

BYLAW 7-2020

A BYLAW OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ADOPTING AN INTERMUNICIPAL DEVELOPMENT PLAN.

AS:

- A. section 631 of the *Municipal Government Act*, RSA 2000, c M-26, as amended, enables two or more councils to adopt an intermunicipal development plan by each passing a bylaw; and
- B. Beaver County and Strathcona County wish to adopt an intermunicipal development plan as provided in this bylaw.

THEREFORE Council enacts as follows:

- 1. This bylaw may be cited as the "Strathcona County and Beaver County Intermunicipal Development Plan".
- 2. The document entitled "Strathcona County and Beaver County Intermunicipal Development Plan" attached to this bylaw as Schedule "A" is hereby adopted as an intermunicipal development plan pursuant to the *Municipal Government Act*, RSA 2000, c M-26, as amended.
- 3. This bylaw comes into force March 27, 2020.

Read a first time this _____ day of _____, 2020.

Read a second time this _____ day of _____, 2020.

Read a third time this _____ day of _____, 2020.

Signed this _____ day of _____, 2020.

Mayor

Director,
Legislative and Legal Services



STRATHCONA COUNTY AND BEAVER COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW 7-2020



1. Introduction

An Intermunicipal Development Plan (IDP) is a high-level statutory plan jointly developed by two or more neighbouring municipalities, and where at least one member is not part of a growth region. An IDP ensures that land use decisions are coordinated between municipalities.

This IDP has been developed in accordance with section 631 of the *Municipal Government Act (MGA)*. Strathcona County and Beaver County (the Counties) have agreed to engage in an IDP to allow for collaborative and cooperative long range planning for land identified within the IDP Area. The IDP will ensure that potential land use conflicts are minimized and that a framework is established for communication and coordination between the Counties.

2. Purpose

The purpose of the IDP is to ensure that land use decisions within the IDP Area are thoughtfully considered through a cooperative planning approach to support the long-term interests of both Counties. The Plan contains policies for:



3. Plan Area

As identified on Map 1 – IDP Area, the IDP Area extends approximately 800 metres from the Strathcona County and Beaver County municipal boundary line. The IDP Area covers approximately 6,883 hectares (17,008 acres) of land. Map 2 – Overview Map provides an aerial view of the IDP Area.

4. Public Engagement

The IDP project had one phase of public engagement, which took place between November and December 2019. The public engagement process provided information to the public on the IDP and generated input from residents through an open house, as well as a comment sheet. The open house was held at the Hastings Lake Community Hall on November 21, 2019.

The comment sheet gathered input from the public on topics including current and future land use, transportation and infrastructure, the environment, and economic and social development within the IDP Area, as well as responsible intermunicipal coordination

between the Counties. Full public engagement results can be found in the Strathcona County and Beaver County Public Engagement Summary (2019).

5. Policy Structure

This document uses specific terminology within policies, as outlined in Table 1, to ensure that they have clear intentions that are designed to be achieved through actions. All policies must contain one of the following actions:

REQUIRE - these policies are compulsory and must be met in order to receive municipal administration support for a proposal. *Require* policies are always paired with *ensure*. *Require* is the compulsory obligation and *ensure* explains the result that is to be achieved.

ENCOURAGE - proposals should be consistent with all applicable *encourage* policies in order to be supported by municipal administration. Proposals which do not meet an applicable *encourage* policy must provide justification to the satisfaction of municipal administration as to why the applicable encourage policy cannot be met. *Encourage* policies are always paired with *promote*. *Encourage* is what is expected and *promote* shows active municipal encouragement for the result that is to be achieved.

CONSIDER - proposals that fall under a *consider* policy will be evaluated on a case-by-case basis and may or may not be supported or enacted by municipal administration based on the specifics of the proposal and how it aligns with the goals and objectives of this plan. *Consider* policies are always paired with *support*. *Consider* is followed by criteria for when an action may be suitable, and *support* shows passive municipal support through the conditional consideration of the result that is to be achieved.

TABLE 1: POLICY TERMS

ACTION		INTENTION	
Require	Is a compulsory obligation	Ensure	To make sure of a result through a requirement
Encourage	Provides direction for what is expected	Promote	Shows active municipal encouragement
Consider	Provides criteria for when actions may be suitable	Support	Shows passive municipal support through conditional consideration



6. Current and Future Land Use

As identified on Map 3 – Current and Future Land Uses, the Strathcona County portion of the IDP Area includes the Beaver Hills Policy Area and the Beaver County portion of the IDP Area includes the Country Residential Area.

