

# Town of Drumheller COUNCIL MEETING AGENDA

Monday, March 16, 2020 at 4:30 PM  
Council Chambers, Town Hall  
224 Centre Street, Drumheller, Alberta



Page

## 1. CALL TO ORDER

## 2. MAYOR'S OPENING REMARK

### 2.1. Change of Command Ceremony

The Town of Drumheller marks the recent Change of Command Ceremony at Drumheller Institution on March 4, 2020. After six years of exceptional service, Darcy Emann has relinquished command to Tracey Farmer as Warden, Drumheller Institution - Prairie Region.

### 2.2. International Day for the Elimination of Racial Discrimination

The Town of Drumheller marks the International Day for the Elimination of Racial Discrimination on March 21, 2020 and recognizes that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies.

## 3. ADOPTION OF AGENDA

### 3.1. Agenda for the March 16, 2020 Regular Council Meeting.

MOTION:

That Council adopt the agenda for the March 16, 2020 Regular Council Meeting as presented.

## 4. MINUTES

4 - 9

### 4.1. Minutes of the March 2, 2020 Regular Council Meeting.

MOTION:

That Council adopt the minutes of the March 2, 2020 Regular Council Meeting as presented.

[Regular Council - 02 Mar 2020 - Minutes](#)

## 5. MINUTES OF MEETING PRESENTED FOR INFORMATION

10 - 18

### 5.1. Minutes for the February 13, 2020 Municipal Planning Commission meeting.

MOTION:

That Council accept the Minutes of the February 13, 2020 Municipal Planning Commission meeting for information.

[MPC Minutes February 13, 2020](#)

## 6. REQUEST FOR DECISION REPORTS

### 6.1. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

19 - 20

#### 6.1.1. Assessor Appointment

MOTION:

That Council move to award the contract for the provision of assessment services April 1st, 2020 to March 31, 2025 to Wild Rose Assessment Services and appoint Rod Vikse as the

designated assessor for the Town of Drumheller.

[RFD - Assessment Services Contract Award](#)

21 - 22

6.1.2. Sunshine Lodge

MOTION:

That Council move to authorize the Drumheller & District Seniors Foundation to borrow funds from a financial institution, to a maximum of Six Million dollars (\$ 6,000,000), for the purpose of renovating Sunshine Lodge as proposed.

[RFD - Sunshine Lodge Renovations](#)

**6.2. DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES**

6.2.1. COVID-19 Update

23 - 29

6.2.2. Criminal Record Check Policy C-04-20

MOTION:

That Council move to adopt Criminal Record Check Policy C-04-20 as presented and amend the Service Fee Schedule to set fees for Criminal Record Checks at Forty dollars (\$40) for employment or other purposes and Five dollars (\$5) for volunteers.

[RFD - Criminal Record Check Fees Policy](#)

**7. PUBLIC HEARING TO COMMENCE AT 5:30 PM**

30 - 31

7.1. Public Hearing for Bylaws 03.20, 04.20, 05.20 and 07.20.

MOTION:

That Council move into a Public Hearing for Bylaws 03.20, 04.20, 05.20 and 07.20.

[Notice of Public Hearing - Bylaw 03.20, 04.20 and 05.20](#)

[Notice of Public Hearing - Bylaw 07.20](#)

**8. BYLAWS**

32 - 78

8.1. Bylaw 03.20 Town of Drumheller-Wheatland County Intermunicipal Development Plan (Second Reading)

MOTION:

That Council give second reading to Bylaw 03.20 Town of Drumheller-Wheatland County Intermunicipal Development Plan.

[Bylaw 03.20 Town of Drumheller-Wheatland County Intermunicipal Development Plan](#)

79 - 116

8.2. Bylaw 04.20 Town of Drumheller-Kneehill County Intermunicipal Development Plan (Second Reading)

MOTION:

That Council give second reading to Bylaw 04.20 Town of Drumheller-Kneehill County Intermunicipal Development Plan.

[Bylaw 04.20 Town of Drumheller-Kneehill County Intermunicipal Development Plan](#)

117 - 146

8.3. Bylaw 05.20 Town of Drumheller-Special Areas Intermunicipal Development Plan (Second Reading)

MOTION:

That Council give second reading to Bylaw 05.20 Town of Drumheller-Special Areas Intermunicipal Development Plan.

[Bylaw No. 05.20 Town of Drumheller-Special Areas Intermunicipal Development Plan](#)

147 - 186

8.4. Bylaw 07.20 Town of Drumheller-Starland County Intermunicipal Development Plan (Second Reading)

MOTION:

That Council give second reading to Bylaw 07.20 Town of Drumheller-Starland County

Intermunicipal Development Plan.

[Bylaw 07.20 Town of Drumheller-Starland County Intermunicipal Development Plan](#)

**9. CLOSED SESSION**

9.1. Town of Drumheller Branding

MOTION:

That Council close the meeting to the public to discuss proprietary branding proposals, per Section 16(1), FOIP.

**Town of Drumheller  
COUNCIL MEETING  
MINUTES**

**March 2, 2020 at 4:30 PM**

Council Chambers, Town Hall  
224 Centre Street, Drumheller, AB, T0J 0Y4



**PRESENT:**

MAYOR:

Heather Colberg

COUNCIL:

Kristyne DeMott

Jay Garbutt

Lisa Hansen-Zacharuk

Tony Lacher

Fred Makowecki

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER:

Darryl Drohomerski

DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES:

Barbara Miller

DIRECTOR OF EMERGENCY AND PROTECTIVE SERVICES:

Greg Peters

DIRECTOR OF INFRASTRUCTURE SERVICES:

Dave Brett

MANAGER OF ECONOMIC DEVELOPMENT:

Sean Wallace

SENIOR ADMINISTRATIVE ASSISTANT:

Libby Vant

RECORDING SECRETARY:

Mike McLean

**ABSENT:**

**1.0 CALL TO ORDER**

Mayor Colberg called the meeting to order at 4:31 p.m.

**2.0 MAYOR'S OPENING REMARK**

2.1 Official Oath of Office - Deputy Mayor Makowecki (March – April)

2.2 Proclamation - Fraud Prevention Month

Mayor Colberg proclaimed March as Fraud Prevention Month.

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March 2, 2020

2.3 Proclamation - International Women's Day

Mayor Colberg marked International Women's Day on March 8, 2020.

**3.0 ADOPTION OF AGENDA**

3.1 Agenda of the March 2, 2020 Regular Council Meeting.

**M2020.60** Moved by Lacher, Hansen-Zacharuk that Council adopt the agenda for the March 2, 2020 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

**4.0 ADOPTION OF MINUTES**

4.1 Minutes of the February 18, 2020 Regular Council Meeting.

**M2020.61** Moved by Zariski, DeMott that Council adopt the minutes of the February 18, 2020 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

**5.0 MINUTES OF MEETING PRESENTED FOR INFORMATION**

5.1 Minutes of the January 16, 2020 Municipal Planning Commission Meeting.

**M2020.62** Moved by Zariski, Lacher that Council receive the Minutes of the January 16, 2020 Municipal Planning Commission Meeting for information.

CARRIED UNANIMOUSLY

**6.0 REPORTS FROM ADMINISTRATION**

**6.1 CHIEF ADMINISTRATIVE OFFICER**

6.1.1 Strategic Priorities - Date Setting

CAO Drohomerski updated Council on the timelines of items in the Strategic Priorities Chart.

**6.2 DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES**

6.2.1 Update on Grant Applications

Deputy CAO Director of Corporate Services Miller updated Council on the status of grant applications.

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March 2, 2020

6.2.2 RFD - Write Off of Bad Debt - Utility Accounts

**M2020.63** Moved by Garbutt, Hansen-Zacharuk that Council approve the write off of the utility bad debts as listed in Attachment "A", in the amount of \$1,202.90 against the allowance for bad debt account (see attached).

