



Wheatland County & Foothills County **Intermunicipal Development Plan**

Wheatland County Bylaw No. 2019-19

Foothills County Bylaw No. 56/2019

Adopted: August, 2019

ACKNOWLEDGEMENTS

The following individuals and organizations are thanked for their assistance in the development of one or both of the 2015 and 2019 versions of this plan:

Residents and stakeholders who provided comments

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BYLAW 2019-19

BEING A BYLAW OF WHEATLAND COUNTY FOR THE PURPOSE OF AMENDING THE WHEATLAND COUNTY AND FOOTHILLS COUNTY INTERMUNICIPAL DEVELOPMENT PLAN IN ACCORDANCE WITH SECTIONS 230, 606, 631 AND 692 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED.

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

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

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

WHEREAS a Public Hearing was held on July 16, 2019 at the Wheatland County office.

THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, as amended, the Council of Wheatland County enacts as follows:

1. Council shall adopt the Wheatland County and Foothills County Intermunicipal Development Plan in consultation and as agreed to with Foothills County.
2. That the aforementioned amendments to the Foothills County and Wheatland County Intermunicipal Development Plan Bylaw shall make use of formatting that maintains the consistency of the portions of the bylaw being amended.
3. Bylaw No. 2019-19 shall come into effect upon third and final reading thereof.
4. Bylaw No. 2015-32 is hereby amended and consolidated.

ARMSTRONG MOVED First Reading of Bylaw 2019-19 on July 16, 2019, this being a bylaw for the purpose of amending the Wheatland County and Foothills County Intermunicipal Development Plan in accordance with Sections 230, 606, 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended

Carried.

WILSON MOVED Second Reading of Bylaw 2019-19 on July 16, 2019 and it was

Carried.

BIGGAR MOVED that permission be granted to hold third and final reading of Bylaw 2019-19.


Carried Unanimously.

BIGGAR MOVED Third and Final Reading of Bylaw 2019-19 on July 16, 2019 and it was

Carried.



Reeve – Amber Link



Interim Chief Administrative Officer –
Brian Henderson

BYLAW 56/2019

BEING A BYLAW OF FOOTHILLS COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ADOPTING THE WHEATLAND COUNTY AND FOOTHILLS COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS pursuant to the provisions of the Municipal Government Act, Sections 631, Chapter M-26, Revised Statutes of Alberta 2000, and amendments thereto, two or more councils of municipalities that have common boundaries must adopt an Intermunicipal Development Plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary;

AND WHEREAS both the Councils of Wheatland County and Foothills County 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 each municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE THE COUNCIL OF THE FOOTHILLS COUNTY ENACTS AS FOLLOWS:

1. Council shall adopt the Wheatland County and Foothills County Intermunicipal Development Plan in consultation and as agreed to with Wheatland County.
2. This plan, upon adoption, shall be cited as the Wheatland County and Foothills County Intermunicipal Development Plan.
3. This Bylaw shall have effect on the date of its third reading and upon being signed
4. Bylaw No. 81/2015 and any amendments thereto are hereby rescinded upon this Bylaw coming into effect.

FIRST READING: July 3, 2019


Reeve


Municipal Manager

SECOND READING: August 7, 2019


Reeve


Municipal Manager

THIRD READING: August 7, 2019


Reeve


Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 7 day of August, 2019.

Rural Multi-jurisdictional Intermunicipal Development Plan Project – 2012-15

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 was 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 was enabled through a Government of Alberta Regional Collaboration Grant and involved the participation of:

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

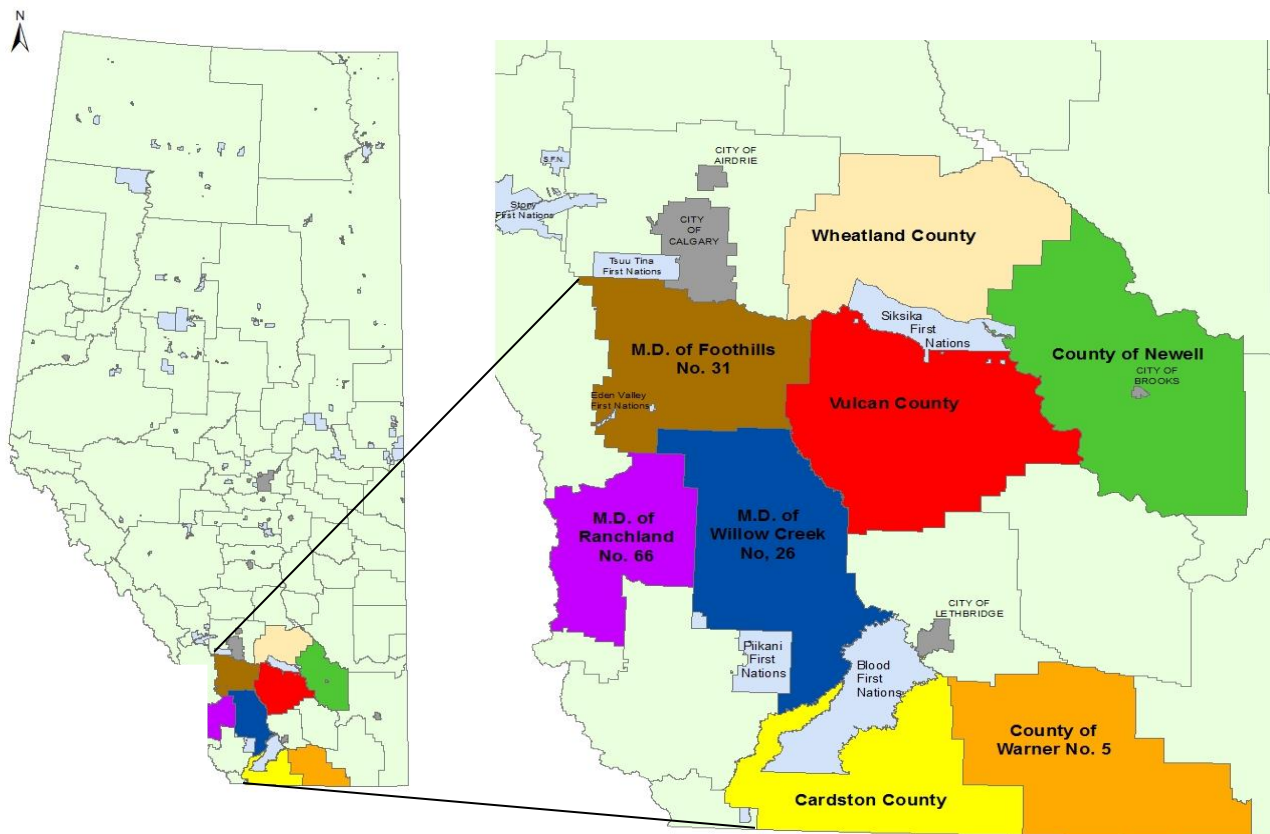


Figure 1: The eight Rural Multi-jurisdictional Development Plan Project participating municipalities

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Table of Contents

Table of Contents

RURAL MULTI-JURISDICTIONAL INTERMUNICIPAL DEVELOPMENT PLAN PROJECT – 2012-15	II
TABLE OF CONTENTS	IV
TABLE OF MAPS AND FIGURES.....	V
1 INTRODUCTION	1
1.1 Purpose of the Plan	1
1.2 Municipal Profiles.....	2
Wheatland County.....	2
Foothills County.....	2
1.3 Legislative Framework	3
The Municipal Government Act (MGA).....	3
The South Saskatchewan Regional Plan (SSRP).....	5
The Calgary Metropolitan Region Board (CMRB) Regulation.....	5
1.4 Plan Preparation Process	9
2015 Plan Preparation Process.....	9
2018/19 Plan Amendment Process:	9
2 PLAN AREA.....	11
2.1 Study Area Analysis	11
2.2 Defining the Intermunicipal Development Plan Area.....	11
3 INTERMUNICIPAL POLICIES.....	14
3.1 General Policies	14
3.2 Land Use	15
3.3 Future Development.....	15
3.4 Transportation.....	18
3.5 Environment	18
3.6 Water Quality and Flood Protection.....	19
3.7 Coordination of Intermunicipal Programs	20
4 PLAN ADMINISTRATION & IMPLEMENTATION.....	21
4.1 Intermunicipal Referral Process	21
General	21
Municipal Development Plans.....	22
Other Statutory Plans	22
Non-Statutory Plans	22
Land Use Bylaws	22
Subdivision and Development Permit Applications	22