The IDP Area also includes the Ministik Lake Game Bird Sanctuary and the Cooking Lake-Blackfoot Provincial Recreation Area, which are identified as Special Status Wildlife Areas. In these areas, wildlife and their habitat are protected through provincial legislation and special land use controls which are outside of municipal jurisdiction. Developments proposed within Special Status Wildlife Areas should be referred to the appropriate provincial agencies.

Agricultural, conservation, and country residential uses have been identified as being the current and future land uses within the IDP Area.

Each County will maintain autonomy within their current municipal boundaries.



6.1 Beaver Hills Policy Area (Strathcona County)

Conservation of the Beaver Hills Moraine is the primary intent of the Beaver Hills Policy Area. The area is also intended to support agricultural operations, recreation, tourism, and limited rural residential.

In 2016, the Beaver Hills Moraine was recognized as a United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Reserve. The Beaver Hills Biosphere encourages working together for a sustainable region, through shared initiatives and collaborative actions.

Goal

Conservation of the Beaver Hills Moraine while providing opportunities to live, work and play in harmony with nature.

Objectives

Strathcona County's objectives are to ensure that the Beaver Hills Policy Area:

1. Provides for the conservation of the Beaver Hills Moraine; and
2. Provides opportunities for agricultural operations.

Policies

Agriculture

1. **Ensure** conservation of the Beaver Hills Moraine by **requiring** that subdivision of agricultural lands is limited.
2. **Promote** opportunities for agricultural operations by **encouraging** the development of agricultural and livestock operations, as well as equine and equestrian facilities.
3. **Support** opportunities for agricultural operations by **considering** agricultural operations such as small and medium scale indoor agriculture and the continued operation and expansion of existing confined feeding operations, where directed within applicable statutory plans.

Residential

4. **Ensure** conservation of the Beaver Hills Moraine by **requiring** that subdivision for residential purposes is limited.



6.2 Country Residential Area (Beaver County)

The intent of the Country Residential Area is to allow country residential development in such a manner as to limit the removal of higher capability agricultural land, emphasize the residential use and development of land, and not cause unacceptable adverse effects on the agricultural economy and community, or the natural environment. In addition, the Country Residential Area recognizes the Beaver Hills Moraine for its significant and sensitive environmental features.

While country residential development will be allowed in this area, environmental sensitivities will be a higher priority and development will take into consideration the conservation, protection, and restoration of natural areas.

Goal

Beaver County will balance providing opportunities for country residential living while limiting the removal of higher capability agricultural land and conserving the natural environment.

Objectives

Beaver County's objectives are to ensure that the Country Residential Area:

1. Provides opportunities for country residential development;
2. Limits the removal of higher capability agricultural land; and
3. Conserves the natural environment.

Policies

Agriculture

1. **Promote** the limited removal of higher capability agricultural land by **encouraging** reduced conflict between agricultural and non-agricultural land uses.

Residential

2. **Promote** opportunities for country residential development by **encouraging** lifestyle options and development opportunities for current and future residents, while retaining the character, amenities and quality of life of existing country residential subdivisions.
3. **Promote** the limited removal of higher capability agricultural land by **encouraging** development within existing subdivided areas.
4. **Promote** conservation of the natural environment by **encouraging** country residential development to have consideration for environmentally significant areas.
5. **Promote** opportunities for country residential development by **encouraging** appropriate safety measures adjacent to rail lines.

7. Transportation and Infrastructure

Highway 630, Highway 14, the CN Rail Wainwright Subdivision Mainline, as well as a number of Range Roads and Township Roads cross through the Strathcona County and Beaver County IDP Area, as identified on Map 4 - Transportation and Infrastructure.

The IDP Area includes a sewage lagoon, a portion of the Strathcona County wastewater pressurized main, and a portion of the Highway 14 Regional Water Services Commission (Hwy14 RWSC) water pressurized main, as identified on Map 4 – Transportation and Infrastructure.

Strathcona County and Beaver County will continue to accommodate infrastructure and the movement of people and commodities in a safe, reliable, and efficient manner.

Goal

Maintain safe, reliable, and efficient transportation and infrastructure within the IDP Area.