CARRIED UNANIMOUSLY

**6.4 DIRECTOR OF INFRASTRUCTURE SERVICES**

6.4.1 RFD -Three (3) Year Crushed Gravel Supply

**M2020.64** Moved by Zacharuk-Hansen, Lacher that Council award the Three (3) Year Crushed Gravel Supply contract to Reg Gallagher Trucking Ltd. for the submitted price of \$276,000.00 excluding GST.

CARRIED UNANIMOUSLY

**6.5 DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES**

6.5.1 Director of Emergency & Protective Services Quarterly Report OCT - DEC 2019

**M2020.65** Moved by Makowecki, Hansen-Zacharuk that Council accept the Director of Emergency & Protective Services' Quarterly Report for information.

CARRIED UNANIMOUSLY

Recess at 5:25 p.m.  
Return at 5:30 p.m.

6.5.2 Criminal Record Check Fees Policy C-04-20

Council provided administration with direction on Criminal Record Check Fees Policy C-04-20 and the fees for Criminal Record Checks.

**6.6 MANAGER OF ARTS, RECREATION AND CULTURE**

6.6.1 Manager of Arts, Recreation and Culture Quarterly Report - OCT - DEC 2019

**M2020.66** Moved by DeMott, Lacher that Council accept the Manager of Arts, Recreation and Culture's Quarterly Report for information.

CARRIED UNANIMOUSLY

**6.7 MANAGER OF ECONOMIC DEVELOPMENT**

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6.7.1 Manager of Economic Development Quarterly Report - OCT - DEC 2019

**M2020.67** Moved by DeMott, Hansen-Zacharuk that Council accept the Manager of Economic Development's Quarterly Report for information.

CARRIED UNANIMOUSLY

**7 PUBLIC HEARING TO COMMENCE AT 5:30 PM**

7.1 Public Hearing - Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology & Definitions

**M2020.68** Moved by Colberg that Council move into a Public Hearing regarding Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology & Definitions.

CARRIED UNANIMOUSLY

PUBLIC HEARING BEGINS AT 5:31 p.m.

No submissions.

PUBLIC HEARING ENDS AT 5:31 p.m.

**8 BYLAWS**

8.1 Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology & Definitions (Second Reading)

**M2020.69** Moved by Hansen-Zacharuk, Zariski that Council give second reading to Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology and Definitions.

CARRIED UNANIMOUSLY

**M2020.70** Moved by Garbutt, Zariski that Council allow for a third reading of Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology and Definitions.

CARRIED UNANIMOUSLY

**M2020.71** Moved by Zariski, Makowecki that Council give third reading to Bylaw 02.20 Land Use Bylaw Amendment - Cannabis Terminology and Definitions.

CARRIED UNANIMOUSLY

8.2 Bylaw 01.20 Land Use Bylaw Amendment - Rezone RV Sands (Third Reading)

**M2020.72** Moved by Zariski, DeMott that Council give third reading to Bylaw 01.20 Land Use Bylaw Amendment to Rezone RV Sands.

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CARRIED UNANIMOUSLY

8.3 Bylaw 07.20 Town of Drumheller-Starland County Intermunicipal Development Plan  
(First Reading)

**M2020.73** Moved by Zacharuk-Hansen, Garbutt that Council give first reading to Bylaw 07.20 Town of Drumheller-Starland County Intermunicipal Development Plan and set a Public Hearing for the March 16, 2020 Regular Council Meeting.

CARRIED UNANIMOUSLY

**M2020.74** Moved by Makowecki, DeMott that Council close the meeting to the public to discuss commercial and financial information, per Section 16(1), FOIP at 6:25 p.m.

CARRIED UNANIMOUSLY

**9.0 CLOSED SESSION**

**M2020.75** Moved by Garbutt, Lacher that Council return to open session at 7:29 p.m.

CARRIED UNANIMOUSLY

**10.0 ADJOURNMENT**

**M2020.76** Moved by Garbutt, Lacher to accept the Manager of Economic Development's Report for information.

CARRIED UNANIMOUSLY

**M2020.77** Moved by Garbutt, Zariski to cancel the March 9, 2020 Committee of the Whole and replace with a Closed meeting (CAO Check-In).

CARRIED UNANIMOUSLY

**M2020.78** Moved by Hansen-Zacharuk, DeMott that Council adjourn the meeting at 7:30 p.m.

CARRIED UNANIMOUSLY

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Chief Administrative Officer

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Mayor



**Attachment 'A'**

<b><u>Account Number</u></b>	<b><u>Amount in Arrears</u></b>
008 0043953 002	\$24.30
016 0007506 007	\$33.71
034 0053504 003	\$34.06
008 0043977 002	\$38.52
020 0024503 011	\$44.92
015 0042000 032	\$67.61
018 0018509 007	\$84.79
015 0054005 004	\$89.77
008 0031503 007	\$95.38
022 0013007 002	\$108.18
021 0010500 007	\$125.77
024 0009001 019	\$130.09
016 0026001 018	\$148.74
014 0022500 006	<u>\$177.06</u>
<b>Total in Arrears</b>	<b>\$1202.90</b>



# DRUMHELLER

COMMUNITY SERVICES



**Municipal Planning Commission  
MINUTES  
Meeting of Thursday February 13, 2020**

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**Present:** Darryl Drohomerski, CAO/Development Officer  
Sean Wallace, Economic Development Manager  
Linda Taylor, Recording Secretary  
Tom Zariski, Chair - Councillor/Member  
Sharon Clark, Vice Chair  
Tony Lacher, Councillor/Member – 2:02 exit  
Scott Kuntz, Member  
Shelley Rymal, Member  
Stacey Gallagher, Member  
Andrew Luger, Member  
Devin Diano, Palliser Regional Municipal Services Representative – Planner  
Ross Rawlysk, Palliser Regional Municipal Services Representative – Planner  
  
Darwin Durnie – Interim Chief Resiliency & Flood Mitigation Officer  
Bob Jenkins  
Andy Neuman

**Delegate(s):** Randy Chiasson  
Bob Sheddy

**1.0 CALL TO ORDER – 12:00 pm**

T. Zariski presented the Agenda for the February 13, 2020 meeting.

**1.1 Agenda – Additions, Deletions or Amendments**

**Addition** - none  
**Deletion** - none  
**Amendment** - none

**1.2 Acceptance of Agenda**

**Motion:** - T. Lacher moved to accept the February 13, 2020 agenda  
**Second:** – S. Clark - Carried

**2.0 MINUTES FROM PREVIOUS MEETINGS**

2.1 January 16, 2020

**Motion:** S. Kuntz moved to accept the minutes of January 25, 2019  
**Second:** – A. Luger - Carried

2.2 Summary of Development Permits

**Motion:** S. Rymal moved to accept the Summary of Development Permits for information  
**Second:** – S. Gallagher - Carried



# DRUMHELLER

COMMUNITY SERVICES



### **3.0 DEVELOPMENT PERMITS**

#### **3.1 T00002-20D – Applicant – Accessory Building – Variance(s) required**

D. Drohomerski presented Development Permit T00002-20D submitted by Applicant for accessory building with variances to size, height and location located at 758 2 Avenue, Drumheller in Nacmine District on Plan 9410208; Lot 2. Zoning is R-1 – Residential District.

D. Drohomerski advised the applicant is applying for an accessory building (garage), with a variance in size to 1512 square feet, variance on height to 23 feet, as well as variance to allow placement in the frontage of the lot. There are no other accessory buildings in the area of this size, structure or height. This property is a larger lot located along the river and the home is placed closer to the river, which does not allow for the placement of the building to the rear of the lot. The application was circulated to area residents and advertised in the local paper under proposed developments; one comment was made verbally to the development officer February 13, 2020, in regards to the size and height of the accessory building.

Municipal Planning Commission discussed the application.

**Motion:** S. Gallagher moved to approve Development Permit T00002-20D submitted by Applicant for accessory building with variances to size, height and location located at 758 2 Avenue, Drumheller in Nacmine District on Plan 9410208; Lot 2.