Response Timelines	23
Consideration of Responses	23
4.2 Plan Validity and Amendment Policies.....	23
5 DISPUTE RESOLUTION	25
5.1 General Dispute Process.....	25
General Agreement	25
Dispute Resolution	25
Filing an Intermunicipal Dispute under the Municipal Government Act	26
6 INTERPRETATION OF LANGUAGE	28
6.1 Interpretation.....	28
APPENDIX A DEFINITIONS	29
APPENDIX B DATA SOURCES	32

Table of Maps and Figures

Map 1 - CMRB Boundary.....	7
Map 2 - Plan Location	12
Map 3 - Plan Area.....	13
Map 4 - Land Use	16
Map 5 - Municipal Road System	17
Figure 1 - Planning Hierarchy.....	8
Figure 2 - Dispute Resolution Flow Chart	27



Intermunicipal Development Plan

1 | INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Wheatland County and Foothills County Intermunicipal Development Plan (also known as the IDP or the Plan) is to foster an inter-jurisdictional approach to address planning issues on lands that connect these municipalities. The Plan serves as a means for the coordination of planning decisions and exchange of information 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 with amendments (MGA)*.

Municipalities work together to adopt IDPs in order to:

- Meet the requirements of the Municipal Government Act;
- 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 planning matters of mutual interest;
- establish procedures for dealing with development proposals within a defined planning area; and
- address any other matters relating to development considered necessary by the two municipalities.

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 into the future, 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

Wheatland County

Wheatland County covers an area of approximately 460,000 hectares (1.1 million acres), with a population of 8,788 (Census Canada, 2016). Wheatland County surrounds four urban municipalities, contains twelve hamlets and a number of other communities not officially designated as hamlets. The County is bordered by five rural municipalities, one urban municipality and Siksika First Nation to the South. A portion of Wheatland County around Strathmore is within the Calgary Metropolitan Region Board jurisdiction. The economy of Wheatland County is based on agriculture, including beef and grain production. In recent year's industry, manufacturing, oil and gas have played key roles in the County's economic growth.

The prairie's natural beauty fills the eye in all part of Wheatland County. From the golden fields near Standard to the badlands of the northeast, to the tranquility of the Bow River near Carseland. Wheatland County is an ideal blend of rural and urban lifestyles and, we are next door to the City of Calgary, the fastest growing city in the most vibrant province of Canada.

Our proud heritage of independence and hard work shows in our farms and ranches - and our pride in the past is still evident in community rodeos and fairs each summer and fall. Our work ethic and dedicated stewardship of the land, once primarily agricultural, is now our strengths we look forward to the future. Continuing growth and development in agribusiness, oil and gas and manufacturing will add a vibrant entrepreneurial outlook.

Foothills County

Foothills County covers an area of approximately 370,000 hectares (914,287 acres) with a population of approximately 22,766 (Statistics Canada Census Profile 2016). The County surrounds four urban municipalities and contains ten hamlets, as well as the Eden Valley First Nation Reserve. Foothills is also bordered by six rural municipalities, the Tsuu T'ina First Nation Reserve, as well as Alberta's largest city – The City of Calgary.

Foothills is a rural municipality, being rural is why many residents choose to live here. Rural character is highly valued by Foothills residents and while it is not always easy to define, the following qualities taken from the Municipal Development Plan 2010 begin to describe what it means: wide-open spaces, scenic vistas, dark skies, cultural heritage, and the quality of the physical environment. Of course, agriculture also plays an important role in establishing the rural character of Foothills; most of the land base in the County is made up of working farms and ranches

The main economic driver in the County is Agriculture but there is also significant tourism, oil and gas activity, and some industrial development. The majority of the County's industrial development is being directed to the Highway 2A Industrial Corridor between High River and Okotoks.

1.3 Legislative Framework

The Municipal Government Act (MGA)

The MGA was amended in 2016 by the *Modernized Municipal Government Act* in order to enhance cooperation, improve municipal relationships and planning processes, and mitigate conflict between municipalities (See [Figure 1 - Planning Hierarchy](#) on page 8). The amendments not only made intermunicipal plans mandatory for municipalities that shared a boundary but also augmented the requirements that these plans must meet.

The MGA as amended states:

631(1) Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(1.1) Despite subsection (1), the Minister may, or by order, exempt one or more councils from the requirement to adopt the Intermunicipal development plan, and the order may contain any terms or conditions that the Minister considers necessary.

(1.2) Two or more councils of municipalities that are not otherwise required to adopt an Intermunicipal Development Plan under subsection (1) may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an Intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

631(2) An intermunicipal development plan

(a) must address

(i) the future land use within the area,

(ii) the manner of and the proposals for future development in the area,

(iii) the provision of transportation systems for the area, either generally or specifically,

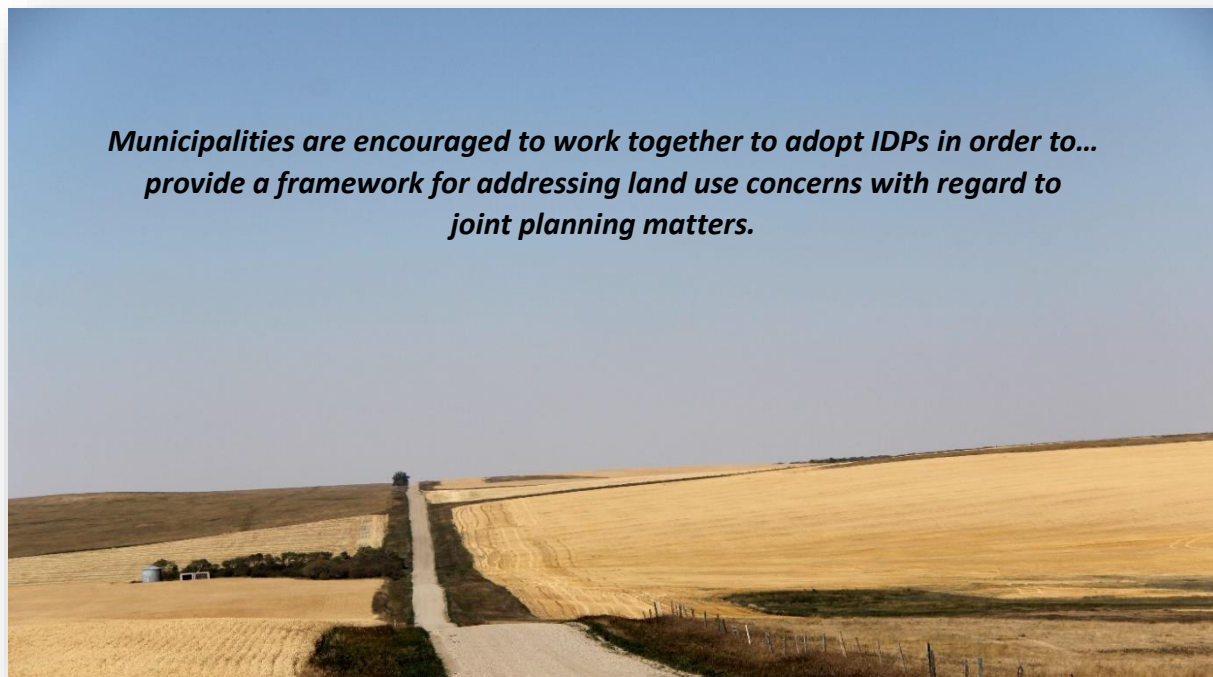
(iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,

(v) environmental matters within the area, either generally or specifically, and

(vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,

And

- (b) must include*
- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,*
 - (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and*
 - (iii) provisions relating to the administration of the plan.*
- (3) The council of a municipality that is required under this section to adopt an intermunicipal development plan must have an intermunicipal development plan that provides for all of the matters referred to in subsection (2) within 5 years from the date this subsection comes into force.*
- (4) Subject to the regulations, if municipalities that are required to create an intermunicipal development plan are not able to agree on a plan, sections 708.33 to 708.43 apply as if the intermunicipal development plan were an intermunicipal collaboration framework.*



The South Saskatchewan Regional Plan (SSRP)

INTENT

In addition to the *MGA*, all statutory plans in the South Saskatchewan Region (as established in Alberta's Land Use Framework) must comply with the *South Saskatchewan Regional Plan (SSRP)*, which came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region until 2024.