Objectives

Strathcona County's and Beaver County's transportation and infrastructure objectives are to ensure:

1. Safe, reliable, and efficient transportation systems; and
2. Safe, reliable, and efficient infrastructure.

Policies

Transportation

1. **Promote** safe, reliable, and efficient transportation systems by **encouraging** that each County maintains their own transportation infrastructure or maintains transportation infrastructure in accordance with an agreement.
2. **Promote** safe, reliable, and efficient transportation systems by **encouraging** that each County plans for the maintenance and upgrading of roads to the engineering standards of the County having jurisdiction.
3. **Promote** safe, reliable, and efficient transportation systems by **encouraging** the coordination and integration of transportation networks and facilities.
4. **Promote** safe, reliable, and efficient transportation systems by **encouraging** cooperation and consultation between municipal, provincial and federal governments, where applicable.
5. **Promote** safe, reliable, and efficient transportation systems by **encouraging** that long-term transportation corridors are secured with new and expanding developments within the IDP Area, where necessary.

Infrastructure

6. **Promote** safe, reliable, and efficient infrastructure by **encouraging** developments within the IDP Area to provide water servicing, wastewater servicing, drainage corridors, and infrastructure to the satisfaction of the County having jurisdiction.
7. **Promote** safe, reliable, and efficient infrastructure by **encouraging** cooperation and consultation between municipal, provincial, and federal governments, as well as commissions and the oil and gas industry, where applicable.

8. Environment

As identified on Map 5 – Environmental Features, the IDP Area includes the Beaver Hills Biosphere, Crown Land, and provincial environmentally significant areas. The entire IDP Area is located within the Beaver Hills Moraine, which is a Biosphere Reserve designated by the United Nations Educational, Scientific and Cultural Organization (UNESCO) that demonstrates excellence in the conservation of biodiversity and sustainable development practices through people living and working in harmony with nature at a regional scale.

Both Strathcona County and Beaver County have been working together as members of the Beaver Hills Initiative (BHI) since 2002. The Beaver Hills Initiative is a multi-stakeholder organization, governed by a board that works collaboratively to support the region, its natural beauty and quality of life. This is achieved through supporting cooperative efforts to sustain the quality of water, land, air, natural resources and community development. In September 2019, the Beaver Hills Initiative, a non-legally binding collaborative, became the Beaver Hills Biosphere Reserve Association, a registered non-profit society under the Societies Act. Both Counties will continue to be members of the society.

The majority of the Crown Lands identified within the IDP Area consist of the Cooking Lake-Blackfoot Provincial Recreation Area, located within the north of the IDP Area, and the Ministik Lake Game Bird Sanctuary, located within the south of the IDP Area.

Environmentally significant areas, as defined by the Province of Alberta, are landscape elements or areas with important and/or unique environmental characteristics essential to the long-term maintenance of biological diversity, soil, water, or other natural processes, both within the environmentally significant area and in a regional context. Environmentally significant areas are identified by the Government of Alberta with the intention to inform land-use planning processes and prioritize special management considerations due to their conservation needs.

The IDP Area also includes Strathcona County reserves and Beaver County reserves.



Goal

Conserve the natural landscape, the Beaver Hills Moraine, environmentally significant areas, and Crown Lands within the IDP Area.

Objectives

Strathcona County's and Beaver County's environmental objectives are to ensure:

1. Conservation of the natural landscape;
2. Conservation of the Beaver Hills Moraine;
3. Conservation of environmentally significant areas; and
4. Conservation of Crown Lands.

Policies

Conservation

1. **Ensure** conservation of the natural landscape by **requiring** that any development is regulated in accordance with municipal policy and provincial legislation, including the Water Act and the Public Lands Act.
2. **Ensure** conservation of the Beaver Hills Moraine by **requiring** the continued recognition of the Beaver Hills Moraine as a UNESCO Biosphere.
3. **Promote** conservation of environmentally significant areas by **encouraging** regard for these sensitive areas when making development decisions.
4. **Promote** conservation of environmentally significant areas by **encouraging** the dedication of reserves in accordance with provincial regulations and subject to environmental studies.
5. **Ensure** conservation of Crown Lands by **requiring** that any land use matters on Crown Lands are referred to the Province of Alberta.



9. Economic and Social Development

The IDP Area is intended to support the diversification of the economy, as well as opportunities for recreation and tourism.

Recreation and tourism development shall be located in areas where it does not adversely affect the agricultural economy and community, or the natural environment.

The IDP Area includes portions of the Beaver Hills Moraine, the Cooking Lake-Blackfoot Provincial Recreation Area, and the Ministik Lake Game Bird Sanctuary.

Goal

Diversify the economy and provide opportunities for recreation and tourism within the IDP Area.

