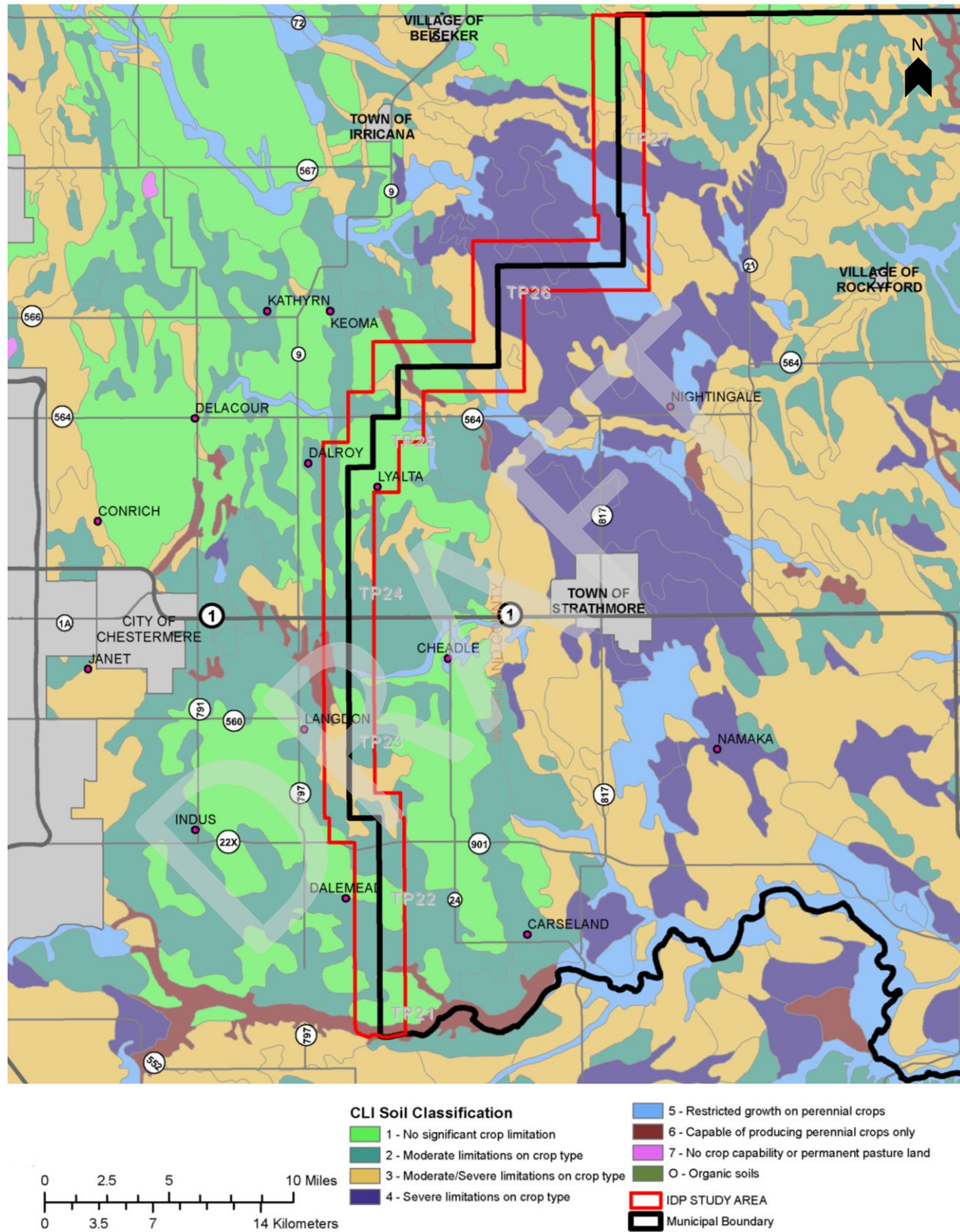
MAP 3b: Land-Use – South



MAP 4: Existing Statutory Plans



MAP 5: Soil Classifications



3.4 Environmental & Open Space Policies

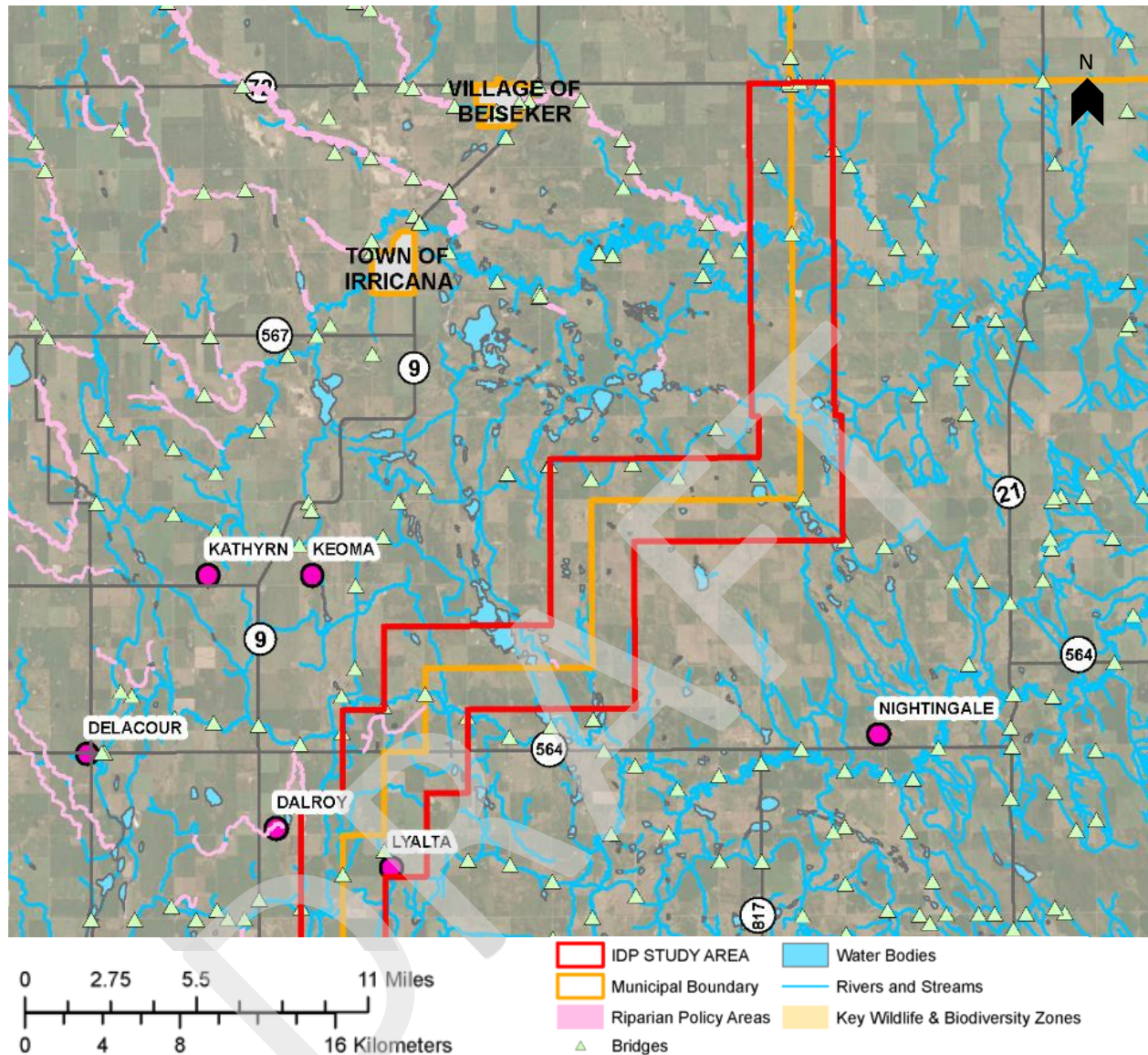
Objective

The Red Deer River and Bow River watershed are both located within the Plan area. They provide a multitude of ecological and aesthetic value 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 where appropriate.

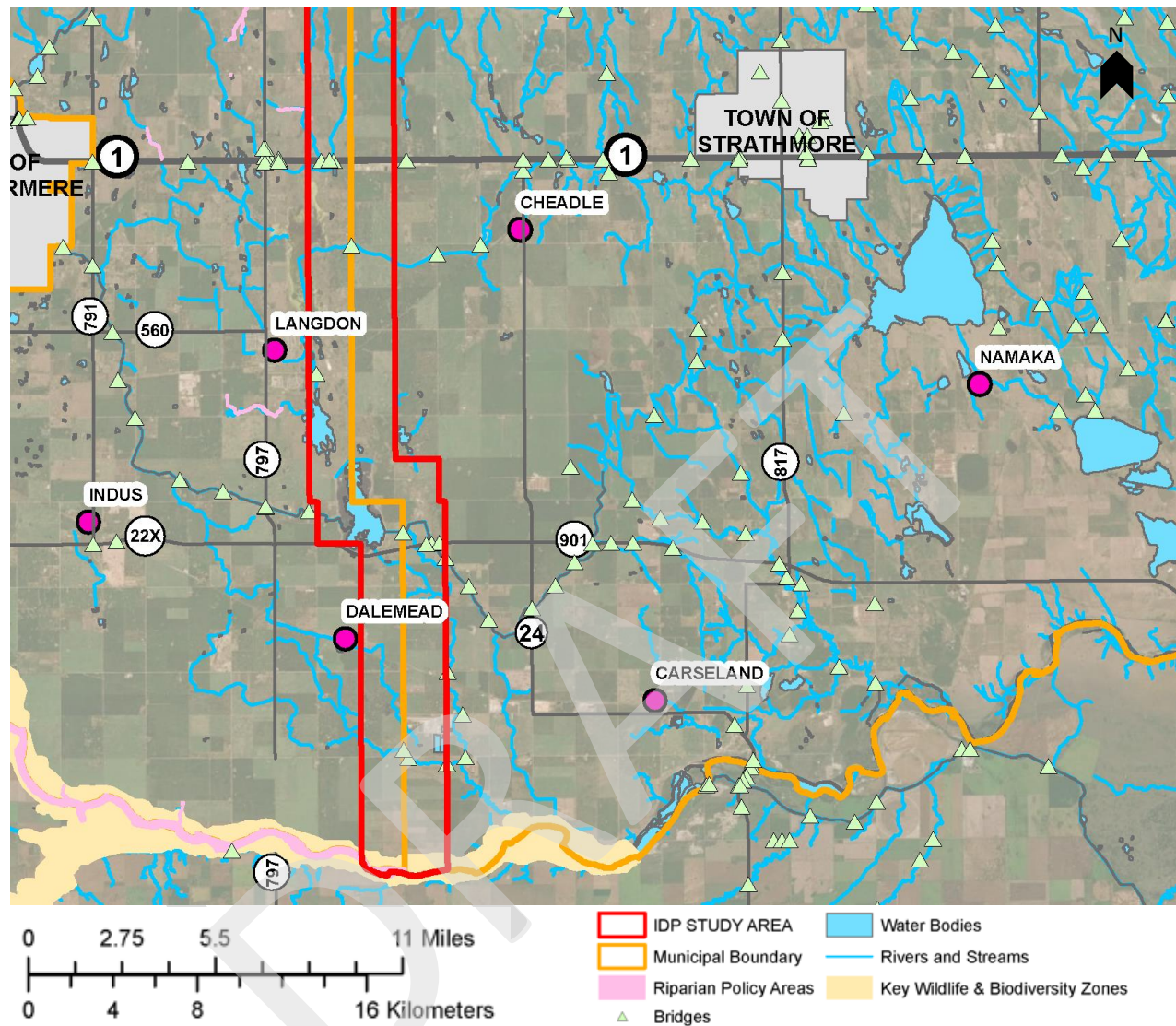
Policies

- 3.4.1 Both municipalities should consider the provincial Wetland Policy when making land use decisions in the Plan Area with the goal of sustaining the environmental benefits provided by wetlands.
- 3.4.2 The use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate tools in the Plan Area is encouraged to protect or preserve environmentally significant or sensitive areas.
- 3.4.3 Each municipality should consider and support the alignment and connection of wildlife corridors, regional active transportation plans, and open spaces.