The SSRP is a direct result of the adoption and implementation of the Land Use Framework (LUF) and Alberta Land Stewardship Act (ALSA). As such, communities and municipalities in the SSRP region are expected to align with the direction provided in the document as a way to achieve the goals and strategies of the LUF and ALSA.

The LUF was adopted in 2008, and sets out an approach to manage public and private lands and natural resources to achieve Alberta's long-term economic, environmental and social goals. In 2009, the government adopted the ALSA to enable several of the strategies identified in the LUF to be carried out (See [Figure 1 - Planning Hierarchy](#), page 8).

The amended Wheatland County and Foothills County Intermunicipal Development Plan was developed in consideration of the objectives and strategies in the SSRP and complies with the overall intent of the policies contained in the regional plan. The policies in the SSRP that are most relevant to this IDP are contained in Section 8, which speaks to Community Development.

POLICIES

1.3.1 The municipalities agree that they will work together to comply with the adopted regional plan strategies, and to ensure that this Plan aligns with strategies of the SSRP.

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

The Calgary Metropolitan Region Board (CMRB) Regulation

INTENT

As illustrated in [Map 1 – CMRB Boundary](#), Foothills County is part of the Calgary Metropolitan Region Board (CMRB) while Wheatland County is only partially in the CMRB; that is, only a portion of the lands in Wheatland are subject to the CMRB Regulation and consequently subject to the CMRB Interim

Growth Plan (IGP) and Interim Regional Evaluation Framework (IREF) - which will eventually be replaced by the CMRB Growth Plan, Servicing Plan and Regional Evaluation Framework. The portion of Wheatland County that is in the Foothills and Wheatland IDP area is not part of the CMRB. As such, for the purposes of this plan, only Foothills County has to meet the requirements of the CMRB.

As a statutory plan in a member municipality, this IDP is subject to the CMRB Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) and will be subject to the Growth Plan, Servicing Plan and Regional Evaluation Framework (REF) once they are in place. However, as an amendment to an existing IDP, that does not contemplate employment areas or more than 50 additional residences, under Section 4.1 of the IREF, this plan will not need to be referred to the Board for approval prior to third readings being granted to the bylaws adopting the plan.

POLICIES

1.3.3 Subsequent to the Plan's adoption, if it is determined that additional amendments are needed to the Plan to address the CMRB Growth Plan and Servicing Plan once approved; both municipalities shall review and discuss possible amendments through administration.

"Planning for growth must be understood within the context of our rural character."

— Excerpt from Foothills County's Municipal Development Plan 2010

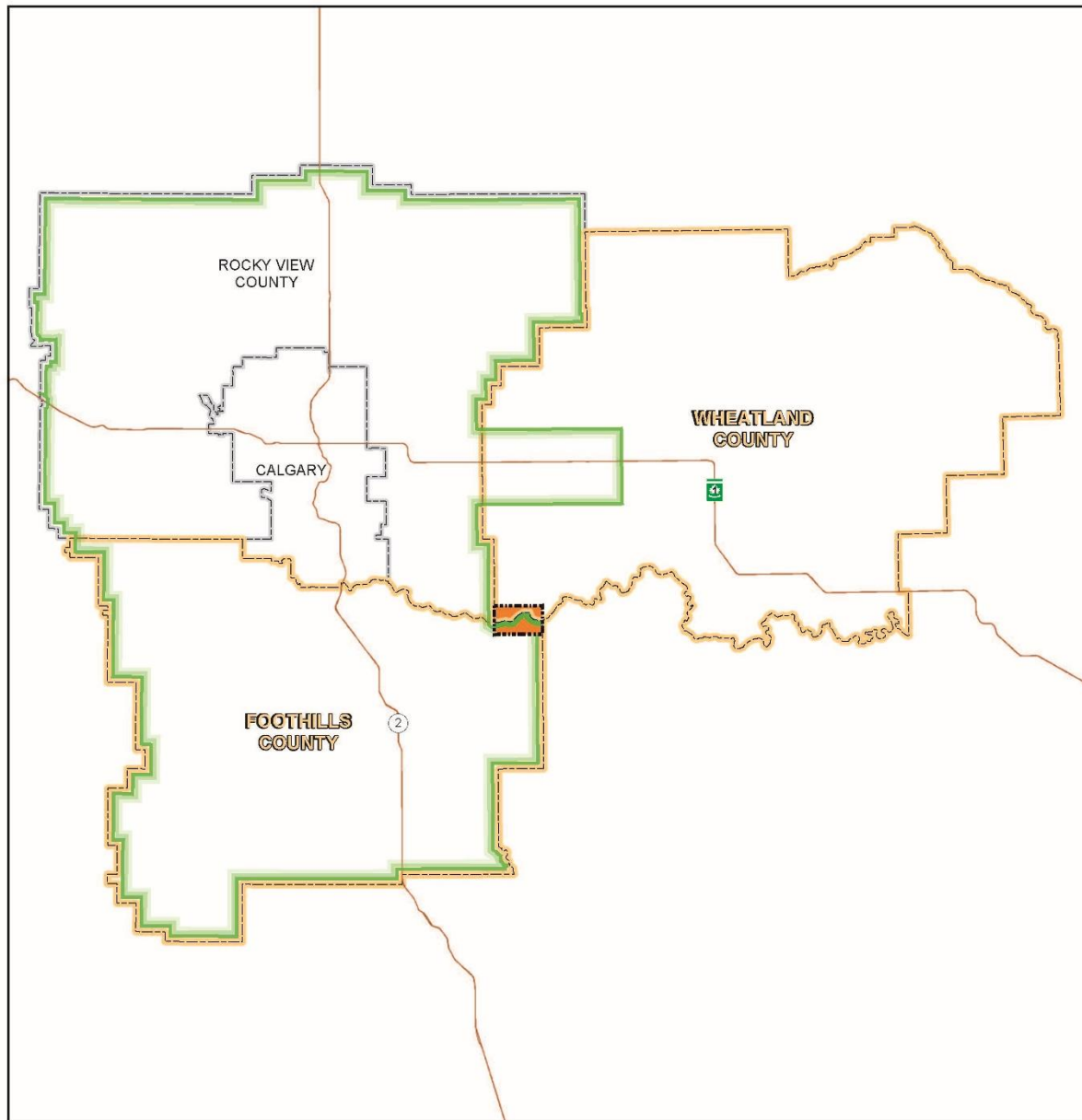
"Wheatland County seeks a balanced approach to sustainable, well-planned development which enhances and protects our agricultural and natural areas and resources over the long-term..."

