

PARKLAND COUNTY
PROVINCE OF ALBERTA

BYLAW 2018-18

BEING A BYLAW TO PROVIDE FOR THE PURPOSE OF ADOPTING AN INTERMUNICIPAL
DEVELOPMENT PLAN BETWEEN PARKLAND COUNTY AND YELLOWHEAD COUNTY

WHEREAS the *Municipal Government Act*, RSA 2000, c.M-26 authorizes Council to work collaboratively with neighbouring municipalities to ensure the efficient future land use planning adjacent to municipal boundaries;

WHEREAS Parkland County and Yellowhead County have worked collaboratively on the preparation of an intermunicipal development plan between both municipalities;

WHEREAS the Council of Parkland County deems it desirable and appropriate to adopt the Parkland County / Yellowhead County Intermunicipal Development Plan;

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the *Municipal Government Act*, as amended, hereby enacts the following:

1. That the "Parkland County / Yellowhead County Intermunicipal Development Plan" attached and forming part of Bylaw 2018-18, is hereby adopted.
2. That Bylaw 2018-18 shall come into force and effect upon third reading by Council and shall remain in force until repealed or amended.

READ A FIRST TIME this 9th day of October, 2018.

READ A SECOND TIME this 9th day of October, 2018.

READ A THIRD TIME and finally passed this 9th day of October, 2018.

SIGNED AND PASSED this 9th day of October, 2018.



Mayor



Chief Administrative Officer

Parkland County/Yellowhead County Intermunicipal Development Plan Bylaw 2018-18



1 INTRODUCTION:

An Intermunicipal Development Plan (IDP) is a statutory document prepared with two (or more) municipalities that share a common border, and where at least one member is not a part of a growth management region. An IDP ensures future development and land use policy is coordinated between municipalities.

Parkland County and Yellowhead County, under the direction of Section 631 of the Municipal Government Act, have agreed to jointly engage in an IDP. This Plan has been developed to reduce the possibility of any potential conflicts between Counties and to ensure the relationship remains strong, transparent, and collaborative in the future.

2 PURPOSE:

To have a co-operative approach for the process of land use and development, managing growth, environmental matters, infrastructure, other vital community services, and dispute resolution along the borders of Parkland County and Yellowhead County. The Plan shall contain:

a. Policies for:



b. Policies for administration and implementation which includes:

- IDP Committee
- Review Process
- Dispute Resolution
- Implementation Process
- Dispute Resolution
- Dispute Resolution
- Dispute Resolution



3 GOALS:

- To establish in good faith a method for collaboration between both Counties on land use matters.
- To reduce the potential for future conflict(s) and encourage understanding.
- To identify and conserve environmental features, recreation, and open space.
- To harmonize and confirm future land uses, infrastructure, transportation, and development within the Plan Area.
- To provide a process and procedure for dispute resolution, amendment, and administration of the Plan.
- To enhance opportunities for increased quality of life through a diversified local economy and quality community services.
- To meet the requirements established in the Municipal Government Act (Section 631), the Edmonton Metropolitan Region Growth Plan requirements (Parkland County), and any other applicable requirement.

4 PLAN AREA:

The IDP consists of two policy areas: the Rural Area and the Hamlet Service Area. The Rural Area extends 800 metres from the Parkland County and Yellowhead County boundary lines or from the top of bank of a body of water or watercourse. Within those lands governed by the Evansburg Area Structure Plan and the Fairview Area Structure Plan, the IDP Hamlet Service Area boundary shall extend from the Pembina River to the nearest quarter section line or municipal roadway or as otherwise shown on Map 2). Where the IDP Hamlet Service Area boundary is disputed, the boundary depicted in Map 2 shall prevail. The joint Plan Area covers approximately 10,726 ha (26,505 ac) of land. For a detailed review of the Plan Area and future land uses, refer to Map 1 - Future Land Use.