MAP 6a: Hydrology – North



MAP 6b: Hydrology – South



3.5 Utilities, Resource Extraction, & Energy Development

The demand for energy, resource extraction, and telecommunication development is important to the local economy, but needs to be balanced with the needs of residents by addressing potential impacts within the Plan Area on the adjacent municipality.

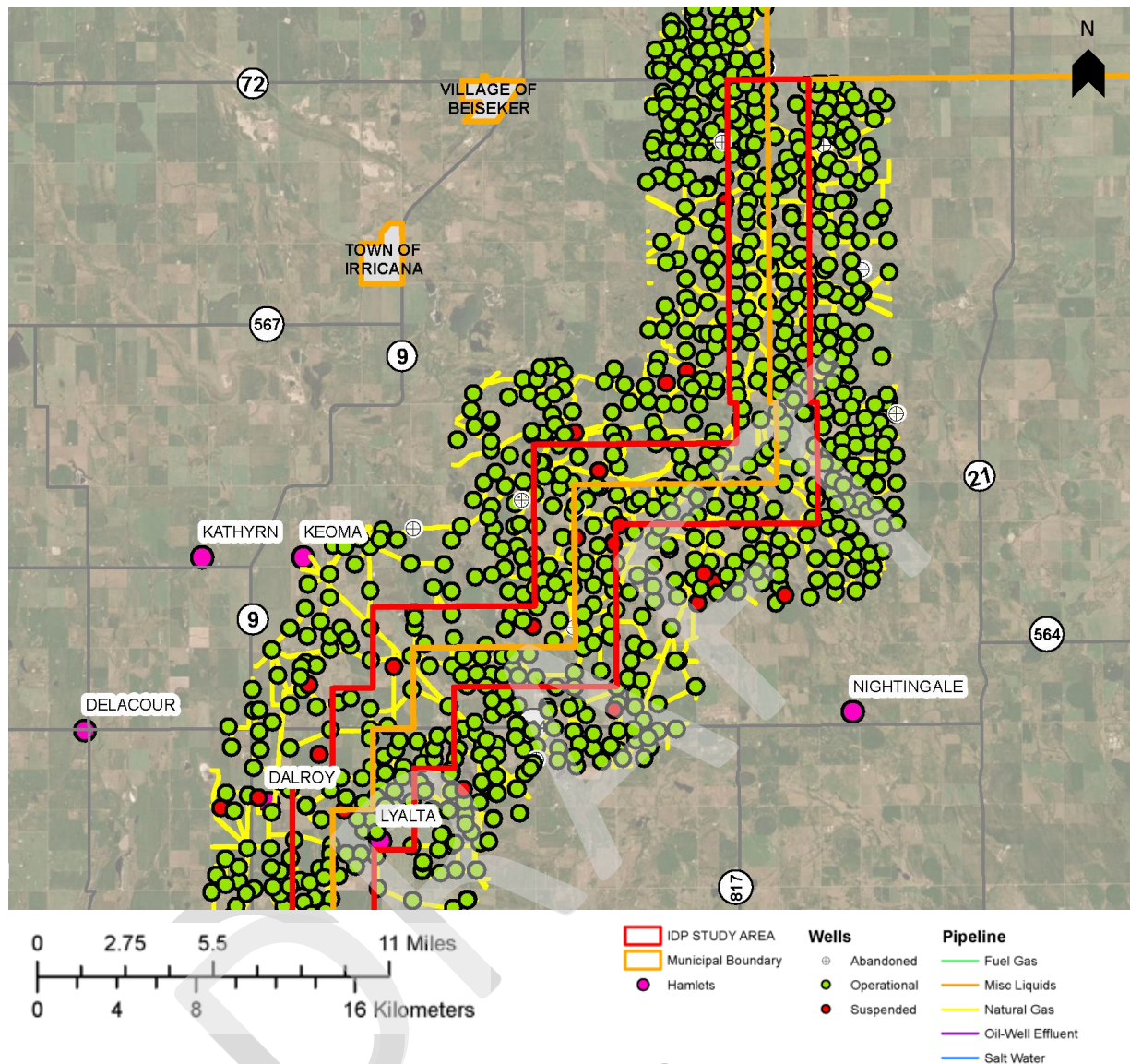
Objective

To give each municipality the ability to provide comments to applicants and approving authorities/agencies regarding applications for utilities, resource extraction, and energy development within the Plan Area and municipality.