— Excerpt of Vision Statement, Wheatland County Municipal Development Plan 2013

Map 1 - CMRB Boundary



Wheatland - Foothills IDP CMRB Boundary



Legend

- Calgary Metropolitan Region Board Boundary
- - - Wheatland County and Foothills County IDP Plan Area
- County boundaries
- Highways

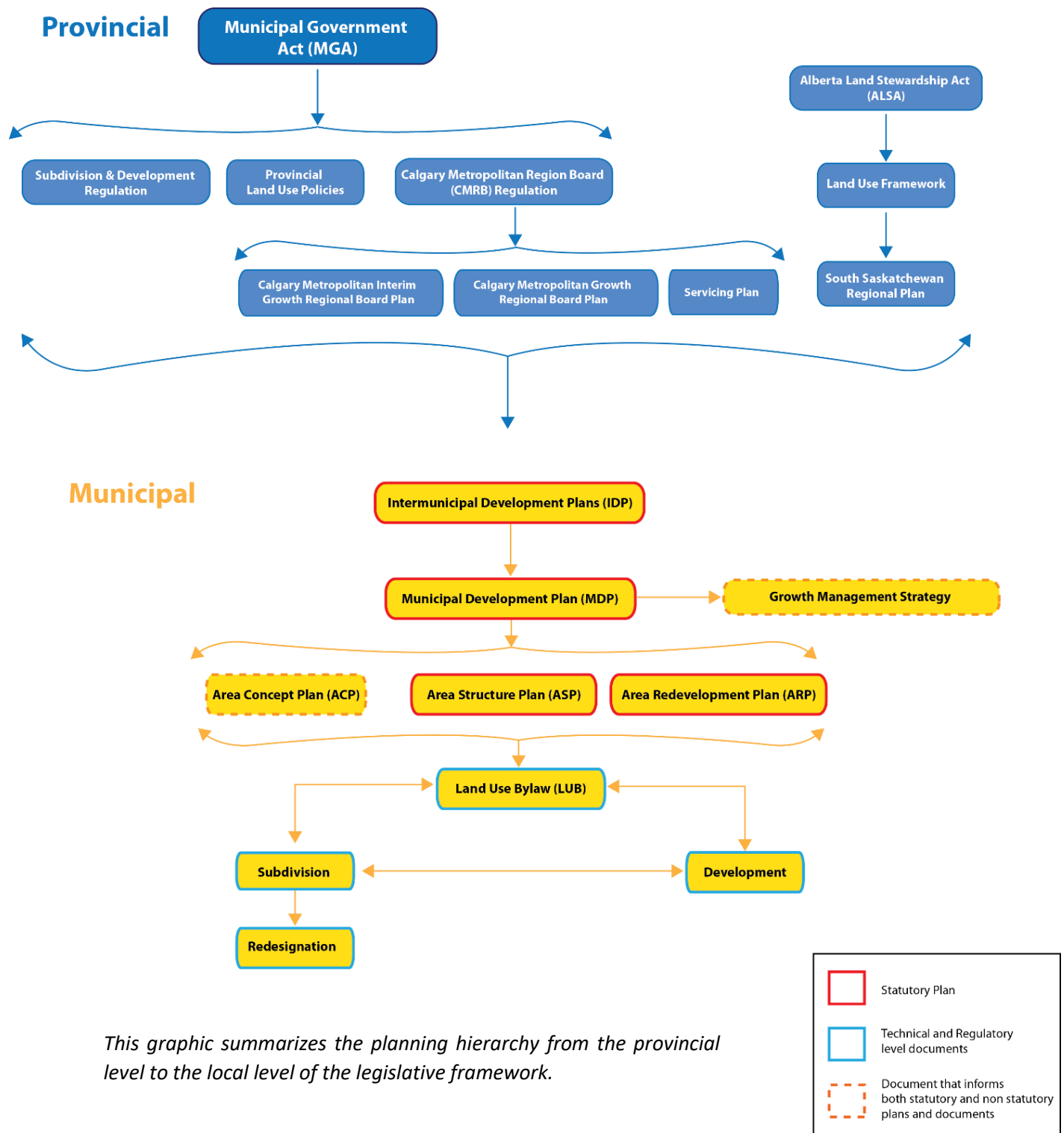
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Data sources include Foothills County and Wheatland County municipal records and AltaLIS.

1 centimeter = 9,000 meters

Figure 1 - Planning Hierarchy



1.4 Plan Preparation Process

The formation of the original Foothills and Wheatland IDP (2015) was guided by senior administration and planning staff from both municipalities. The 2018/19 plan amendment process was guided by the Wheatland County and Foothills County Intermunicipal Development Plan Committee which was comprised of two elected officials from each municipality. With respect to decision making, in both processes, the parties agreed at the outset that their chosen decision-making model would be based on reaching consensus on the issues discussed.

2015 Plan Preparation Process

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, municipal representatives reviewed the draft; a refined document was then prepared and submitted for final endorsement. Upon endorsement by staff, the final draft document was then forwarded to each Council for consideration. 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.

2018/19 Plan Amendment Process:

In July of 2018, Wheatland County initiated discussions on an IDP amendment by sending a letter to Foothills Council suggesting that a review of the IDP was warranted in order to address new requirements under the MGA. Foothills Council agreed and both municipalities appointed members to an Intermunicipal Development Plan (IDP) Committee who would guide the planning process.

The IDP Committee had their first meeting October 30, 2018 and approved a Terms of Reference, Work Plan and Communications and Engagement Approach for the IDP review. It was determined that communications and engagement would primarily be done through print and on-line engagement with the option to hold a public open house if the committee felt it was warranted once a preliminary draft of the IDP amendments had been completed.

In December of 2018 and into early 2019, staff from the two municipalities reviewed the existing plan in the context of the new requirements of the MGA and drafted suggested amendments to the plan to bring it into compliance with the Act.

During the drafting of the document, administration decided to hold an IDP committee meeting on May 2nd 2019 to obtain feedback on several items. Topics of discussion included Environmentally Sensitive/Significant Areas in the policies, mapping for environmental and significant features, referral

processes, and whether it is desirable to have a standing Intermunicipal Committee moving forward which would participate in the dispute resolution processes outlined in the document.

Following the meeting, the Committee made several resolutions, which are reflected in this version of the IDP document.

Following the amendments to the draft document, administration undertook notification and circulation of the 1st reading draft, which was done through mail-outs to landowners and residents within the plan area and outside the plan area, social media postings through Facebook and the County websites, as well as newspaper notices. No concerns were received during the review period so IDP Committee members were asked to consider a motion to recommend that the draft IDP go forward to both Councils for public hearings and consideration for approval. Foothills Council held a public hearing on July 3, 2019 and Wheatland Council held a public hearing on July 16, 2019.

Foothills County Council gave Bylaw 56/2019 third reading adopting the Wheatland County and Foothills County Intermunicipal Development Plan on August 7, 2019.

Wheatland County Council gave Bylaw 2019-19 third reading adopting the Wheatland County and Foothills County Intermunicipal Development Plan on July 16, 2019.



2 | PLAN AREA

2.1 Study Area Analysis

When determining the extent of the 2015 Plan Area, the municipalities began by analyzing a Study Area approximately 3 miles wide that encompassed lands on both sides of the municipal boundary. The following key features in the Study Area were examined:

- Land Use
- Transportation Corridors
- Environmental Features

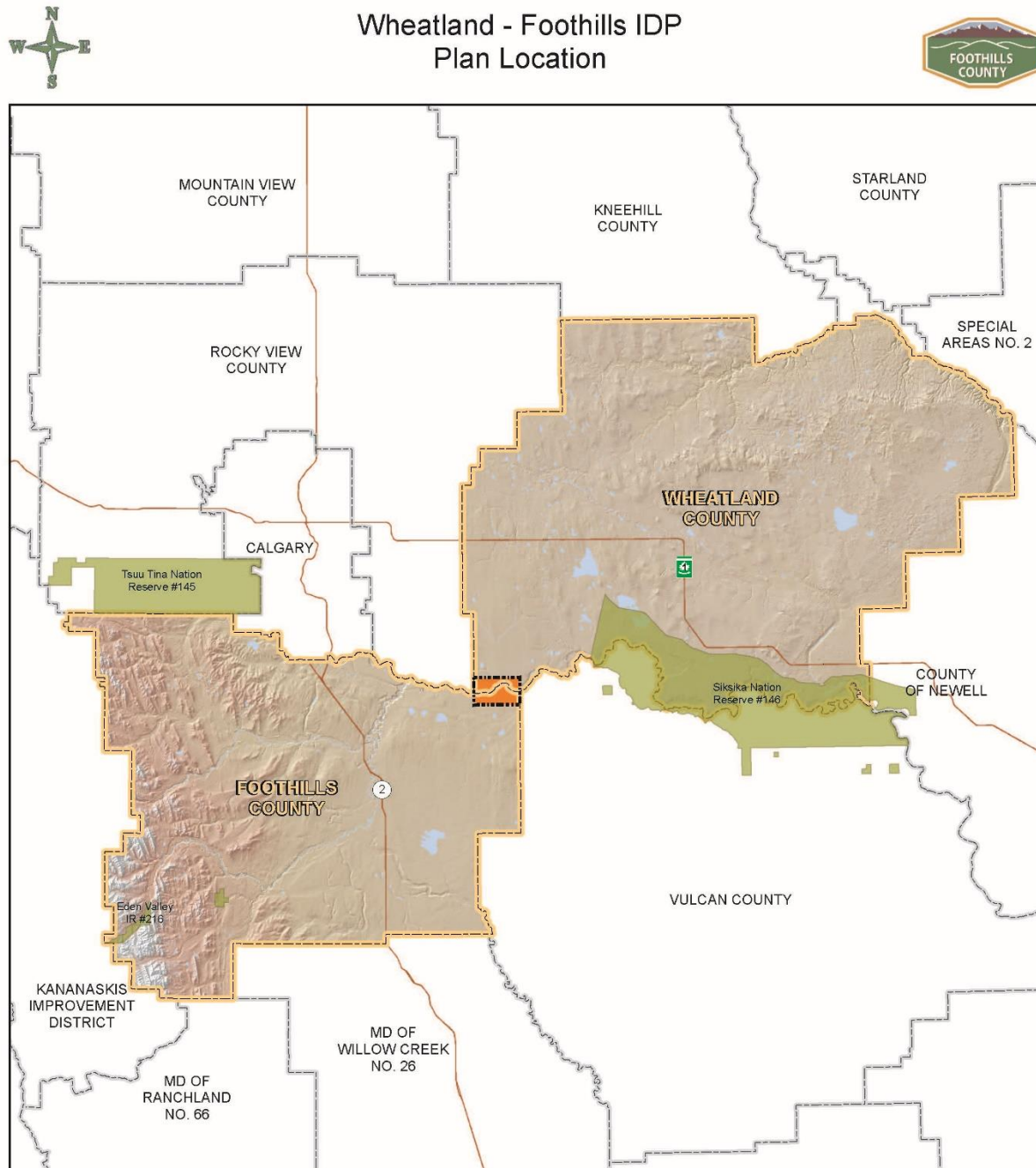
2.2 Defining the Intermunicipal Development Plan Area

During the 2015 plan development process, subsequent to careful review of the Plan Area by administration and planning staff; the municipalities determined that due to the relative consistency of key characteristics within the Study Area, the Plan Area boundary would encompass the entire Study Area.

When the plan amendment was undertaken in 2018/19 it was decided that the Plan Area would remain unchanged. The Plan Area comprises approximately 3,938 hectares (9,731 acres) along the municipal boundary as illustrated in [Map 2 – Plan Location](#). The Bow River forms the municipal boundary for the entire plan area, a detailed map of which is illustrated in [Map 3 – Plan Area](#).



Map 2 - Plan Location



Legend

- Wheatland County and Foothills County IDP Plan Area
- County boundaries
- First Nation Reservations
- Highways

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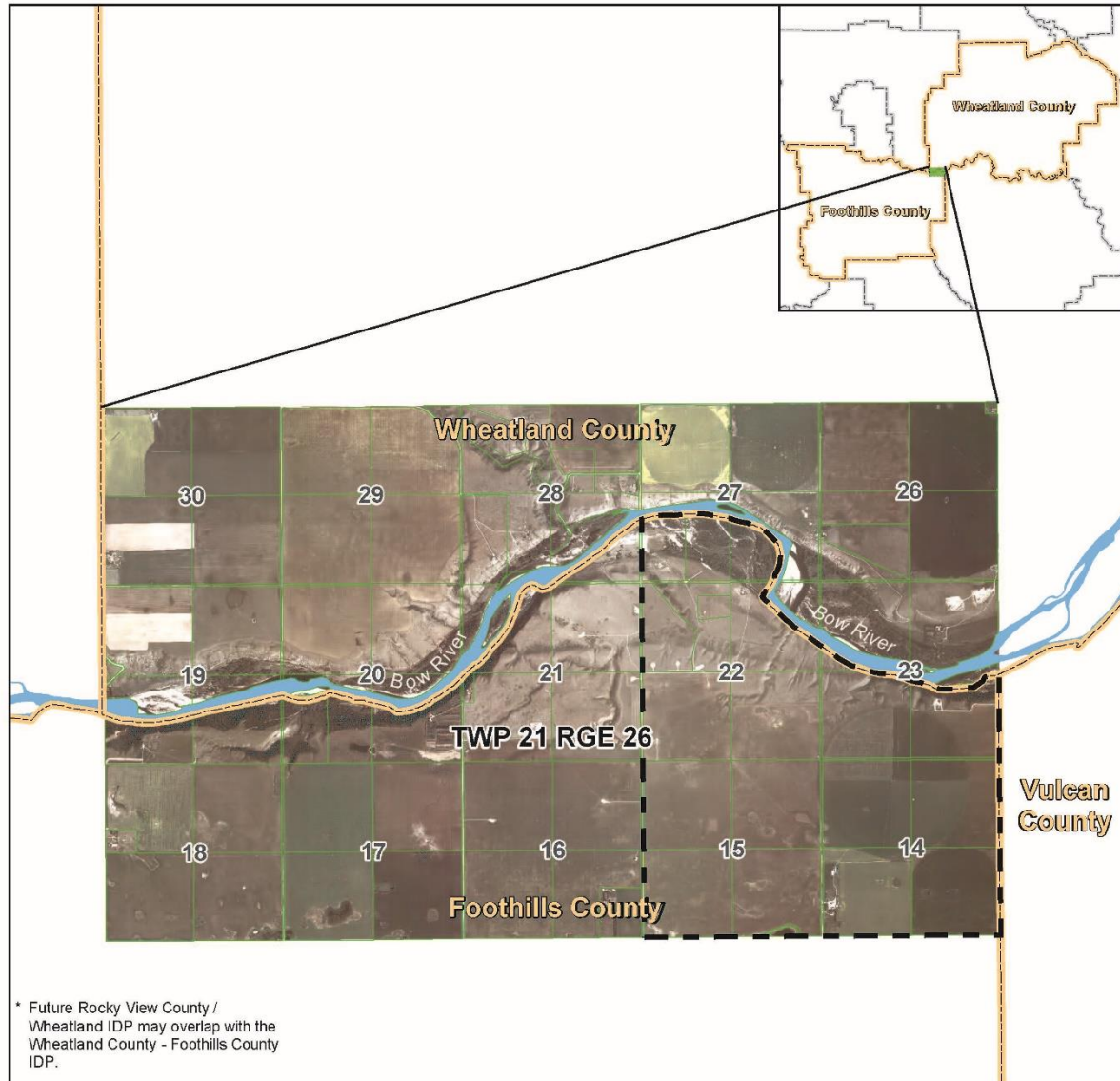
Data sources include Foothills County and Wheatland County municipal records and Atlas.

1 centimeter = 9,000 meters

Map 3 - Plan Area



Wheatland - Foothills IDP Plan Area



Legend

- Wheatland County - Foothills County IDP
- Parcels
- Wheatland County and Foothills County Boundaries
- IDP Area Overlapping with Foothills County - Vulcan County IDP

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Data sources include Foothills County and Wheatland County municipal records and AltaLIS.