**Second:** S. Kuntz

**Vote:** all opposed - Motion defeated

#### **REASON FOR REFUSAL**

The Municipal Planning Commission denied the application accessory building with variances for the following reason(s):

1. Accessory buildings shall not exceed the lesser of 67 m<sup>2</sup> (728 sq. ft.) or 15% of lot coverage unless otherwise approved by the Municipal Planning Commission.
2. Height 4.57 m (15 ft.) for accessory buildings

Municipal Planning Commission would like to recommend the applicant to reapply for an accessory building that would be more consistent with the R-1 residential district zoning.

#### **3.2 T00006-20D – Applicant – New Construction Cabin – Variance required**

D. Drohomerski presented Development Permit T00006-20D submitted by Applicant for new construction cabin variance to size located at 115 4 Street West, Drumheller in Lehigh District on Plan 8168FS; Block 3; Lot 6-10. Zoning is SCR – Suburb Community Residential District.

D. Drohomerski advised the applicant is applying for a log cabin dwelling with a variance to size from 800 square feet to 625 square feet. The application was advertised in the local paper, no concerns were raised to date.

Municipal Planning Commission discussed the application. Condition was raised, to add to the notice of decision to remove the building on lot 8.

**Motion:** T. Lacher moved to approve Development Permit T00006-20D submitted by Applicant for new construction cabin with variance on size to 625 square feet, located at 115 4 Street West, Drumheller in Lehigh District on Plan 8168FS; Block 3; Lot 6-10, subject to the following conditions;



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## COMMUNITY SERVICES



1. All buildings located on the property shall be constructed so that all openings are above the 1:100 year flood levels. Documentation from Registered Alberta Land Surveyor required verifying elevations are met to be provided to the Town of Drumheller.
2. Construction to adhere and meet the Flood Mitigation Measures of the Alberta Building Code Standata(s) issued by the Alberta Government and Safety Code Council dated August 15, 2013 and September 20, 2013 (copies attached). This includes but is not limited to all openings above the 1:100 flood levels, mechanical room located above the 1:100 flood level (furnace, hot water tank, electrical panel) and the installation of back flow prevention device.
3. The developer will provide verification conditions have been met by inspection or a method suitable to the Development Authority.
4. Development shall conform to Town of Drumheller Land Use Bylaw 10.08.
5. Development shall conform to the Town of Drumheller Community Standards Bylaw 16.10.
6. Development shall conform to any/all Municipal, Provincial and Federal regulations, guidelines and/or legislation that may apply.
7. If the holder of the permit/property owner wishes to make any changes in the proposed development, occupancy or additions to same from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
8. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be provided to the Town of Drumheller for verification and upon completion.
9. All necessary Safety Codes Permits (building, electrical, gas, plumbing and private sewage.) to be in place prior to any construction/installations.
10. Make provisions for installation of water services and meter as per the Town of Drumheller water/sewer bylaw at the expense of the owner/applicant.
11. Offsite levies to be paid prior to the issuance of Safety Codes permits.
12. External finished appearance of site to the satisfaction of the development Officer/Municipal Planning Commission.
13. Ensure grading allows for all surface water to drain from the site and does not adversely affect neighboring properties
14. Any/all local improvements or upgrade required for development are at owner/applicants expense. All local improvements, and construction thereof, must be approved by the Town of Drumheller including, but not limited to, approaches, driveways, frontage charges, water/sewer services, etc. Please contact 403-823-1330 for approval and specifications prior to installation.
15. Landscaping to be in accordance with Policy C-04-02 and Land Use Bylaw 10.08 and to the satisfaction of the Development Officer/Municipal Planning Commission.
16. Contractor and subcontractors to have a valid business license with the Town of Drumheller.

**Second:** A. Luger – 1 opposed - Carried.

### **3.3 T00009-20D – Applicant – Digital Signs – Discretionary Use**

D. Drohomerski presented Development Permit T00009-20D submitted by Applicant for digital signs located at 100 680 2 Street SE, Drumheller Plan 9512135; Block 11; Lot 5. Zoning is HWY-C – Highway Commercial District.

D. Drohomerski advised the applicant is applying to install two permanent digital signs .92 square metres and two permanent digital signs 1.8 square metres for a total of 4 digital signs as replacements to the existing signage.



Digital signs are a discretionary use which requires MPC approval. The application was advertised in the local paper under proposed developments, no concerns were raised to date

Municipal Planning Commission discussed the application.

**Motion:** A. Luger moved to approve Development Permit T00009-20D submitted by Applicant for digital signs located at 100 680 2 Street SE, Drumheller Plan 9512135; Block 11; Lot 5, subject to the following conditions;

1. Shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw 16-10.
3. Development to conform to Land Use Bylaw Part VII Sec 81 (12) Digital Signs
4. Digital sign's brightness level shall not negatively affect adjacent properties. The sign must have an adjustable brightness level and may require modification during evening hours.
5. Digital sign's must not obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the Town of Drumheller.
6. Placement, components and appearance of sign as per application. Any change(s) that departs from the description in the application or from any condition or restriction imposed, requires prior approval from the Development Authority.
7. Developer shall ensure authorization is obtained from property owner prior to sign placement.
8. Any/all Safety Codes Permits (i.e. electrical) to be obtained prior to the installation of the sign.
9. Contractor(s) to have a valid Business License with the Town of Drumheller.
10. Appearance of sign shall be maintained to the satisfaction of the Development Authority.
11. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
12. All Signs shall be removed if the business ceases operations or the use of the site is terminated.

**Second:** S. Kuntz – Carried

### **3.4 T00004-20D – Applicant – Cannabis Cultivation Facility – Discretionary Use**

D. Drohomerski presented Development Permit T00004-20D submitted by Applicant for a Cannabis cultivation facility located at 320 Industrial Road, Drumheller in Rosedale District Plan 0614150; Block 16; Lot 7. Zoning is M-2 – Medium Industrial District.

D. Drohomerski advised the applicant is applying for a development permit to construct a 15,000 square foot cannabis production facility. The definition for "Cannabis Production Facility" is currently being added to the Land Use Bylaw through the legislative process, a similar discretionary use is "Medical Marijuana Production Facility." The location for this facility is zoned for developments such as this and located in an area with no residential neighbourhoods abutting the proposed development. In addition to the 23 municipal conditions, the applicant must comply with both Provincial and Federal cannabis legislation. A development agreement and utility agreement would be put in place with the Town of Drumheller. Development Permit application was circulated to all land owners within a 1 kilometer radius and was advertised in the local paper under proposed developments; 6 concerns were raised. In general the concerns were in regards to odour mitigation and property values. Alberta Health Services submitted a letter with comments, notably confirmation of adequate potable water supply is available, chemicals and hazardous materials are handled appropriately, a waste management plan is in place, consider types and volume of chemicals stored, preventing mold growth, monitor installation for carbon monoxide levels and implement odour mitigation strategies.



S. Wallace spoke to the property value concerns; a study by Remax noted there were no notable decreases in property values where Cannabis operations were present.

The applicant was present at the meeting and spoke to several of the raised questions in regards to the Cannabis cultivation facility:

1. Traffic – during construction the traffic will increase, however after construction there will be only nominal traffic of employees going in to work and smaller loads of product leaving the facility
2. Water and sanitary at the location is sufficient to suit the needs of the facility
3. The facility must adhere to a strict schedule of regulations in regards to cannabis cultivation
4. Is working with school to set up scholarship
5. They are working on zero waste; coconut is used instead of soil and the coconut waste is then recycled by donation
6. Water is 25% reused and filtered then used for cleaning and water closets
7. Filters are all organic and no chemicals are used
8. There is security guards in place 24/7.
9. Construction of the facility is set up to be mobile, where the racks are removable
10. Company is smaller than most and are organic in nature
11. Shareholders are the employees; starting with approximately 20 employees
12. There is a strict and planned employee structure in place
13. Odour; the facility is designed with cavities where the air is recirculated through several filters, the building air is also filtered, there are mobile containers where the air is finally released at 99% odour free.
14. HVAC – the air circulation is perpetual and the facility is divided into several rooms

Municipal Planning Commission discussed the application.