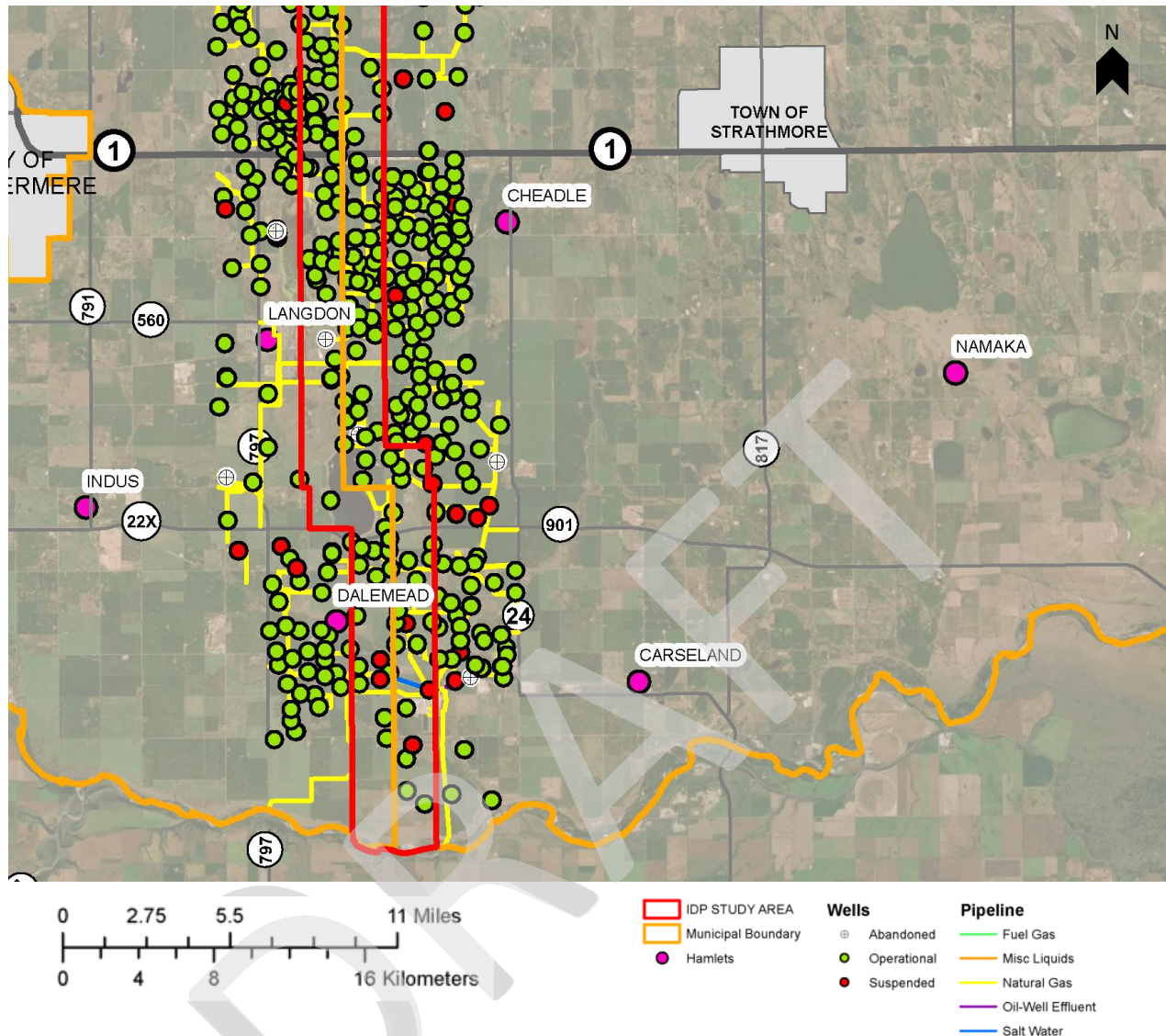
Policies

- 3.5.1 Applications for a new or expanded aggregate extraction operation within the Plan Area shall be referred to the adjacent municipality.
- 3.5.2 Applications for a new or expanded aggregate extraction operation that will result in access being required from a road under the other municipality's jurisdiction shall be referred to that municipality.
- 3.5.3 Either municipality may require an agreement regarding the construction, repair, and maintenance of any municipal roads that may be impacted by an aggregate extraction operation when development requires access from a road under the other municipality's jurisdiction.
- 3.5.4 Applications for a new or expanded renewable energy development within the Plan Area shall be referred to the adjacent municipality. Examples include, but are not limited to, solar power structures and facilities, wind power structures and facilities, and hydroelectric facilities. Small scale renewable energy developments that either do not require a development permit or are listed as a permitted use in the applicable Land Use Bylaw do not require referral to the other municipality.
- 3.5.5 Applications for new or expanded telecommunications towers within the Plan Area shall be referred to the adjacent municipality.
- 3.5.6 Applicants shall be requested to co-locate telecommunications facilities on existing towers where feasible.