1 centimeter = 500 meters

3 | INTERMUNICIPAL POLICIES

3.1 General Policies

INTENT

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

POLICIES

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

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. In all cases, both municipalities would have to agree, enter into discussions and make specific agreements for such.

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

3.1.4 Foothills County and Wheatland County shall strive, to the best of their ability and knowledge, to forward all notices of government projects within the Plan Area to the adjacent municipality.

3.1.5 Both municipalities shall strive to the best of their ability to forward any notices received regarding development approvals from other levels of government or other authorities pertaining to lands within the plan area to the adjacent municipality.

3.1.6 In any area where the plan area for this IDP overlaps with another IDP plan area, the policies from both IDPs will apply.

3.2 Land Use

INTENT

As illustrated in **Map 4 - Land Use**, agriculture is the predominant land use in the Plan Area and this is expected to continue into the future. There are currently a few country residential parcels on the Foothills side of the Plan Area and one country residential parcel on the Wheatland side. There had been some development of a number of summer cabins on an Agricultural General parcel in the Wheatland portion of the Plan Area, but they were damaged in the 2013 flood and are no longer in use. There are a number of oil and gas facilities on the Foothills side and there is gravel extraction occurring in proximity to but outside of the plan area.

POLICIES

3.2.1 Agriculture, country residential and resource extraction land uses are expected to continue in the Plan Area and approvals for these uses will not require a plan amendment.

3.3 Future Development

INTENT

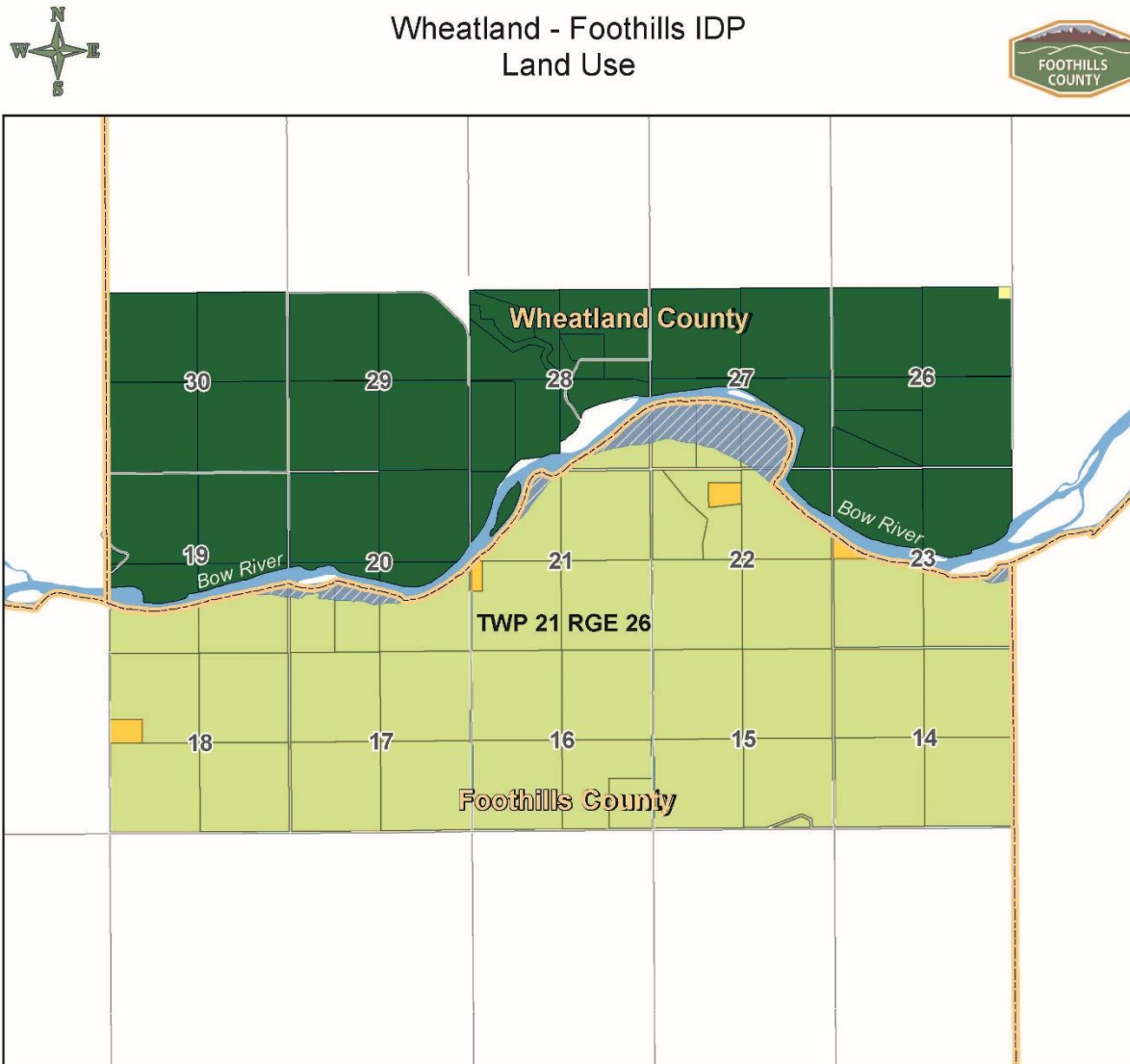
It is anticipated that land uses similar to those that currently exist will continue in the plan area. If however, a proposal for a large or intense development that is not consistent with current use were to come forward in either municipality, it is expected that discussion and collaboration between the municipalities will occur. Depending on the scope and scale of the proposal, it may be advantageous to engage the partner municipality prior to formal circulation to flag any potential areas of conflict.

POLICIES

3.3.1 Future land use amendments in the plan area will require referral to the adjacent municipality as per Policy 4.1.11 in the referrals section.

3.3.2 Applications for development for uses other than those described in Section 3.2.1 or that propose a significant change in the intensity of use will require consultation between the municipalities and may require a plan amendment at the discretion of both municipalities.

Map 4 - Land Use



Legend

- Wheatland County and Foothills County Boundaries
- Wheatland AG - Agricultural General
- Wheatland CR - Country Residential
- Foothills A - Agricultural
- Foothills CR - Country Residential
- Foothills Flood Hazard Protection Overlay District
- Rural Road