Objectives

Strathcona County's and Beaver County's objectives are to ensure:

1. Opportunities for recreation and tourism; and
2. A strong, diversified and sustainable economy.

Policies

Recreation and Tourism

1. **Support** opportunities for recreation and tourism by **considering** Seasonal Recreation Resorts within the Strathcona County portion of the IDP Area, where environmental impacts are mitigated and the required approvals are completed.
2. **Support** opportunities for recreation and tourism by **considering** recreation and tourism where environmental impacts are mitigated and the required approvals are completed.

Economy

3. **Promote** a strong, diversified and sustainable economy by **encouraging** employment opportunities, agricultural opportunities and innovative agricultural support services, where the scale is appropriate for the area.



10. Responsible Intermunicipal Coordination

Strathcona County and Beaver County will facilitate responsible intermunicipal coordination by coordinating the development of intermunicipal programs, implementing and administering the IDP, and referring applications and notices to one another.

Strathcona County and Beaver County will continue to work together and with other municipalities and organizations, including as members of the Beaver Hills Biosphere, to share and develop tools and knowledge to balance sustainable economic and human development with environmental consideration.

Goal

The Strathcona County and Beaver County IDP will facilitate coordination and communication on land use matters and future growth and development within the IDP Area.

Objectives

Strathcona County's and Beaver County's objectives are to ensure:

1. The coordination of intermunicipal programs;
2. Implementation and administration of the IDP; and
3. Referrals and notices between the Counties.

Policies

Intermunicipal Programs

1. **Promote** the coordination of intermunicipal programs by **encouraging** both Counties to collaborate on any social, environmental or economic development activities that may affect the IDP Area.



Implementation and Administration

2. **Ensure** the implementation and administration of the IDP by **requiring** that the IDP be adopted by Bylaw by both Counties in accordance with the MGA.
3. **Promote** the implementation and administration of the IDP by **encouraging** that the IDP be reviewed a minimum of every five (5) years following the adoption by both Counties.
4. **Promote** the implementation and administration of the IDP by **encouraging** that if amendments are proposed by either of the Counties, that Administration from each of the Counties meet to review and discuss proposed changes to the Bylaw.
5. **Ensure** the implementation and administration of the IDP by **requiring** updates to environmentally significant areas in accordance with any future updates to the Regional Growth Plan.

Referrals and Notices

6. **Ensure** referrals and notices between Counties by **requiring** that each County send referrals and notices to the other for the following within the IDP Area:
 - a. A proposed Municipal Development Plan or amendments thereto;
 - b. A proposed Land Use Bylaw (LUB) or amendments thereto;
 - c. A proposed Area Concept Plan or Area Structure Plan or amendments thereto;
 - d. A subdivision application;
 - e. A development permit notice of decision for a discretionary use;
 - f. A natural resource development application; and
 - g. Any proposed changes or expansion to the transportation or infrastructure network.
7. **Promote** referrals and notices between the Counties by **encouraging** that comments are sent to the referring County within the County's designated referral period.
8. **Ensure** referrals and notices between the Counties by **requiring** an intermunicipal agreement or an amendment to this plan prior to adding or deleting items from the referral list.



11. Dispute Resolution

Strathcona County and Beaver County believe that it is important to avoid any dispute by ensuring that the goals, objectives, and policies of the IDP are followed.

To deal with any dispute that arises related to this IDP, the Counties agree to following the dispute resolution process set out below. The Counties will attempt to use the following dispute resolution process in advance of the Intermunicipal Dispute appeal process as per section 690 of the MGA.

1. The Counties agree that the dispute resolution process set out in this IDP may be triggered for any of the following:
 - a. lack of agreement on proposed amendments to this IDP;
 - b. lack of agreement on any proposed statutory plan, LUB, or amendment thereto either located within or affecting the IDP Area; or
 - c. lack of agreement on an interpretation of this IDP.
2. The lack of agreement referenced in section 11.1.a. and 11.1.b. above is to be interpreted as a statutory plan, LUB, or amendment to either that has been given first reading by a Council and for which the other County is of the opinion that it has or may have a detrimental effect on such other County.
3. The dispute resolution process set out in this IDP may only be triggered for a dispute set out in section 11.1. Any other appeal shall be made to the appropriate approving authority or appeal board that deals with that issue.
4. In the event that either of the Counties is of the view that there may be a dispute as set out in section 11.1., then that County shall issue a written correspondence to the other County that sets out its concerns and the details of the dispute. Such written correspondence is the "Lack of Agreement". In the event of a dispute as set out in section 11.1.a. or 11.1.b., the Counties agree that such Lack of Agreement will be issued within the referral timeline and prior to second reading of such bylaw.
5. In the event a Lack of Agreement is issued, the County having authority over the matter shall not give third reading to such bylaw in the event of a dispute until the dispute has been resolved or a mediation process has been concluded.
6. Upon receipt of a Lack of Agreement, the Counties will arrange for representatives from their Administration to meet to review and attempt to resolve the dispute.
7. In the event that the Administrations are unable to resolve the dispute by the earlier of 60 days of the first meeting or 90 days from the issuance of the Lack of Agreement, the Council of either of the Counties may issue a written dispute notice to the other that sets out the efforts made to resolve the dispute and the details of the unresolved dispute. Such written notice is the "Dispute Notice".