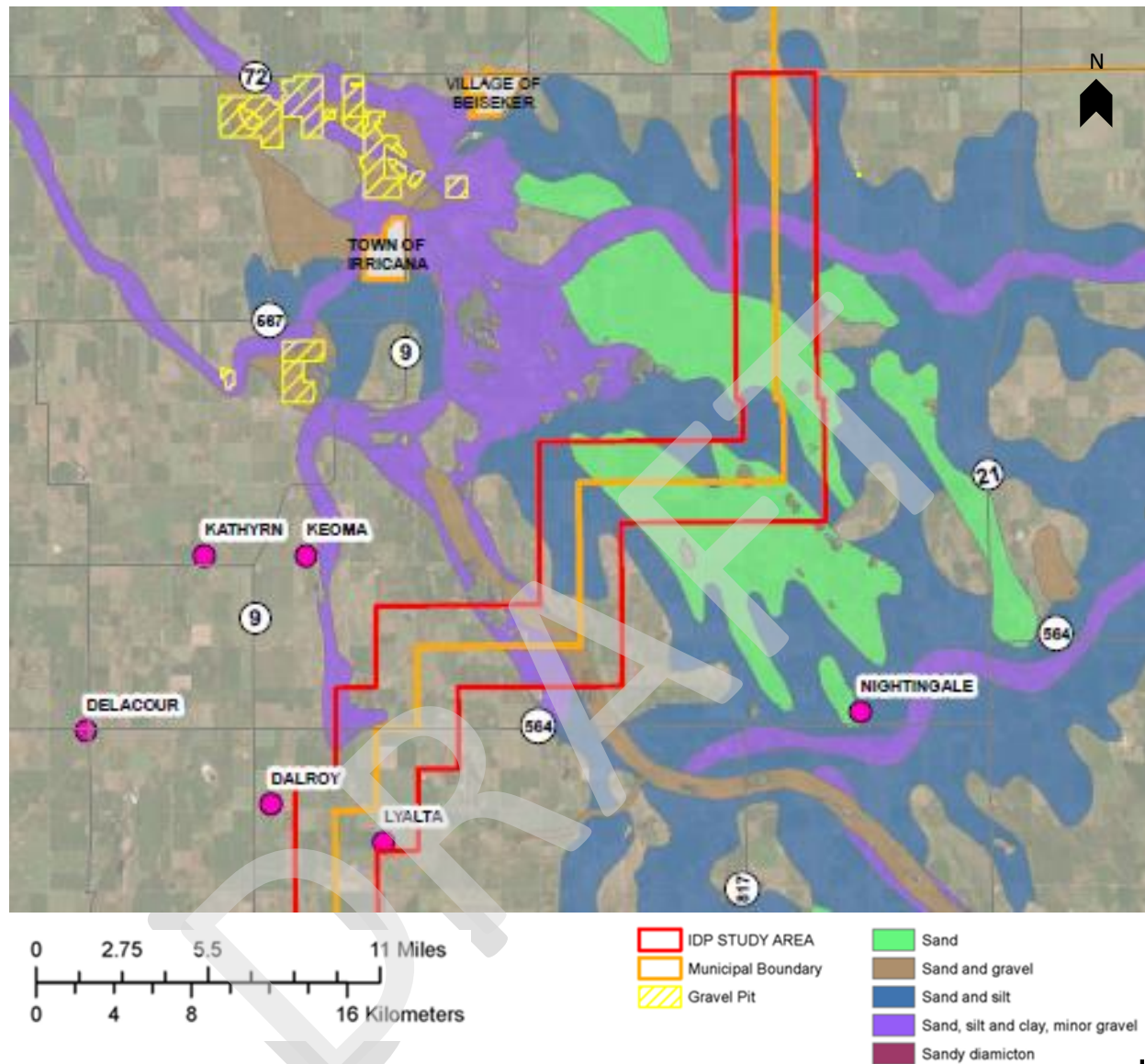
MAP 7a: Oil and Gas – North



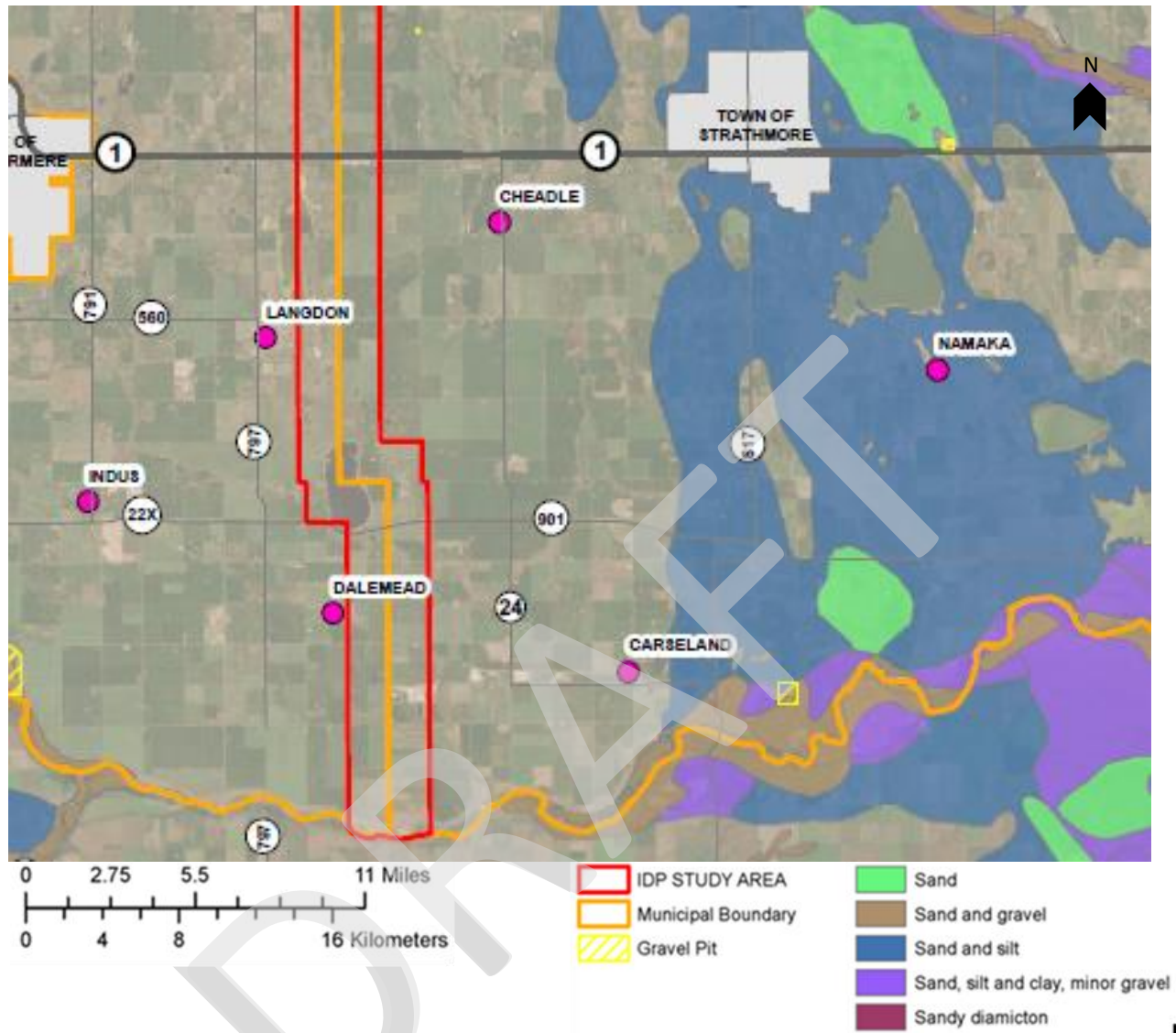
MAP 7b: Oil and Gas – South



MAP 8a: Sand and Gravel – North



MAP 8b: Sand and Gravel – South



3.6 Transportation Policies

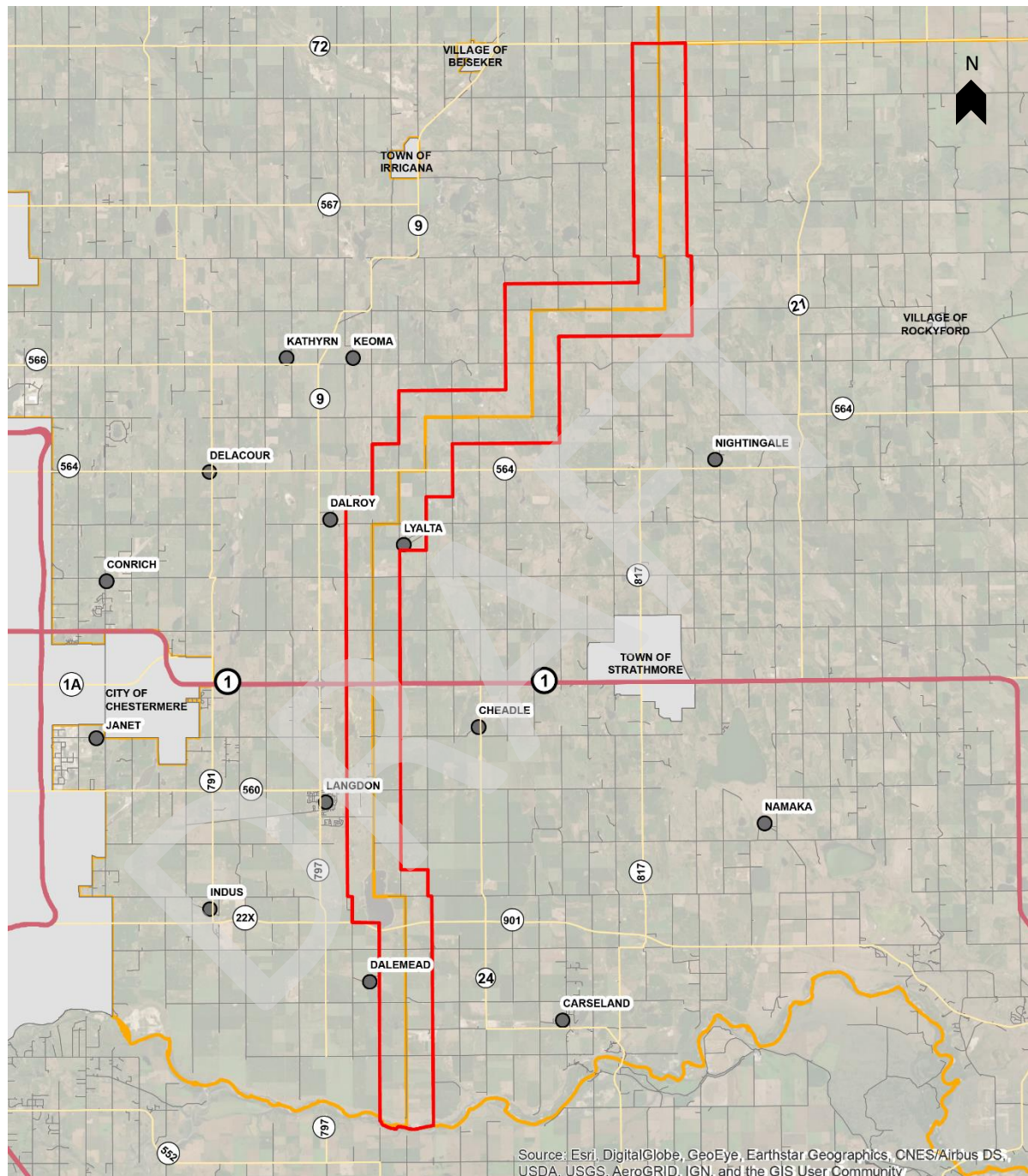
Objective

Each municipality should assess the impact of development on provincial highways and municipal roads located within the Plan Area and strive to mitigate development impacts on transportation infrastructure.

Policies

- 3.6.1 Land use redesignation, subdivision, or development applications proposing access directly to a roadway under the jurisdiction of the adjacent municipality should not be approved without the written consent of the affected municipality.
- 3.6.2 In order to mitigate concerns such as dust control, traffic generation, and road maintenance, either municipality may require that a developer proposing land use redesignation, subdivision, or development applications enter into a Road Use Agreement if:
 - a) Direct access to the development is required from a road within its jurisdiction;
 - b) Primary access to the development utilizes a road within its jurisdiction; or
 - c) A proposed haul-route utilizes roads within its jurisdiction.
- 3.6.3 Each municipality shall be notified of any road closure or development of an undeveloped road that will result in access being increased, decreased, or removed for a road under its control or jurisdiction. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period, it will be determined that the municipality has no comments.
- 3.6.4 The road network shall be maintained by the municipality having jurisdiction, unless a separate agreement specifies joint maintenance, maintenance swap, or any other terms acceptable to both municipalities.