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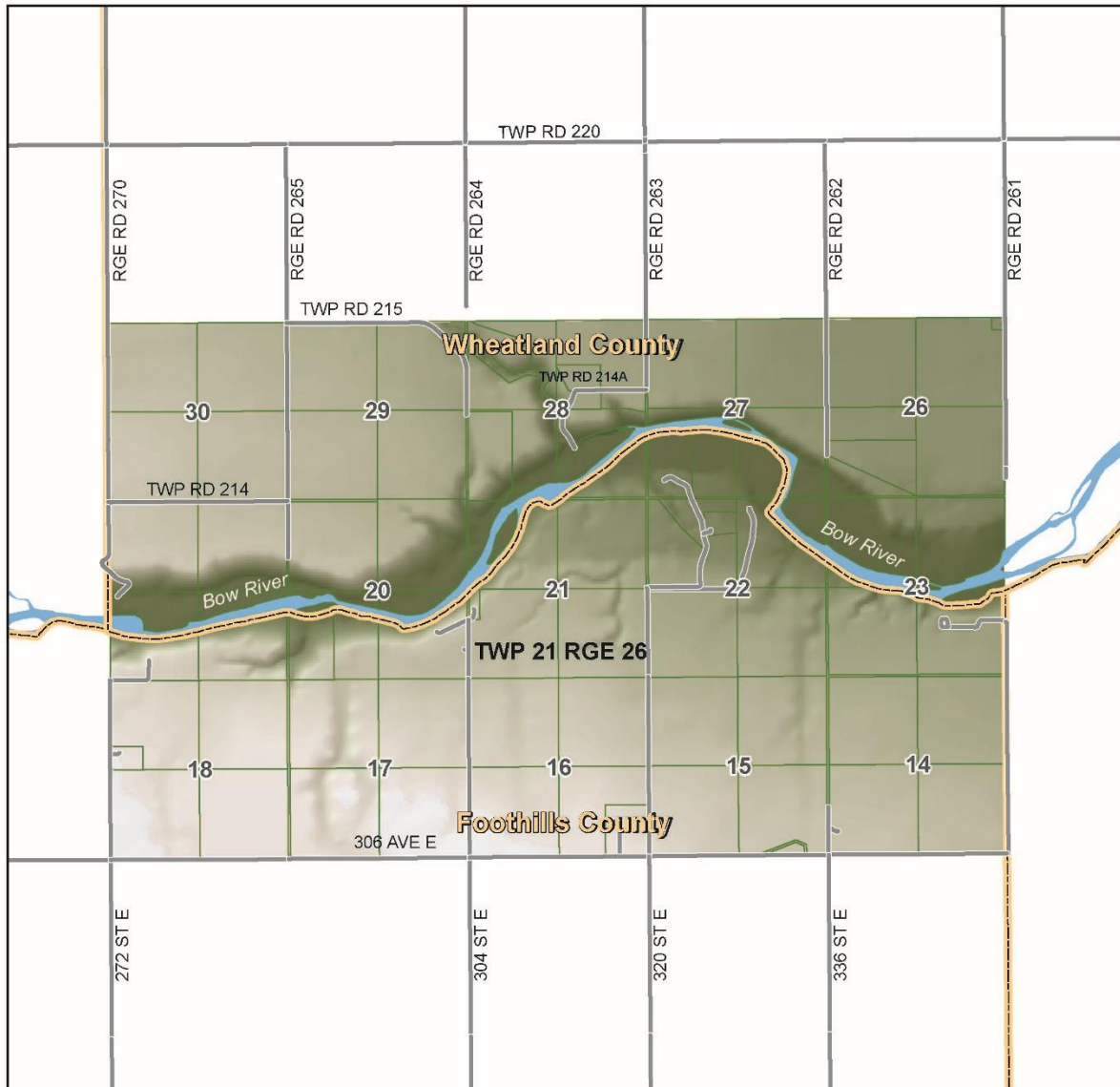
Data sources include Foothills County and Wheatland County municipal records and AtlasUS.

1 centimeter = 500 meters

Map 5 - Municipal Road System



Wheatland - Foothills IDP Municipal Road System



Legend

Wheatland County - Foothills County IDP

Elevation

High : 1033 m
Low : 912 m

County Boundaries
Rural Roads

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Data sources include Foothills County and Wheatland County municipal records and Altalis.

1 centimeter = 500 meters

3.4 Transportation

As Illustrated in **Map 5 – Municipal Road System**, there is no connection between the transportation systems in each municipality as the Bow River separates them. There are currently no plans for the construction of a bridge across the Bow in this location, however, should this change, this section of the IDP may be amended to provide guidance with respect to transportation matters.

3.5 Environment

INTENT

The Bow River bisects the IDP Plan Area. The Bow and its riparian areas provide a multitude of recreational, ecological and aesthetic values for both Counties, and their residents. Both municipalities recognize the connection between the natural environment and quality of life and the importance of striving to protect, preserve and enhance natural systems and environmentally significant areas, while supporting appropriate development.

POLICIES

3.5.1 On lands identified on Alberta Culture and Tourism’s Listing of Historic Resources as having a Historic Resource Value (HRV) a historical resource impact assessment (HRIA) may be required by the municipality as part of an approval process for development in an effort to uphold and respect culturally important areas in each municipality.

3.5.2 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.

3.5.3 The use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate tools in the plan area is encouraged to protect or preserve areas.

3.5.4 Development on slopes and river valleys within natural areas is generally discouraged. However, it may be allowed to proceed if it is done in accordance with the respective municipality’s statutory plans, applicable bylaws, and other municipal policies and regulations.

3.5.5 When evaluating applications for Subdivision and Development in or adjacent to river valleys the municipality with jurisdiction shall take into consideration slope stability, soil characteristics and flood hazard mapping where

available in order to minimize negative environmental impacts and potential property damage.

3.6 Water Quality and Flood Protection

INTENT

Because of the cumulative impacts that nearby development can have on the Bow River and its tributaries, it is important that both Counties consider the impact of development on water quality. Further, protective measures should be taken to ensure proposed developments are not located within flood-prone areas in either County, as identified by the Provincial Flood Hazard Mapping (as amended).

POLICIES

3.6.1 When making land use decisions, each municipality should:

- a) Utilize and incorporate measures which minimize possible impacts on the Bow River and any other important water resource;
- b) Determine appropriate land use patterns in the vicinity of significant water resources and other water features;
- c) Establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability and habitat.

3.6.2 Appropriate wastewater collection and treatment systems that are in compliance with the provincial Standards of Practice 2015 (as amended) shall be provided for all new developments in each County.

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

3.6.4 Development proposed in proximity to the Bow River and its tributaries shall be carefully evaluated for any impacts on water quality.

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

3.6.6 Each municipality shall respect the boundaries and limitations of the Provincial flood mapping (as amended) when considering development on or near the identified flood prone areas.



3.7 Coordination of Intermunicipal Programs

Due to the fact that the plan area is a very small portion of each municipality and that there is no physical connection between the two municipalities, it is likely that there is little opportunity for the coordination of intermunicipal programs. If any coordination is deemed appropriate, it will be addressed in an Intermunicipal Collaboration Framework (ICF).

ICFs are a new legislated requirement that was mandated with the approval of the Modernized Municipal Government Act in 2016. All municipalities that share a common boundary must create an ICF. Municipalities that are members of the same growth management board are required to create a framework with each other only in respect of the matters that are not addressed in the board's growth plan or the servicing plan. ICFs are connected to IDPs in that an ICF is not considered complete unless the councils of the municipalities that are parties to the framework have also adopted an IDP or an IDP is included as an appendix to the ICF.

4 | PLAN ADMINISTRATION & IMPLEMENTATION

4.1 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

4.1.1 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 land and water within the adjacent municipality.

4.1.2 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.

4.1.3 Where a plan or bylaw, including amendments, or application, requires notifications to be sent to a municipality that is external to this IDP, the referring municipality shall follow the referral requirements outlined in the *MGA*, or where applicable, those contained in a relevant Intermunicipal Development Plan.

4.1.4 Administrative staff or representatives for Wheatland County and Foothills 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.

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

4.1.6 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

4.1.7 A newly proposed Municipal Development Plan or an amendment to a Municipal Development Plan shall be referred to the adjacent municipality for comment prior to a public hearing.

Other Statutory Plans

In addition to Municipal Development Plans, these include Intermunicipal Development Plans (IDPs), Area Redevelopment Plans (ARPs) and Area Structure Plans (ASPs)

4.1.8 A newly proposed statutory plan or statutory plan amendment pertaining to the Plan Area or a portion of the Plan Area shall be referred to the adjacent 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.

4.1.9 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.

Land Use Bylaws

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

4.1.11 All Land Use Bylaw amendments pertaining to the Plan Area, shall be referred to the adjacent municipality prior to a public hearing.

Subdivision and Development Permit Applications

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

4.1.13 All Development Permit Applications for discretionary uses within the Plan Area where no approved ASP or ACP is in place shall be referred to the adjacent municipality for comment prior to a decision being issued.

Response Timelines

4.1.14 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) 19 calendar days for all ‘complete’ subdivision applications, and
- c) 30 calendar days for all other intermunicipal referrals.

4.1.15 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

4.1.16 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.

4.1.17 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.

4.2 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

4.2.1 This Plan comes into effect on the date it is adopted by both Wheatland County and Foothills County and remains in effect until it is mutually agreed upon by both municipalities to repeal the Plan under the condition that the Plan will be

replaced with a new IDP that will be adopted by both municipalities at the time of the repeal.