**Motion:** T. Lacher moved to approve Development Permit T00004-20D submitted by Applicant for a Cannabis cultivation facility located at 320 Industrial Road, Drumheller in Rosedale District Plan 0614150; Block 16; Lot 7, subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10.08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw 16.10.
3. Development shall conform to any/all Municipal, Provincial and Federal regulations, guidelines and/or legislation that may apply.
4. Development agreement and/or Utility agreements with the Town of Drumheller may be required.
5. If the holder of the permit/property owner wishes to make any changes in the proposed development, occupancy or additions to same from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
6. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be provided to the Town of Drumheller for verification and upon completion.
7. All necessary Safety Codes Permits (building, electrical, gas, plumbing and private sewage.) to be in place prior to any construction/installations.
8. Make provisions for installation of water services and meter as per the Town of Drumheller water/sewer bylaw at the expense of the owner/applicant.
9. Offsite levies to be paid prior to the issuance of Safety Codes permits.
10. External finished appearance of site to the satisfaction of the Development Officer/Municipal Planning Commission.
11. Ensure grading allows for all surface water to drain from the site and does not adversely affect neighboring properties



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COMMUNITY SERVICES



- 12. Any/all local improvements or upgrades required for development are at owner/applicants expense. All local improvements, and construction thereof, must be approved by the Town of Drumheller including, but not limited to, approaches, driveways, frontage charges, water/sewer services, etc. Please contact 403-823-1330 for approval and specifications prior to installation.
- 13. Landscaping to be in accordance with Policy C-04-02 and Land Use Bylaw 10.08 and to the satisfaction of the Development Officer/Municipal Planning Commission.
- 14. Contractor and subcontractors to have a valid business license with the Town of Drumheller
- 15. Development permit is required for signage placement and made under a separate application prior to placement.
- 16. Sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission.
- 17. Annual Business License is required.
- 18. Sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission.
- 19. As a condition of development and prior to the operation of the facility, the owner must provide a copy of the current license for all activities associated with cannabis production as issued by the Health Canada.
- 20. The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable Federal, Provincial or other Municipal legislation.
- 21. The development must be done in such a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, garbage containers and waste material.
- 22. The development shall not include an outdoor area for the storage of goods, materials or supplies.
- 23. The development must include equipment designed and intended to remove odors from the air where it is discharged from the building as part of a ventilation system.
- 24. As a condition of development and prior to the operation of the facility, the Municipal Planning Commission will require a waste management plan completed by a qualified professional, which includes but is not limited to, details on:
  - (a) the quantity and characteristics of liquid and waste material discharged by the facility,
  - (b) the method and location of collection and disposal of liquid and waste material discharged by the facility; and
  - (c) the disposal of waste products and mitigation of airborne emissions, including smell.

**Second:** S. Rymal – Carried

## 4.0 PALLISER REGIONAL MUNICIPAL SERVICES

### SUBDIVISION REPORT

<b>AGENDA:</b>	February 13, 2020	<b>MUNICIPALITY:</b>	Town of Drumheller
<b>FILE No.</b>	80/157	<b>PRMS No.</b>	2020-002
		<b>PROPOSAL:</b>	Boundary Adjustments
<b>LOCATION:</b>	Lots 9, 10 and 11; Block 1; Registered Plan 801 0446 Civic Address(s) 91, 101, and 111 Huntington Park		
<b>LEGAL DESCRIPTION:</b>	Lots 9, 10 and 11; Block 1; Registered Plan 801 0446 (Ptn.S.E. ¼ 02-29-20 W.4 M.)		
<b>APPLICANT:</b>	William R. Hunter, A.L.S.		
<b>OWNERS:</b>	Lot 9; Block 1; Registered Plan 801 0446 (Curtis John Lapierre)		



# DRUMHELLER

COMMUNITY SERVICES



Lot 10; Block 1; Registered Plan 801 0446 (Harry and Deborah Gough)  
Lot 11; Block 1; Registered Plan 801 0446 (Curtis and Dianne Blanchett)

**TITLE AREA:** Approximate areas - calculated  
Lot 9 - 598.41 m<sup>2</sup>  
Lot 10- 628.76 m<sup>2</sup>  
Lot 11- 597.50 m<sup>2</sup>

**PROPOSED SUBDIVISION AREA:** Two minor lot boundary adjustments

**NUMBER OF PROPOSED PARCELS:** No new parcels created

**EXISTING USE:** Existing residential developments

**PROPOSED USE:** Residential

**LAND USE CLASSIFICATION:** "R-1" Residential District

**RESERVE STATUS:** None required.

**CIRCULATION:** No circulation agencies have expressed any concerns.

**STAFF COMMENTS:**

The purpose of this subdivision is to re-align two existing lot boundaries affecting three residential lots in order to reflect current lot development and fence lines. The adjustments proposed are relatively minor in nature, and don't impact side yard requirements as required in the R-1 Residential District.

The "R-1" Residential District in Land Use Bylaw 10-08 requires a side yard of 1.5 m (5.ft). The Bylaw defines side yard as "a yard existing from the front yard to the rear yard between the side line of a lot and the nearest main wall of the principle building or structure on the lot." As a result of the proposed subdivision, the minimum side yard after the subdivision would be 2.02 m (6.627 ft.) between Lot 9 and the existing residence and attached garage on lot 10. The proposed side yard between Lot 10 and Lot 11 would be 2.62 m (8.59 ft) from the existing residence.

Section 55 of the General Land Use regulations outlines allowable projections over yards.

(b) Side Yards

- (i) Eaves, shade projections, chimneys, and cantilevers may project a distance not exceeding one half of the minimum side yard requirement for the lot;
- (ii) Unenclosed steps and landings shall be at grade to a side entrance and may project onto the entire required side yard. Unenclosed steps and landings above grade shall be at the discretion of the Municipal Planning Commission;
- (iii) Residential buildings with a side entrance requiring a side yard relaxation and/or having projections as described above shall maintain one side yard with no relaxation or projection except for eaves;
- (iv) Balconies may project into a sideyard but must maintain a minimum 4 ft separation from property lines.

(3) (c) Rear Yards

- (4) (i) Eaves, cantilevers, balconies, bay windows, enclosed decks, shade projections, chimneys may project a maximum of 1.5 m (4.9 ft.) over or onto a required rear yard.





# DRUMHELLER

COMMUNITY SERVICES



- (5) (ii) Unenclosed decks and steps may project a maximum of 50% of the required rear yard where the height is less than 0.61 m (2 ft.) above grade. Decks greater than 0.61 m (2 ft.) above grade shall meet the requirements of (i) above or may be relaxed at the discretion of the MPC.

In reviewing the aerial photography and web-map for the area, it would appear that several possible encroachments could exist on one or more properties involved in this proposed subdivision. On lot 10, an existing shed appears to encroach on the rear property boundary, where a minimum 1 m (3.2 ft) setback is required. On lot 11, the existing garage and deck improvements also appear to encroach within the required rear yard setback. In this regard, Palliser is recommending that a real property report be prepared to confirm any possible encroachments and/or non-compliance issues. It would be our recommendation that if required, the Town consider entering into an encroachment agreement with the landowners to allow ongoing non-compliance issues, or alternatively move accessory structures to comply.

Section 654(1)(b) of the Municipal Government Act notes that A subdivision authority must not approve an application for subdivision approval unless:

- (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided.
- (2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,
  - (a) the proposed subdivision would not
    - (i) unduly interfere with the amenities of the neighborhood, or
    - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

**Title Encumbrances:** There do not appear to be any encumbrances that affect the proposed subdivision area.

**STAFF RECOMMENDATION:**

That the application be approved with the following conditions:

- (1) Registration of the Subdivision by means suitable to the Registrar of the Land Titles Office, [Section 81 and 89 of the Land Titles Act] after endorsement of the subdivision.
- (2) All outstanding taxes to be paid to the municipality, [Section 654 (1)(d) of the Municipal Government Act] prior to endorsement of the subdivision.
- (3) Submission of an Alberta Land Surveyor Real Property Report to confirm the location of buildings on Lots 9, 10 and 11; Block 1; Registered Plan 801 0446 to ensure that the required yards have been provided for all permanent structures. [Section 654(1)(b) of the Municipal Government Act].