8. Upon issuance of a Dispute Notice, the Intermunicipal Development Plan Committee (the "IDPC") shall be established in accordance with applicable provincial legislation and municipal bylaws to review and attempt to resolve the dispute.
9. The IDPC to be established in accordance with section 11.8. shall consist of an even number of members from each County, and such members may include either elected officials or Chief Administrative Officers or their delegates.
10. In the event that the IDPC is unable to resolve the dispute by the earlier of 60 days of the first meeting or 90 days from the issuance of the Dispute Notice, or within any other amount of time agreed to by both of the Counties, either of the Counties may issue a written notice to the other that sets out the efforts made to resolve the dispute and the details of the unresolved dispute, and that refers the dispute to mediation. Such written notice is the "Referral Notice".
11. Upon the issuance of a Referral Notice, the Counties will agree upon and appoint an independent mediator to review and attempt to resolve the dispute. The costs of mediation will be shared equally between the Counties. The Counties agree that in the event of a dispute as set out in section 11.1.a. or section 11.1.b., such mediation will occur as soon as reasonably practicable after second reading of the bylaw.
12. In the event that the mediator is unable to resolve the dispute within 90 days from the appointment of the mediator or any other amount of time agreed to by both of the Counties, the County having authority over the matter may proceed with giving any further approval (including proceeding with the third reading and to pass the bylaw that is the subject of the dispute), and the other County may proceed with any other action available to it related to the dispute including but not limited to appealing to the Municipal Government Board in accordance with section 690 of the MGA.