5 LAND USE POLICIES:

Parkland County and Yellowhead County will engage and communicate in good faith on land matters within the Plan Area. Any disputes shall be addressed through Section 12 of this Plan. Each County will maintain their autonomy within their current boundaries. Within the Plan Area:

5.1 Referral(s) - Both Counties shall send the following application(s) to the adjacent municipality for review:

- A proposed Municipal Development Plan or amendments thereto;
- A proposed Land Use Bylaw or amendments thereto;
- A proposed Area Structure Plan or amendments thereto;
- A subdivision application; and,
- A discretionary development application.

5.2 Agriculture, Forestry and Crown Lands - Agriculture and Forestry use are primary land uses in the Plan Area. The Counties, where possible, should minimize the conversion of high capability agricultural/forested lands to non-agricultural use. Crown Lands fall under the jurisdiction of the Province of Alberta.

5.3 Residential - New residential development within agricultural areas should minimize impacts on agricultural lands and sensitive environmental features, to maintain the rural character of Parkland and Yellowhead Counties where possible.

5.4 Confined Feeding Operations (CFO) - Any new or expanding CFO within the Plan Area shall follow the Agricultural Operations Practices Act and policies in the applicable municipality's Municipal Development Plan and Land Use Bylaw. Applications shall be referred to the adjacent County for review and comment.



6 HAMLET SERVICE AREA:

- Hamlet Servicing** - Parkland County and Yellowhead County may choose to collaborate on the development of municipal infrastructure needed to service developments within the IDP Hamlet Service Area.
- Gateway to the West** - Parkland County and Yellowhead County will promote the IDP Hamlet Service Area as a regional destination for recreation, tourism, and other economic development opportunities.
- Corridor Development** - The IDP Hamlet Service Area is located along a major transportation corridor. The municipalities may consider reducing visual impact of development through design features such as landscaping, fencing, buffering, and other means of beautification.

7 TRANSPORTATION AND INFRASTRUCTURE POLICIES:

- Transportation Network Referral(s)** - Any proposed changes or expansion to the transportation network within the Plan Area shall be referred to the adjacent municipality and Alberta Transportation (if required) for review and comment prior to any changes being initiated.
- Alberta Transportation** - Where applicable, the Counties will work together with Alberta Transportation to maintain a safe and effective transportation network within the Plan Area.
- Transportation Networks** - Allow and expanding development proposed within the Plan Area shall ensure that long-term transportation corridors are secured in order to maintain safe, coordinated, and efficient road networks.
- Cost Sharing** - Municipalities may enter into a cost sharing agreement on agreed infrastructure that benefits both Counties.
- Development Requirements for Sites with Roadways** - Developers shall construct all roads and linkages to current Parkland County and/or Yellowhead County engineering standards.
- Maintaining Networks** - Each County is responsible for the construction and maintenance of their transportation infrastructure within the Plan Area.
- Future Development** - Any future expansion of transportation networks within the Plan Area shall be agreed upon by both municipalities, by Council resolution.
- Rail Infrastructure** - Both municipalities shall encourage appropriate safety measures be included for proposed developments adjacent to a rail line right-of-way, such as setbacks, berms, and security fencing.
- Canadian National (CN) Railway Referral(s)** - Any new development application within close proximity of a rail line right-of-way shall be referred to CN Railway for comment by the appropriate municipality.
- Servicing and Utilities** - Both Parkland County and Yellowhead County shall ensure that any new or expanding developments within the Plan Area provide servicing. If required, to the satisfaction of the governing municipality.
- Natural Resource Development** - Parkland County and Yellowhead County acknowledge that natural resources play an integral part in the development of their Counties. As such, they will ensure the development of natural resource areas, and that transportation networks are not unduly restricted within the Plan Area.
- Responsible Resource Extraction** - Both municipalities support the responsible extraction of natural resources within the Plan Area. Prior to surface and sub-surface development, the applicable municipality shall ensure that applicants have provided and obtained the permits for compliance with all municipal, provincial, and federal regulatory authorities.