- 3.6.5 Both municipalities are encouraged to collaborate on future regional public transit opportunities that may arise. This may include cooperation on public communications, routing and network analysis, or location of transit stops.
- 3.6.6 Both municipalities are encouraged to collaborate on future active transportation opportunities that may arise. This may include cooperation on regional pathways, maintenance, or other infrastructure.

MAP 9: Transportation



0 2.75 5.5 11 Miles
0 4 8 16 Kilometers

- IDP STUDY AREA
- Municipal Boundary
- Major Highway/Expressway
- Secondary Highway
- Roads

4.0 Plan Administration & Implementation

The administration and implementation of policies contained in this Plan are intended to assist Rocky View County and Wheatland County administrations, subdivision and development authorities, and Councils with the initial and ongoing execution of this Plan over its lifespan and define the roles of each municipality in the Plan execution.

4.1 Interpretation

Objective

To ensure the policies of this Plan are interpreted in the manner in which they were intended.

Policies

- 4.1.1 All references to a specific agency, body, or department were accurate at the time of writing this Plan. All references throughout the Plan shall therefore be considered applicable to the current relevant agency, body, or department.
- 4.1.2 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act, Chapter 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.
- 4.1.3 The relative boundaries or any variable presented on the maps contained in this Plan, except for the boundaries of the Plan Area, shall be interpreted as an approximation and not a precise depiction of its actual or full extension.

4.2 Intermunicipal Committee

Objective

To ensure an ongoing process for maintaining the IDP and keeping it applicable through the creation of a committee with joint representation to promote active cooperation and conflict resolution through a consensus-based approach.