**Motion:** S. Rymal moved Municipal Planning Commission support Palliser Regional Municipal Services recommendation that the application be approved in accordance with staff recommendations.

**Second:** A. Luger – Carried.



**5.0 OTHER DISCUSSION ITEMS**

**5.1 LUB Definition updates & Bylaw amendment**

A copy of Bylaw number 02.20 was given to MPC members; the Bylaw amendment to the Land Use Bylaw 10.08 is going to Council March 3, 2020.

**6.0 NEXT MEETING DATE – ~~February 27, 2020~~ – March 5, 2020**

**7.0 IN CAMERA**

**7.1. Update to DFRM program**

In Camera – 1:07pm

Motion: S. Rymal

Second: T. Lacher – Carried

Out of Camera – 2:05pm

Motion: S. Rymal

Second: S. Kuntz – Carried

**8.0 ADJOURNMENT**

Motion: A. Luger

Second: S. Kuntz – Carried

\_\_\_\_\_  
**Chairperson**

\_\_\_\_\_  
**Development Officer**

**Attachments:** Agenda



**Town of Drumheller  
REQUEST FOR DECISION**

<b>TITLE:</b>	Assessor Appointment
<b>DATE:</b>	March 4, 2020
<b>PRESENTED BY:</b>	Barbara Miller, CPA, CGA, CLGM
<b>ATTACHMENT:</b>	n/a

**SUMMARY**

*Administration is seeking the award of contracted assessment services and the formal appointment of designated officer – Assessor, for the Town of Drumheller.*

**BACKGROUND**

Municipalities are required to prepare an assessment of each property, with the exception of designated industrial property, on an annual basis.

To do so, Section 284.2(1) of the *Municipal Government Act RS2000* states that “A municipality must appoint a person having the qualifications set out in the regulations to the position of designated officer to carry out the functions, duties and powers of a municipal assessor under this Act.”

With the extension of the existing contract for assessment services set to expire, a Request for Proposal for the Provision of Assessment Services was issued and in response to the call, proposals were received from;

- Wild Rose Assessment Services (current provider)                      \$464,418
- IMAC Assessment Services    \$495,748

**RECOMMENDATION:**

Administration recommends the awarding of the contract for the provision of assessment services from April 1, 2020 to March 31, 2025 to Wild Rose Assessment Services and the appointment of Rod Vikse as designated officer – Assessor for the Town of Drumheller.

**DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):**

On January 22, a Request for Proposals for the Provision of Assessment Services was posted on Alberta Purchasing Connection and the Town of Drumheller website. On closing, two proposals were received from interested parties.

The following table was included in the RFP document to inform interested proponents of the evaluation methodology.

Corporate Information and Experience	15%
Assessor Qualifications and Experience	20%
Fees	35%
Customer Service philosophy	15%
Client Relations and References	15%

A review of the proposals determined that the two firms have comparable corporate experience, are equally qualified and share similar customer service philosophy resulting in equivalent scoring in these areas. Having enjoyed excellent customer service from Wild Rose Assessment and having had a minimal number of assessment complaints and/or appeals over the years, client relations were not of concern with the current service provider leaving the deciding factor to rest on total servicing fees.

As noted above, the proposal submitted by Wild Rose Assessment Services is \$31,330 plus G.S.T., less than the IMAC Assessment Services proposal, over the 5 year term.

**FINANCIAL IMPACT:**

The 2020 tax supported operating budget and 2021-2023 operating financial plans projected annual cost of assessment services to be \$116,750 - well above the annual average of \$93k over the 5 year term.

**STRATEGIC POLICY ALIGNMENT:**

Providing consistent, qualified, experienced and customer friendly assessment services supports the strategic priorities of good governance and customer service.

**COMMUNICATION PLAN:**

Once awarded, both proponents will be notified of the outcome by formal, written correspondence.

**MOTION: Councillor \_\_\_\_\_**

**Moves to award the contract for the provision of assessment services April 1<sup>st</sup>, 2020 to March 31, 2025 to Wild Rose Assessment Services and appoint Rod Vikse as designated assessor for the Town of Drumheller.**

**Seconded: \_\_\_\_\_**

Barbara Miller

Barbara Miller

Prepared By: \_\_\_\_\_

Approved By: B.Miller  
Deputy C.A.O./Director, Corporate Services



**Town of Drumheller  
REQUEST FOR DECISION**

<b>TITLE:</b>	<b>Sunshine Lodge Renovations</b>
<b>DATE:</b>	March 12, 2020
<b>PRESENTED BY:</b>	Barb Miller, CPA, CGA, CLGM Deputy Chief Administrative Officer /Director, Corporate Services
<b>SPONSORED BY:</b>	Councillor Tom Zariski

**SUMMARY**

*Drumheller & District Seniors Foundation is seeking a motion of Council to authorize the borrowing of up to Six Million dollars (\$6,000,000) for the purpose of Sunshine Lodge renovations.*

**BACKGROUND**

The Sunshine Lodge has a vision to lead our community in age-friendly, home-like accommodation and their mission is to ensure that Drumheller and area seniors have a high quality of life by providing affordable and supportive accommodations.

Currently, the accommodations consist of seventy-eight (78) rooms including six (6) couple suites. The lodge is equipped with kitchen, dining room, sitting rooms, laundry facility, and indoor and outdoor activity areas. Each single room is equipped with a single bed, dresser and a nightstand. Couples rooms are equipped with two single beds, a dresser and a nightstand. Rooms in the 100, 200 & 300 wings are equipped with a bar sized fridge.

The Sunshine Lodge board of directors has identified a need for renovations to the facility. The proposed renovations would include the demolition of the 500 wing in order to rebuild a new wing with larger rooms and walk in showers, upgraded kitchen facilities and expansion of the activity areas. Architectural estimates for this work put the total cost for these renovations no higher than six million (\$ 6,000,000).

The board of directors is not requesting funding from the stakeholders (requisitioning municipalities), however they do require a motion of Council, supporting the borrowing of funds from a financial institution for the proposed renovations.

These approvals are then provided to the Board of Directors for submission to the Minister of Seniors and Housing as well as the lending institution.

**RECOMMENDATION:**

Administration recommends that Council move to authorize the Drumheller & District Seniors Foundation to borrow funds to a maximum of six million dollars (\$6,000,000) from a financial institution for the purpose of renovating Sunshine Lodge as proposed.

**DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):**

Improving the Sunshine Lodge facility will improve the quality of life for our seniors, which is a Council Strategic Priority.

**FINANCIAL IMPACT:**

The C.A.O. for the Drumheller & District Seniors Foundation has advised that the Lodge recently retired debt and as a result, the interest on new borrowing will not increase the annual requisition amount of \$985,000.

**STRATEGIC POLICY ALIGNMENT:**

Affordable, safe accommodation for seniors, and protection of people and property.

**MOTION:**

**Councillor:** \_\_\_\_\_

That Council move to authorize the Drumheller & District Seniors Foundation to borrow funds from a financial institution, to a maximum of Six Million dollars (\$ 6,000,000), for the purpose of renovating Sunshine Lodge as proposed.