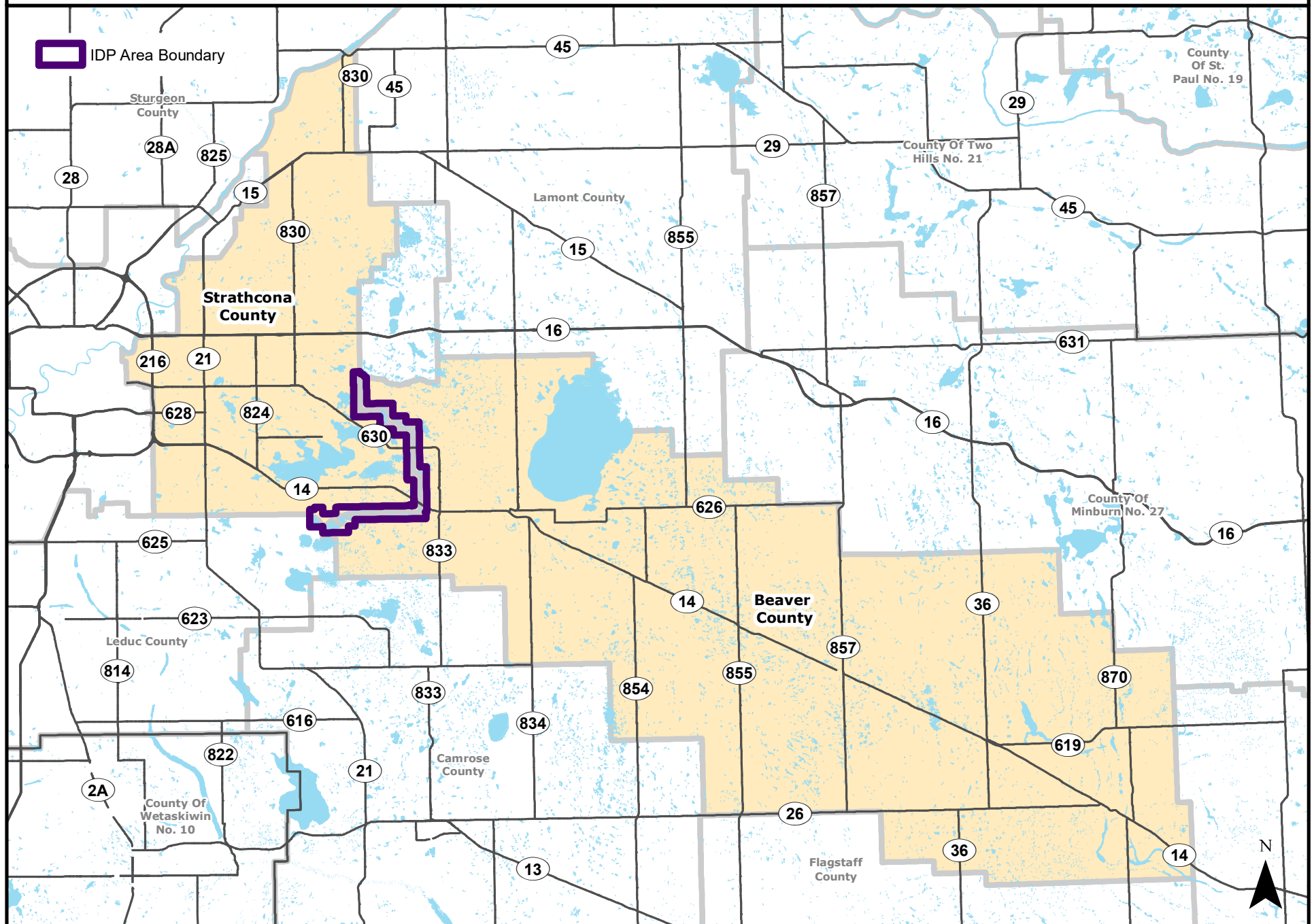


Section 12

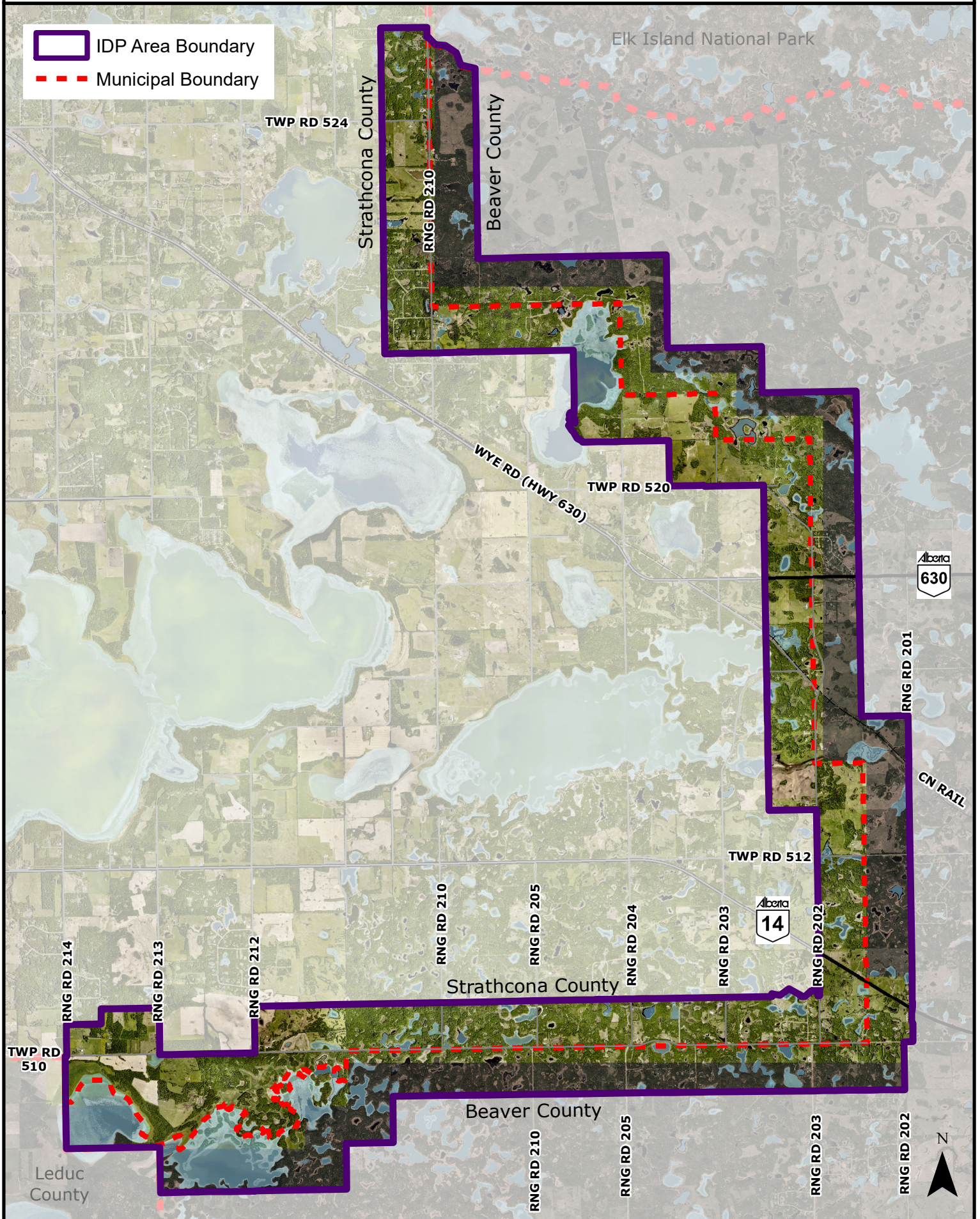
MAPS



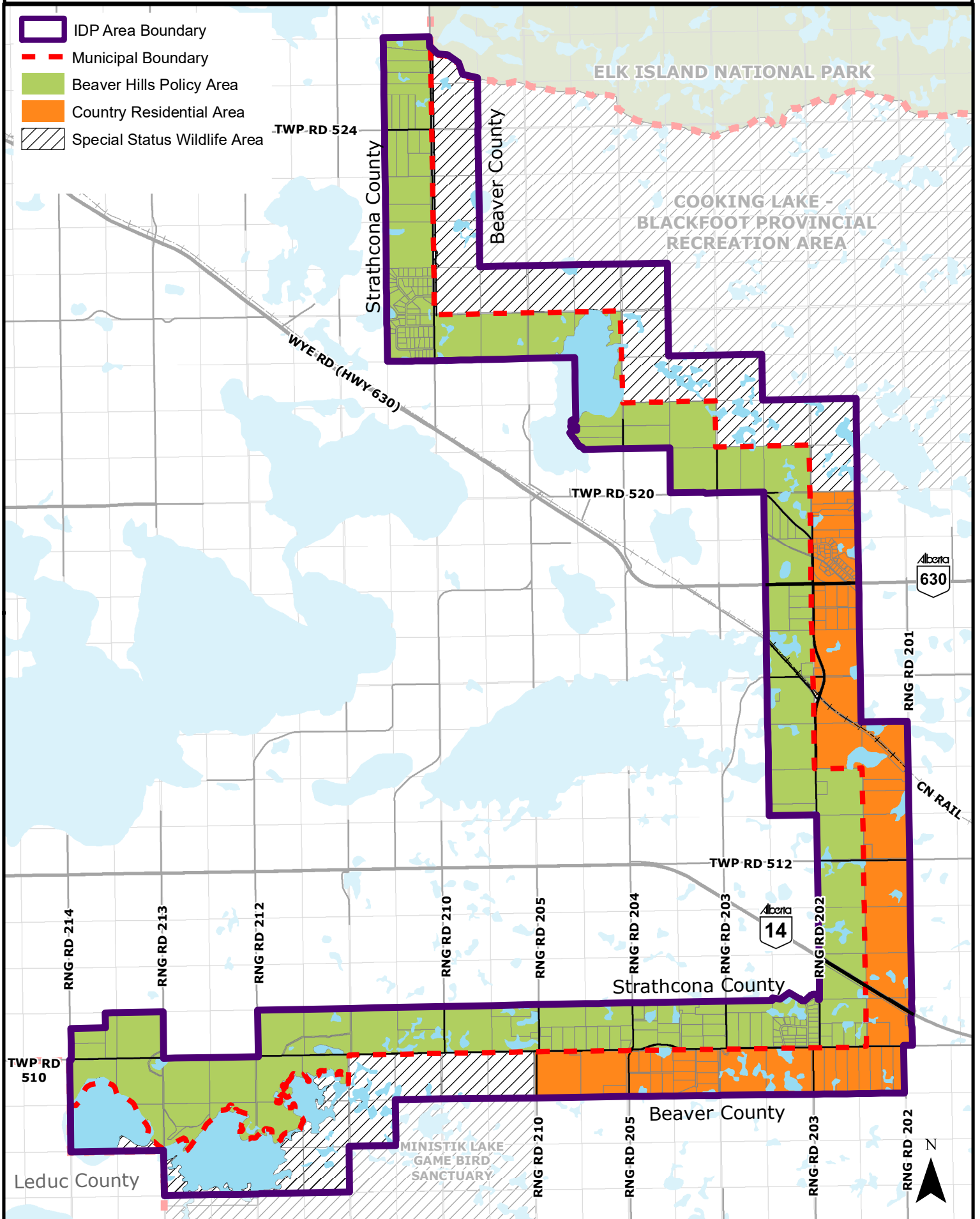
MAP 1 - IDP AREA