4.2.2 Notwithstanding 4.2.1, in the case where only one municipality wishes to repeal the Plan, six (6) months' notice shall be given to the other municipality stating the intent and reasons for repealing the Plan. After the notice period the initiating municipality may pass a bylaw repealing the plan with the knowledge that an IDP is required under the MGA and with the intent of beginning the process to prepare and adopt a new IDP.

4.2.3 Should only one municipality wish to amend the Plan, the dispute resolution process in Section 5 shall be initiated.

4.2.4 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.

4.2.5 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.

4.2.6 A formal review of the Plan should be undertaken within 10 years from the date the IDP is adopted by both municipalities.



5 | DISPUTE RESOLUTION

5.1 General Dispute Process

INTENT

The policies of this Plan are designed to be general in nature, ensuring that both Wheatland County and Foothills County maintain jurisdiction over the decisions made within their borders. It is anticipated that by following the process below, any disputes or conflicts that may arise can first be avoided, and where necessary, settled at the local level. Only in those circumstances where a resolution cannot be achieved locally would the dispute be referred to outside parties.

POLICIES

General Agreement

The municipalities agree that:

5.1.1 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.

5.1.2 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.

5.1.3 The municipalities' administrations 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:

5.1.4 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.

5.1.5 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 in question should contact the other municipality and request that a meeting the Foothills County and Wheatland County Intermunicipal Committee be scheduled. In addition to the Committee members administration staff chosen in policy 5.1.4 should be in attendance to discuss the issue. The Committee will review the issue and attempt to find a resolution acceptable to both municipalities.

5.1.6 Should the Committee be unable to resolve the matter, facilitated mediation shall be initiated subject to agreement by both municipalities.

Filing an Intermunicipal Dispute under the Municipal Government Act

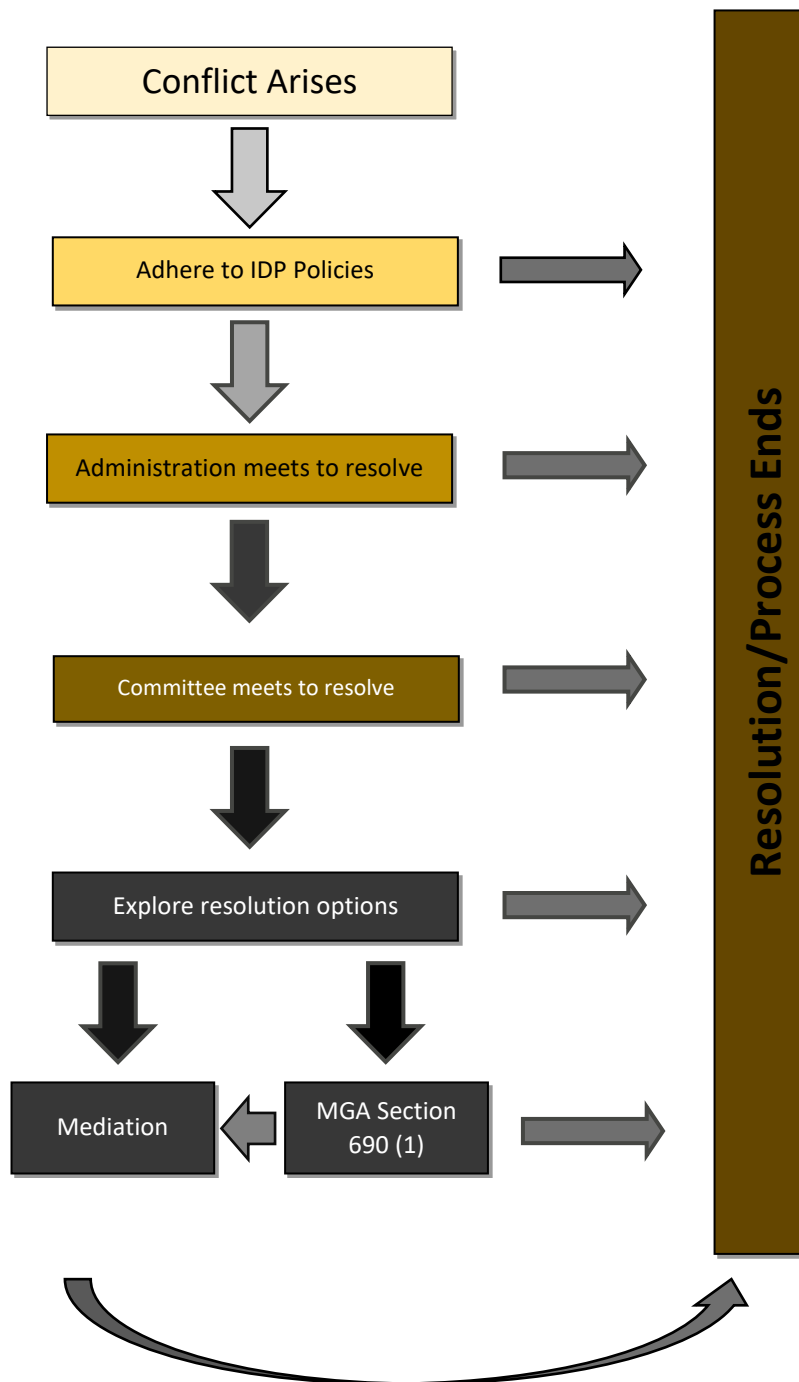
5.1.7 In the case of a dispute involving the adoption of a statutory plan, land use bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *MGA* so that the provincial statutory right and timeframe to file an appeal is not lost.

5.1.8 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.

Figure 2 - 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.



6 | INTERPRETATION OF LANGUAGE

6.1 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

6.1.1 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.

6.1.2 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.

6.1.3 In this document the operative terms Shall, Should and May are used for consistency and clarity. The interpretation of these terms is as follows:

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

APPENDIX A | DEFINITIONS

APPENDIX A | DEFINITIONS

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

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 *MGA* for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality. The Plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), stormwater drainage, fire protection and other utilities across the entire Plan Area.

Calgary Metropolitan Region Board: a board established under the Calgary Metropolitan Region Board Regulation (AR 190/2017) mandated with promoting the long-term sustainability of the Calgary Metropolitan Region, ensuring environmentally responsible land-use planning and coordinating regional infrastructure investment.

Calgary Metropolitan Region Growth Plan: an integrated growth management plan for the Calgary Metropolitan Region, including any amendments to that plan, approved by the Minister under section 708.1 of the Act.

Calgary Metropolitan Region Interim Growth Plan: an interim growth management plan for the Calgary Metropolitan Region, approved by the Minister under section 708.1 of the Act, intended to be in effect until such time as a fulsome Growth Plan is developed and approved.

Council: The Council of Wheatland County and/or the Council of Foothills County in the Province of Alberta.

County: The Municipality of Wheatland County and/or Foothills County.

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

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

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

Intermunicipal Border: The shared border between Wheatland County and the Foothills County.

Intermunicipal Development Plan (IDP): A statutory document, adopted by bylaw in accordance with section 631 of the *Municipal Government Act*, which is used by municipalities as a long-range planning tool.

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 Wheatland County and Foothills 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.

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 Wheatland County and Foothills County Intermunicipal Development Plan.

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

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

APPENDIX B | DATA SOURCES

The following is a list of data used to generate the Maps used in this Plan. All information was retrieved between June 11, 2015 and March 7, 2019.

Challenger Geomatics Ltd. (2016). Digital Orthophotography of the Municipal District of Foothills No. 31. Aerial data acquired June 11 to September 22, 2015

Altalis. (2019). Geometry Shapefiles. Retrieved from: <https://www.altalis.com>

Wheatland County. (2019). WHEATLAND_ROADS_T21R26.shp.

Wheatland County. (2019). WHEATLAND_ZONING_T21R26.shp.

Alberta Environment and Parks. (2019). Base Watersheds - Hydrologically Corrected Fully Filled 25 Metre Raster geodatabase. Retrieved from: <https://www.alberta.ca/hydrological-data.aspx>