**Seconder:** \_\_\_\_\_

Libby Vant

Barbara Miller

Prepared By: Libby Vant,  
Senior Administrative Assistant

Approved: Barbara Miller, CPA, CGA, CLGM  
Deputy Chief Administrative Officer /  
Director, Corporate Services



**Town of Drumheller  
REQUEST FOR DECISION**

<b>TITLE:</b>	<b>Criminal Record Check Fees Policy</b>
<b>DATE:</b>	March 16, 2020
<b>PRESENTED BY:</b>	Greg Peters, Director of Emergency & Protective Services
<b>ATTACHMENT(S):</b>	Criminal Record Check Fees Comparison Chart Criminal Record Check Fees Policy C-04-20 Service Fee Schedule (Page 1)

**SUMMARY**

*Administration is seeking adoption of Criminal Record Check Fees Policy C-04-20 and amendments to the Service Fee Schedule that would lower fees from \$37 to \$5 for volunteers and raise the fees from \$37 to \$40 for employment or other purposes.*

**BACKGROUND**

At the March 2, 2020 Regular Council Meeting, Council directed administration to proceed with changes to the proposed Criminal Record Check Fees Policy C-04-20 and amendments to the Service Fee Schedule. Currently, the Town charges \$37 for name-based criminal record checks and vulnerable sector checks without exceptions for employment or volunteer purposes. Out-of-town residents are not currently charged.

A review of the practices of the Town and 15 other municipalities within a similar population range found that fees range from \$0 to \$65, with an average of around \$35. The Town was one of four communities in the sample that charged volunteers for a *Vulnerable Sector Check*.

During discussion, Council highlighted its intention to reduce or eliminate fees for volunteers. Given a range of options, Council expressed its desire to lower criminal record check fees for volunteers from \$37 to \$5 and raise the fees for employment or other purposes from \$37 to \$40. Council also directed administration to amend Policy C-04-20 to require volunteers to provide a written letter from the organization.

**LEGISLATIVE/AUTHORITY**

Pursuant to section 8 of the *Municipal Government Act*, a municipality may pass a bylaw for the establishment of fees for licenses, permits and approvals as established by Council. The fees for criminal record checks are outlined in the Town's Service Fee Schedule.

## Request for Decision Criminal Record Check Fees

### STRATEGIC PLAN ALIGNMENT

The adoption of Criminal Record Check Fees Policy C-04-20 and corresponding amendments to the Service Fee Schedule aligns with the strategic topic of *Customer Service*, which includes consistency and enhanced public confidence. The review also involves the topic of *Staff Capacity*, including matching expectations with capacity.

### DISCUSSION

There are significant administrative costs associated with providing criminal record checks and are required by most employers and volunteer organizations. RCMP detachments in communities that do not charge fees have been faced with repeated requests for the same criminal record checks to be processed while not recouping any of the expenses. Currently, any costs associated with providing checks which are not recovered are ultimately subsidized through property taxation.

Residents of the Town of Drumheller were responsible for 76 percent of all applications. (Out-of-town residents are not currently charged). The fees generated approximately \$22,000 in 2019. Vulnerable Sector Checks for employment generated around \$13,200 in fees, while volunteers accounted for roughly \$8,800 in fees.

To provide context, a review of 16 towns with population sizes between 7,000 and 15,000 was conducted ('Criminal Record Check Fees Comparison Chart' attached). Among the findings:

- 15 municipalities charge fees for *Name-Based Criminal Record Checks*, ranging from \$20 to \$65 with an average of around \$36
- 4 municipalities charge for *Vulnerable Sector Checks* for volunteers, ranging from \$10 to \$65 with an average of around \$34
- For applicants seeking a *Name-Based Criminal Record Check and Vulnerable Sector Check* for **employment**, fees are **not** charged in the following communities:
  - Blackfalds, Strathmore, Morinville, Olds, Canmore, Brooks, Whitecourt, Hinton and Coaldale.
- For applicants seeking a *Name-Based Criminal Record Check and Vulnerable Sector Check* for **volunteering**, fees are **not** charged in the following communities:
  - Blackfalds, Strathmore, Morinville, Olds, Canmore, Ponoka, Sylvan Lake, Edson, Brooks, Whitecourt, Hinton and Coaldale.

While the Town of Drumheller's current fee of \$37 is in line with the average, the Town is one of only four municipalities to charge for *Vulnerable Sector Checks* for volunteer



# AGENDA ITEM #6.2.2.

Request for Decision  
Criminal Record Check Fees

purposes. Drumheller is one of seven communities that charge for *Vulnerable Sector Checks* for employment or other purposes.

**OPTIONS**

Fee Structure Model	CRIMINAL RECORD CHECK + VULNERABLE SECTOR CHECK		Projected Revenue
	Employment	Volunteer	
<b>OPTION 1:</b> Low Cost Recovery	\$25	\$0	\$10,075
<b>OPTION 2:</b> Medium Cost Recovery	\$40	\$5	\$17,070
<b>OPTION 3:</b> High Cost Recovery	\$60	\$10	\$26,080
<b>OPTION 4:</b> Keep Existing Fees	\$37	\$37	\$21,941
<b>OPTION 5:</b> Keep Existing Fee for Employment, Waive Fee for Volunteers	\$37	0	\$13,164

**MOTION: Councillor \_\_\_\_\_**

**Move that Council move to adopt Criminal Record Check Policy C-04-20 and amend the Service Fee Schedule to set fees for Criminal Record Checks at Forty dollars (\$40) for employment and other purposes and Five dollars (\$5) for volunteers.**

**Seconded: \_\_\_\_\_**

Greg Peters

Barbara Miller

\_\_\_\_\_  
Prepared By: Greg Peters  
Director of Emergency & Protective Services

\_\_\_\_\_  
Approved: Barbara Miller  
Deputy Chief Administrative Officer

<b>CRIMINAL RECORD CHECK FEES - COMPARISON CHART</b>				
			<b>CRIMINAL RECORD CHECK + VULNERABLE SECTOR CHECK</b>	
	<b>Municipality</b>	<b>Population</b>	<b>Employment</b>	<b>Volunteer</b>
1	Town of Taber	8,428	\$65.00	\$65.00
2	Town of Blackfalds	9,328	\$0.00	\$0.00
3	Town of Strathmore	13,756	\$0.00	\$0.00
4	Town of Morinville	9,848	\$0.00	\$0.00
5	Town of Olds	9,184	\$0.00	\$0.00
6	Town of Innisfail	7,847	\$40.00	\$10.00
7	Town of Canmore	13,992	\$0.00	\$0.00
8	Town of Ponoka	7,229	\$30.00	\$0.00
9	Town of Sylvan Lake	14,816	\$25.00	\$0.00
10	Town of High River	13,584	\$25.00	\$25.00
11	Town of Edson	8,414	\$20.00	\$0.00
12	City of Brooks	14,451	\$0.00	\$0.00
13	Town of Whitecourt	10,259	\$0.00	\$0.00
14	Town of Hinton	9,882	\$0.00	\$0.00
15	Town of Coaldale	8,215	\$0.00	\$0.00
16	Town of Drumheller	7,982	\$37.00	\$37.00
	<b>AVERAGE CHARGE</b>		<b>\$34.57</b>	<b>\$34.25</b>



# **DRUMHELLER**

**COUNCIL POLICY**



**COUNCIL POLICY #C-04-20**

**CRIMINAL RECORD CHECK FEE POLICY**

**A. PURPOSE:**

The Town of Drumheller believes that criminal record checks are an essential security measure for employers, volunteer organizations and government officials. Significant administrative resources are required to deliver this service, which is partially subsidized through property taxation. This policy has been designed to provide an accountable, fair and transparent framework for determining criminal record check fees.

**B. DEFINITIONS:**

***Name-Based Criminal Record Check*** is a query, based on name and date of birth, of active criminal files in the RCMP National Repository of Criminal Records used to determine the possible existence of a criminal record. It is generally used as a preliminary search only to determine if a Fingerprint-based Criminal Record check may be required.

***Vulnerable Sector Check*** is a name-based criminal record check (or police information check) plus a check to see if a person has a record suspension (pardon) for sexual offences. The information that can be legally disclosed is provided to the applicant. It is requested when the subject of the check will be in a position of trust or authority of vulnerable persons.

***Applicant:*** the individual seeking the criminal record check.

**C. CONDITIONS:**

1. All Name-Based Criminal Record Checks and Vulnerable Sector Checks for employment or other purposes will be applied a fee according to the Service Fee Schedule.
2. All Name-Based Criminal Record Checks and Vulnerable Sector Checks for volunteers are supplied at no cost, where a volunteer letter is provided.