Policies

- 4.2.1 For the purposes of administering and monitoring the IDP, Rocky View County and Wheatland County shall establish an Intermunicipal Committee ("the Committee").
- 4.2.2 Membership of the committee shall be composed of an even number of members from each municipality.
- 4.2.3 Rocky View 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 redesignation applications, subdivision applications, changes to the land use by laws, statutory plans, or other policy or regulatory amendments affecting the Plan Area;
 - e) address issues in relation to the implementation of Plan policies;
 - 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.
- 4.2.4 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.
- 4.2.5 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 three quarters of the Committee members' agreement noted.
- 4.2.6 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.
- 4.2.7 At least one (1) member of each municipality's administrative staff should attend each meeting in the capacity of technical, non-voting advisor.
- 4.2.8 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.
- 4.2.9 Any changes to the Committee format, composition, roles, responsibilities or any aspect of its existence or operation may be requested by either municipality.
- 4.2.10 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution Process in Section 5 of this Plan shall be adhered to.

4.3 Intermunicipal Referral Policies

Objective

Ensure that a clear and consistent notification and communication process is in place for all applications within the Plan Area.

General Policies

- 4.3.1 Where an intermunicipal referral is required by the MGA or the policies contained in this Plan, each municipality agrees to provide the other municipality with the required landowner information for the circulation area.
- 4.3.2 Where a plan or bylaw, including amendments, or application requires notifications to be sent to a municipality that is external to this Plan, the referring municipality shall follow the referral requirements outlined in the MGA, or where applicable, those contained in a relevant Intermunicipal Development Plan.
- 4.3.3 Administrative staff or representatives for Rocky View County and Wheatland County are encouraged to discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments or redesignation of lands, which may impact the Plan Area.
- 4.3.4 Administrative staff or representatives for Wheatland County and Rocky View County are encouraged to refer to the other municipality notices for community consultation events (e.g. open houses) regarding draft Statutory Plans and Land Use Bylaws, including amendments, which may impact the Plan Area.
- 4.3.5 Administrative staff or representatives for Wheatland County and Rocky View County are encouraged to discuss with one another forthcoming subdivision and development applications that may have significant impact on lands within the Plan Area.

Response Timelines

- 4.3.6 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 'complete' development permit applications;
 - b) 21 calendar days for all 'complete' subdivision applications; and
 - c) 30 calendar days for all other intermunicipal referrals.
- 4.3.7 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.

Statutory Plans

- 4.3.8 A newly proposed Municipal Development Plan or an amendment to a Municipal Development Plan shall be referred to the other municipality for comment prior to a public hearing.
- 4.3.9 A newly proposed statutory plan or amendment to a plan (e.g. Intermunicipal Development Plans, Area Redevelopment Plans and Area Structure Plans) shall be referred to the other municipality for comment prior to a public hearing.

Non-Statutory Plans

Non-statutory plans are those plans that are adopted by a resolution of Council; these may include outline plans, area concept plans, conceptual schemes, or similar plans.

- 4.3.10 All non-statutory plans or amendments to a non-statutory plan in support of proposed development located within the Plan Area shall be referred to the adjacent municipality for comment prior to approval.
- 4.3.11 Notices for community consultation events pertaining to non-statutory plans or amendments are encouraged to be referred to the adjacent municipality.

Land Use Bylaws

- 4.3.12 A newly proposed Land Use Bylaw in either municipality shall be referred to the other municipality for comment prior to a public hearing.
- 4.3.13 All Land Use Bylaw amendments pertaining to the Plan Area shall be referred to the other municipality prior to a public hearing.

Subdivision and Development Permit Applications

- 4.3.14 All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.
- 4.3.15 All Development Permit Applications for discretionary uses within the Plan Area where no approved Area Structure Plan, Area Redevelopment Plan, or Local Plan (Area Concept Plan, Conceptual Scheme, Master Site Development Plan) is in place shall be referred to the adjacent municipality for comment prior to a decision being issued.
- 4.3.16 Both municipalities are encouraged to share with the other municipality, the results of all publicly available technical analyses required by a Subdivision and Development Authority as part of an application.

Consideration of Responses

- 4.3.17 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 included in the information package provided to the approving authority considering the application as part of the public hearing and shall be given due consideration by the Council when making their decision.
- 4.3.18 Comments from the responding municipality regarding subdivision and development permit applications shall be considered by the approving authority in the municipality in which the application is being proposed, prior to a decision being rendered on the application.

4.4 Intermunicipal Services

Objective

To ensure a coordinated approach and efficient delivery of services for water, wastewater, stormwater, solid waste, emergency services, and recreation in alignment with any adopted Intermunicipal Collaboration Framework (ICF).

Policies

- 4.4.1 Matters pertaining to service agreements shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by Rocky View County and Wheatland County.

4.5 Adoption, Amendment, & Repeal Process

Objective

Provide requirements for on-going monitoring of the IDP once adopted by both municipalities. Additionally, the policies include the process for periodic review, amendments, and eventual appeal that may be required.

Policies

- 4.5.1 The policies of this plan apply to lands located within the Plan Area.
- 4.5.2 This plan comes into effect following adoption by the respective Councils of Rocky View County and Wheatland County.
- 4.5.3 Amendment of the IDP shall receive direction from both Councils prior to proceeding and shall be jointly prepared by the Administrations.
- 4.5.4 Amendments to the plan shall not come into force until they are adopted by the Councils of both municipalities, in accordance with the requirements of the MGA.
- 4.5.5 A Bylaw to repeal this IDP may be considered by both Councils if:
- a) The repealing Bylaw considers a new IDP; or
 - b) If the repealing Bylaw complies with Provincial legislation.
- 4.5.6 In the case where only one municipality wishes to repeal the Plan, 120 days' notice shall be given to the other municipality stating the intent and reasons for repealing the Plan. Both Councils shall pass the bylaw repealing the Plan and adopting a new IDP for the repeal to take effect.
- 4.5.7 Should only one municipality wish to repeal the Plan, the dispute resolution process in Section 5.0 shall be initiated.
- 4.5.8 A joint Administrative review of the IDP shall be scheduled no later than four (4) years from the date of adoption and shall be steered by the Intermunicipal Committee.