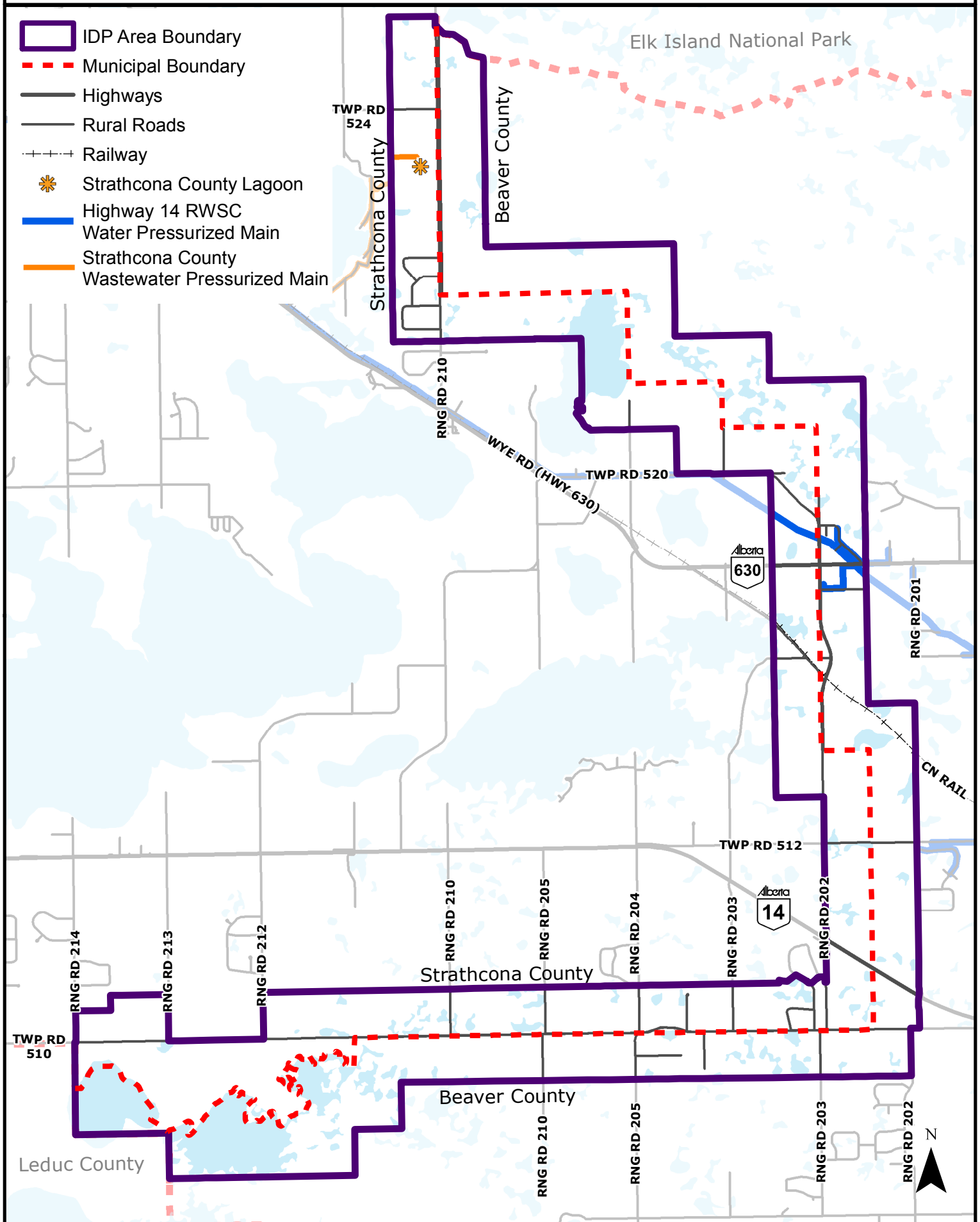
MAP 2 - OVERVIEW MAP



MAP 3 - CURRENT AND FUTURE LAND USES



MAP 4 - TRANSPORTATION AND INFRASTRUCTURE



MAP 5 - ENVIRONMENTAL FEATURES

-  IDP Area Boundary
-  Municipal Boundary
-  Beaver Hills Moraine/Biosphere
-  Crown Land
-  Provincial Environmentally Significant Areas