## **AGENDA ITEM #6.2.2.**

3. Volunteer work is charitable work where individuals are not paid or compensated for expenses and does not include volunteer work that is ordered by a court or a judicial body.
4. All applications must be brought in by the applicant.
5. All applicants must provide proof of address.
6. In the event that an applicant requires digital fingerprinting, the applicant will be required to pay an additional fee payable in cash only to the Drumheller RCMP detachment.

### **C. EFFECTIVE DATE:**

This policy is effective March 31<sup>st</sup>, 2020.

**Town of Drumheller**

**Fee Schedule** Rates Adjusted as per Corporate Services

01-Jan-20

GST: Extra where applicable (unless otherwise indicated)  
source:

**ADMINISTRATION**

**account(s) management**

Payment (credit balance) transfers (utilities to taxes, taxes to utilities) \$ 25.00  
Balance transfers (utilities to tax roll) \$ 50.00

**assessment appeal**

LARB (residential) Provincial Reg. \$50 max, 3 units and less \$ 50.00  
CARB (multi res, commercial) Provincial Reg. \$650 max \$ 650.00

\*fees refunded upon successful appeal

**assessment information request by third party**

information regarding legal description, latest assessment \$ 36.75  
information regarding historical assessments \$ 36.75

**copies of information (other than photocopies)**

Reprint fee for invoice , account history or receipt: \$ 25.75  
per electronic version \$ 42.25  
per photograph plus: \$ 3.35  
per 4x6 \$ 6.50  
per 5x7 \$ 11.00  
per 8x10 \$ 22.00  
per 11x14 \$ 33.50  
per 16x20

**criminal records check**

\$ 37.00

**TOWN OF DRUMHELLER  
NOTICE OF PUBLIC HEARING**

**BYLAW 03.20 TOWN OF DRUMHELLER-WHEATLAND COUNTY INTERMUNICIPAL  
DEVELOPMENT PLAN**

**BYLAW 04.20 TOWN OF DRUMHELLER-KNEEHILL COUNTY INTERMUNICIPAL  
DEVELOPMENT PLAN**

**BYLAW 05.20 TOWN OF DRUMHELLER-SPECIAL AREAS INTERMUNICIPAL  
DEVELOPMENT PLAN**

**PURPOSE:** In order to comply with the recent amendments to the *Municipal Government Act*, municipalities that share a border must enter into an Intermunicipal Development Plan (IDP) that address specific topics. The intent of the IDP is to foster good relations by putting into policy how both municipalities will communicate with each other on different types of planning applications as well as establishing a dispute resolution process. Each municipality's jurisdiction remains the same, and the IDP does not change land use districts.

A Public Hearing will be held in the Town of Drumheller Council Chambers, at 224 Centre Street, Drumheller, Alberta on **Monday, March 16<sup>th</sup>, 2020 commencing at 5:30 p.m.** Council will hear from any person claiming to be affected by the proposed bylaw. The time limit of oral presentations is subject to the direction of the Chairperson.

Persons wishing to submit a letter, petition or other communication concerning these matters in advance of the Public Hearing, may do so provided they are legibly written. Submissions will be received up to **Friday, March 13<sup>th</sup>, 2020 at 4:00 p.m.**

Submissions should be addressed to: Town of Drumheller, 224 Centre Street, Drumheller, Alberta T0J 0Y4. A copy of the proposed bylaw may be inspected by the public during regular office hours, from 8:00 a.m. to 4:30 p.m., at Town of Drumheller, 224 Centre Street.

The proposed bylaws – Bylaw 03.20, Bylaw 04.20 and Bylaw 05.20 – can be inspected at the Town Office at 224 Centre Street between the hours of 8:00 a.m. and 4:30 p.m and available on the Town website: [www.drumheller.ca](http://www.drumheller.ca)

This notice is given pursuant to Sections 606 and 692 of the Municipal Government Act.

First Publication: February 26, 2020

Second Publication: March 4, 2020



Chief Administrative Officer

**TOWN OF DRUMHELLER  
NOTICE OF PUBLIC HEARING**

**BYLAW 07.20 TOWN OF DRUMHELLER-STARLAND COUNTY INTERMUNICIPAL  
DEVELOPMENT PLAN**

PURPOSE: In order to comply with the recent amendments to the *Municipal Government Act*, municipalities that share a border must enter into an Intermunicipal Development Plan (IDP) that address specific topics. The intent of the IDP is to foster good relations by putting into policy how both municipalities will communicate with each other on different types of planning applications as well as establishing a dispute resolution process. Each municipality's jurisdiction remains the same, and the IDP does not change land use districts.

A Public Hearing will be held in the Town of Drumheller Council Chambers, at 224 Centre Street, Drumheller, Alberta on **Monday, March 16<sup>th</sup>, 2020 commencing at 5:30 p.m.** Council will hear from any person claiming to be affected by the proposed bylaw. The time limit of oral presentations is subject to the direction of the Chairperson.

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The proposed bylaw – Bylaw 07.20 – can be inspected at the Town Office at 224 Centre Street between the hours of 8:00 a.m. and 4:30 p.m and is available on the Town website at [www.drumheller.ca](http://www.drumheller.ca).

This notice is given pursuant to Sections 606 and 692 of the Municipal Government Act.

First Publication: March 4, 2020

Second Publication: March 11, 2020



Chief Administrative Officer

**TOWN OF DRUMHELLER**

**BYLAW NO. 03.20**

A Bylaw of the Town of Drumheller in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to adopt the Drumheller-Wheatland County Intermunicipal Development Plan (2020).

WHEREAS Section 631(1) of the Municipal Government Act authorizes two or more Councils to adopt an Intermunicipal Development Plan;

WHEREAS the Town of Drumheller and Wheatland County have agreed to the joint preparation of the Drumheller-Wheatland County Intermunicipal Development Plan;

AND WHEREAS all parties required to be included in the Plan preparation have been properly notified in accordance with Section 636 of the Municipal Government Act;

AND WHEREAS the Councils of the Town of Drumheller and Wheatland County will hold public hearings pursuant to Section 692 of the Municipal Government Act after giving notice of it in accordance with Section 606 of the Municipal Government act;

NOW THEREFORE the Municipal Council of the Town of Drumheller, duly assembled, enacts as follows:

1. That this Bylaw shall be known as the “Town of Drumheller-Wheatland County Intermunicipal Development Plan” (as shown in attached Schedule “A”) which is part of this document.
2. That the Town of Drumheller-Wheatland County Intermunicipal Development Plan shall provide the policy framework for future subdivision and development of the lands describe therein.
3. That Town of Drumheller Bylaw No. 03.20 shall have force and take effect from the final reading thereof.



**AGENDA ITEM #8.1.**

READ A FIRST TIME this 3<sup>rd</sup> day of February, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

READ A SECOND TIME this 16<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

READ A THIRD AND FINAL TIME this 30<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

**Town of  
Drumheller  
&  
Wheatland  
County**

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**Intermunicipal  
Development  
Plan**