- 4.5.9 Aside from the Intermunicipal Committee, administrative staff of both municipalities are strongly encouraged to review the policies of the Plan and any legislative changes 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.
- 4.5.10 The municipalities agree to comply with the adopted regional plan strategies and are of the opinion this Plan aligns with the South Saskatchewan Regional Plan.
- 4.5.11 Rocky View County is a member municipality in the Calgary Metropolitan Regional Board, and is therefore subject to the requirements of the CMRB and the Interim Growth Plan and any subsequent Growth Plan. A portion of Wheatland County is within the CMRB Plan Area, and as such the lands within this area are subject to the requirements of the CMRB and the Interim Growth Plan and any subsequent Growth Plan.

5.0 Dispute Resolution

Objective

To establish a dispute resolution process that facilitates communication and cooperation among the municipalities.

To acknowledge that each municipality has the right to make decisions within its boundaries while recognizing that these decisions can have an impact beyond the borders of one municipality.

In order to ensure that the relationship between the two municipal neighbours remains strong, Rocky View County and Wheatland County agree to the following:

- (a) The municipalities respect the right to maintain jurisdiction over decisions made within their boundaries.
- (b) The municipalities understand the potential for those decisions to impact the adjacent municipality.
- (c) The municipalities understand the importance of notification and communication with the adjacent municipality in order to ensure that potential concerns are addressed.

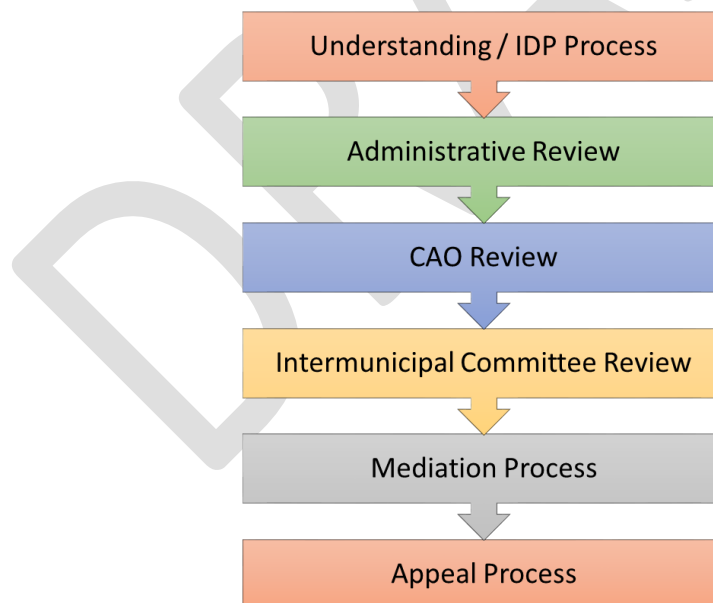
5.1 Dispute Resolution Process

While both municipalities are committed to a positive relationship, this plan recognizes that disputes may arise. In such an event, the following process should be used in order to reach a solution:

- 5.1.1 Should either municipality identify a potential concern related to an application referral provided through the policies of this plan, written notification shall be provided at the administrative level.
- 5.1.2 The municipalities should provide additional clarification, technical documents, or other information as required in order to satisfy the concerns of the adjacent municipality. Meetings or further discussion may be required.

- 5.1.3 Should the matter fail to be resolved, each municipality should escalate the matter to their respective Chief Administrative Officer (or designate) for further guidance.
- 5.1.4 Should the matter fail to be resolved administratively, a municipality may request that the matter be referred to the Intermunicipal Committee.
- 5.1.5 Should the matter fail to be resolved by the Intermunicipal Committee, formal mediation may be initiated.
- a) A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter a mediation process.
 - b) The municipalities shall share equally in the cost of mediation, including any remuneration, travel, and lodging expenses associated with the mediation.
- 5.1.6 Should a dispute involve an application subject to Section 690(1) of the MGA, the municipalities may submit an appeal to the Municipal Government Board within 30 days of adoption, in order to maintain the right to appeal.
- 5.1.7 Notwithstanding (above), the appeal may be withdrawn prior to the Municipal Government Board hearing should an agreement be reached to the satisfaction of the municipalities.

5.2 Dispute Resolution Process Summary



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 Statutes 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 Statutes 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. For the purposes of this IDP the definition of an Area Structure Plan also includes Area Redevelopment Plan (ARP) as defined within the MGA.

Biophysical Impact Assessment: means the assessment of the biological and physical elements for the purpose of reducing the potential impacts of the proposed development on the natural environment. The report details specific components of the environment such as topography, geology, hydrology, soils, vegetation, wildlife, and biodiversity (terrestrial and aquatic) for a specific development area. Mitigation measures are suggested to minimize or eliminate potential environmental concerns.

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

Calgary Metropolitan Region: The lands lying within the boundaries of the participating municipalities of the Calgary Metropolitan Region Board.

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.

Conservation Reserve: As defined by the Municipal Government Act and used for the purpose of conserving environmentally significant features that cannot be required to be provided as environmental reserve.

Council(s): The Council of Rocky View County and the Council of Wheatland County 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.

Energy Industry or Energy 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. The lands can consist of water bodies, steep slopes, gullies, or drainage courses, and would be required to remain in its natural state.

Environmental Reserve Easement: Similar to an Environmental Reserve, the ERE however allows the title to remain under the landowner, instead of with the municipality. Similar restrictions apply with an easement, such that the land would be left in its natural state.

Environmentally Significant Area (ESA) means an area defined as an Environmentally Significant Area within the applicable land use bylaw of the approving municipality.

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.

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 Rocky View County and Wheatland County.

Municipal Government Act (MGA): The Municipal Government Act Revised Statutes 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.

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: Rocky View County and Wheatland County Intermunicipal Development Plan.

Plan Area: The lands defined in this document on Map 2 noted as “Plan Area” (approximately 1 to 1.5 miles on either side of the shared border) 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.

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.

South Saskatchewan Regional Plan (SSRP): The Regional Plan and regulations for the South Saskatchewan Regional Plan area established by Order of the Lieutenant Governor in Council Pursuant to the *Alberta Land Stewardship Act*.

Stakeholder: A person with an interest or concern in matters pertaining to this 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 Rocky View County means Rocky View County Subdivision and Development Authority, and within the boundary of the Wheatland County means the Wheatland County Subdivision and Development Authority.