8 ECONOMIC AND SOCIAL DEVELOPMENTS:

- Economic Diversification** - Both municipalities encourage opportunities for a diversified local economy and understand the role it plays in enhancing regional competitiveness.
- Tourism and Recreation** - Where appropriate within the Plan Area, both municipalities will collaborate in good faith to encourage opportunities for tourism and regional recreational use. Any new recreational development shall demonstrate compliance to the applicable policies and regulations in the governing municipality's Municipal Development Plan and Land Use Bylaw.



9 COORDINATION OF INTERMUNICIPAL PROGRAMS:

- Community Programs** - The provision of quality community services and programming helps to enhance resident quality of life. Both municipalities may choose to collaborate on any social or economic development activities which may affect the Plan Area.



10 ENVIRONMENTAL POLICIES:

- Environmentally Significant Areas and Crown Lands** - Environmentally Significant Areas and Crown Lands have been identified within Map 3 - Environmental Features.
- Environmental Reserve** - Both Counties shall follow provincial regulations as they pertain to the dedication, classification, and use of Environmental Reserve, Municipal Reserve, and Conservation Reserve in an effort to maintain the integrity of the systems identified in Map 3 - Environmental Features. At the time of development and/or subdivision, both Counties will require the dedication of Environmental Reserve lands along the Pembina River and any other major watercourse in the Plan Area.
- Setbacks from Natural Areas and Hazardous Landscapes** - Through respective Land Use Bylaws, both municipalities shall enforce appropriate development setbacks from the Pembina River, waterbodies, watercourses, and hazardous landscapes. The governing municipality may require the applicant to supply recommendations, prepared by a qualified professional regarding development setbacks and/or other required mitigation measures.
- Ecosystem Health** - Both municipalities will promote environmental stewardship and the health of the regional ecosystem, watersheds, wetlands, and Environmentally Significant Areas within the Plan Area.
- Connectivity** - Where appropriate, both municipalities may collaborate on the establishment of planned trail networks for passive and recreational enjoyment.
- Open Space** - Both municipalities recognize the wide diversity of open spaces within the Plan Area and may seek to identify future open space opportunities.
- Watershed Management** - Both municipalities shall recognize the importance of wetlands, riparian areas, watercourses and waterbodies, and will collaborate when reviewing proposals which may impact watershed(s) within the Plan Area. Participation by both municipalities in regional watershed alliance groups will be encouraged, and information and recommendations provided may be considered where appropriate.



11 IMPLEMENTATION AND ADMINISTRATION:

- Adoption** - The Intermunicipal Development Plan shall be adopted by Bylaws of both Parkland County and Yellowhead County in accordance with the Municipal Government Act.
- Plan Review and Amendments**
 - The Intermunicipal Development Plan shall be reviewed at minimum every five (5) years following adoption by both Counties.
 - If the Plan requires amendments, or if there is an objection to the Plan by either municipality, an Intermunicipal Development Plan Committee (IDPC) shall be established to review and discuss changes to the Bylaw.
 - An IDPC shall be comprised of four (4) members. The IDPC shall have an even number of members from each municipality: two (2) members of Council (one (1) mayor, one (1) councillor) and two (2) CAOs. An alternate member shall be assigned if any committee member cannot be in attendance.

12 DISPUTE RESOLUTION:

- In the event that a dispute is identified, it is required that written notice be given to the adjacent municipality.
- Administration from each municipality shall meet and attempt to resolve the dispute. If unable, the CAOs may attempt to resolve the dispute.
- In cases where Administration and the CAOs cannot resolve the dispute, an Intermunicipal Development Plan Committee (IDPC) shall be established to review the dispute and attempt to negotiate a resolution. In the event that a resolution is not achieved within thirty (30) days following the first meeting of the IDPC, the dispute will then be referred to mediation. The services of an independent mediator will be retained, with the mediator to present a written recommendation to both Councils. The costs of mediation shall be shared equally between the Counties.
- The identified dispute must be resolved within six (6) months after written notice is given.
- If the dispute has not been resolved within six (6) months after the notice is given, the municipality may proceed to adopt the Bylaw and, in accordance with the MGA, the other municipality will have the right to appeal to the MGB.