Bylaw No. 03.20  
&  
Bylaw No. 2020-08

**ACKNOWLEDGEMENTS**



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## **1 INTRODUCTION**

### **1.1 PURPOSE OF THE PLAN**

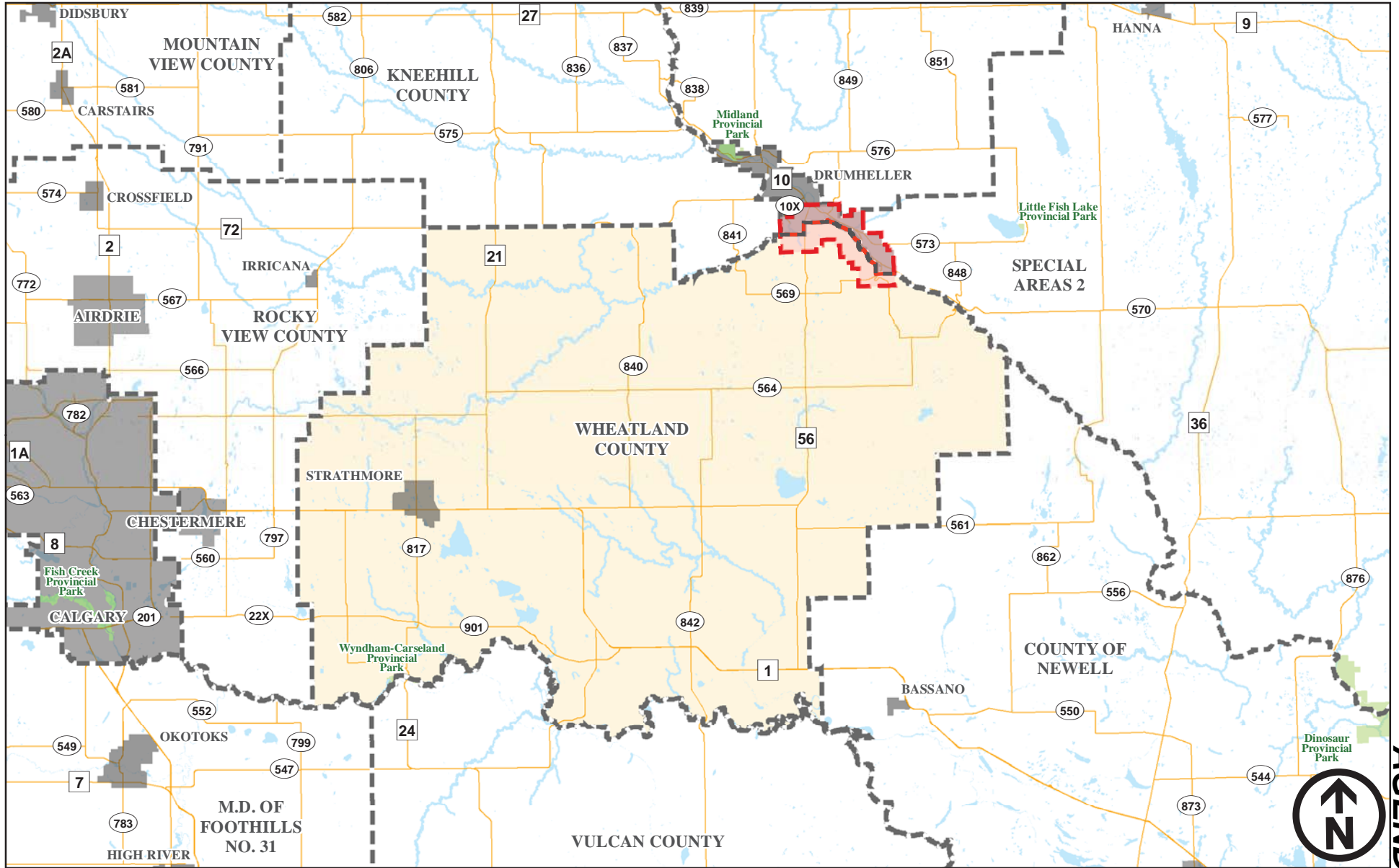
The purpose of the Town of Drumheller and Wheatland County Intermunicipal Development Plan (IDP) is to foster a collaborative planning approach for lands along the common border between the two municipalities (see **Map 1: Regional Context**). The Municipal Government Act (MGA) mandates municipalities that share common boundaries to develop an Intermunicipal Development Plan.

Municipalities are mandated to work together to adopt IDPs to:

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

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

- municipal cost-savings, as a result of infrastructure and service sharing, which also provides residents with a higher quality of life;
- reinforcing and protecting both municipalities' development philosophies and goals while mitigating the potential for future intermunicipal conflict; and
- ensuring development for both municipalities occurs in an orderly, economic, efficient and harmonious manner that is sustainable by considering existing development conditions and future municipal goals.



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Legend

- Intermunicipal Development Plan Shared Boundary
- IDP Plan Area
- Municipal Boundary
- Wheatland County
- Watercourse
- Provincial Park
- Urban
- Waterbody

0 10 20 30 40 km 1:750,000

Map 1: Regional Context  
 Wheatland County - Town of Drumheller  
 Intermunicipal Development Plan

May 2019

Map and data for informational and planning purposes only.

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The Plan contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. As such, the IDP must also provide for the following:

- Conflict Resolution Procedures;
- A process to amend or repeal the Plan; and
- Documentation for administration of the Plan.

These procedures will provide more clarity between the partnering municipalities to ensure the administrative functions required through the Plan are understood. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

## 1.2 MUNICIPAL PROFILES

### *Town of Drumheller*

The Town of Drumheller is located in the Red Deer River valley in south-central Alberta spanning an area of 10,803 hectares (26,694 acres), situated between Starland County to the north, Kneehill County to the west, Special Areas 2 to the east, and Wheatland County to the south. It is the largest urbanized centre between Calgary and Saskatchewan even though the majority of land is zoned for agricultural use, offering diversity of residential options, employment, and way of life for the Town's population of 7,982 (Statistics Canada, 2016 Census). The Town of Drumheller is greatly influenced by its unique landscape made up of rolling fields, steep, dry coulees, and the Red Deer River. The Town's goal is to preserve and enhance the natural environment while accommodating growth responsibly and strategically. The Town is well-known for its tourism industry and is the hub in east-central Alberta for medical care, serving a population in excess of 30,000 residents. In the heart of the Canadian Bandlands, Drumheller's unique scenery and fascinating dinosaur-oriented history attracts hundreds of thousands of people to the community each year.

### *Wheatland County*

Wheatland County covers an area of approximately 460,000 hectares (1.1 million acres), with a population of 8,788 (Statistics Canada, 2016 Census). Wheatland County surrounds four urban municipalities and contains several other hamlets and communities not officially designated as hamlets. The County is bordered by six rural municipalities, two towns (Drumheller & Strathmore), three villages (Rockyford, Standard & Hussar) and one Siksika First Nation. 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 years, industry, manufacturing and oil and gas development have played key roles in the County's economic growth.

*“IDPs promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area.”*



### 1.3 LEGISLATIVE REQUIREMENTS

Intermunicipal Development Plans (IDPs) are now mandatory for all municipalities to complete with their municipal neighbours. The latest amendments to the Municipal Government Act (MGA) mandate that municipalities must complete an IDP within two years, which mandates an April 2020 completion deadline. However, Ministerial Order No. MSL:047/18 has granted an extension to April 1, 2021 for municipalities that are members of the same growth management board (GMB), and between a municipality that is a member of the GMB and a municipality that is not a member of the GMB, but is located within the boundaries of the member municipality. Wheatland County's position within the Calgary Metropolitan Region Board provides for the extended timeframe for completion of any Wheatland County IDP.

Specifically, the MGA 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 and 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,*
- 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 2 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.*

***Intermunicipal Collaboration Framework (ICF)***

An Intermunicipal Collaboration Framework (ICF) is a mandatory requirement for all municipalities that are outside of a growth management area. An ICF formalizes collaboration between municipalities for managing growth, and coordinating service delivery and resources, thereby providing a forum for neighboring municipalities to work more closely together. An Intermunicipal Development Plan (IDP) is a mandatory component of every ICF.

Regarding an Intermunicipal Collaboration Framework, the MGA specifically states:

*708.28 (1) Subject to subsection (4), municipalities that have common boundaries must, within 2 years from coming into force of this section, create a framework with each other.*

*708.30 (1) A framework is not complete for the purposes of section 708.29 unless the councils of the municipalities that are parties to the framework have also adopted an intermunicipal development plan under section 631 or an intermunicipal development plan is included as an appendix to the framework.*

*(2) Subsection (1) does not apply if the Minister has exempted one or more of the councils of the municipalities from the requirement to adopt an intermunicipal development plan pursuant to section 631(1.1).*

*(3) Despite section 631, to the extent that a matter is dealt with in a framework, the matter does not need to be included in an intermunicipal development plan.*



## **2 PLAN AREA**

### **2.1 PLAN AREA CHARACTERISTICS**

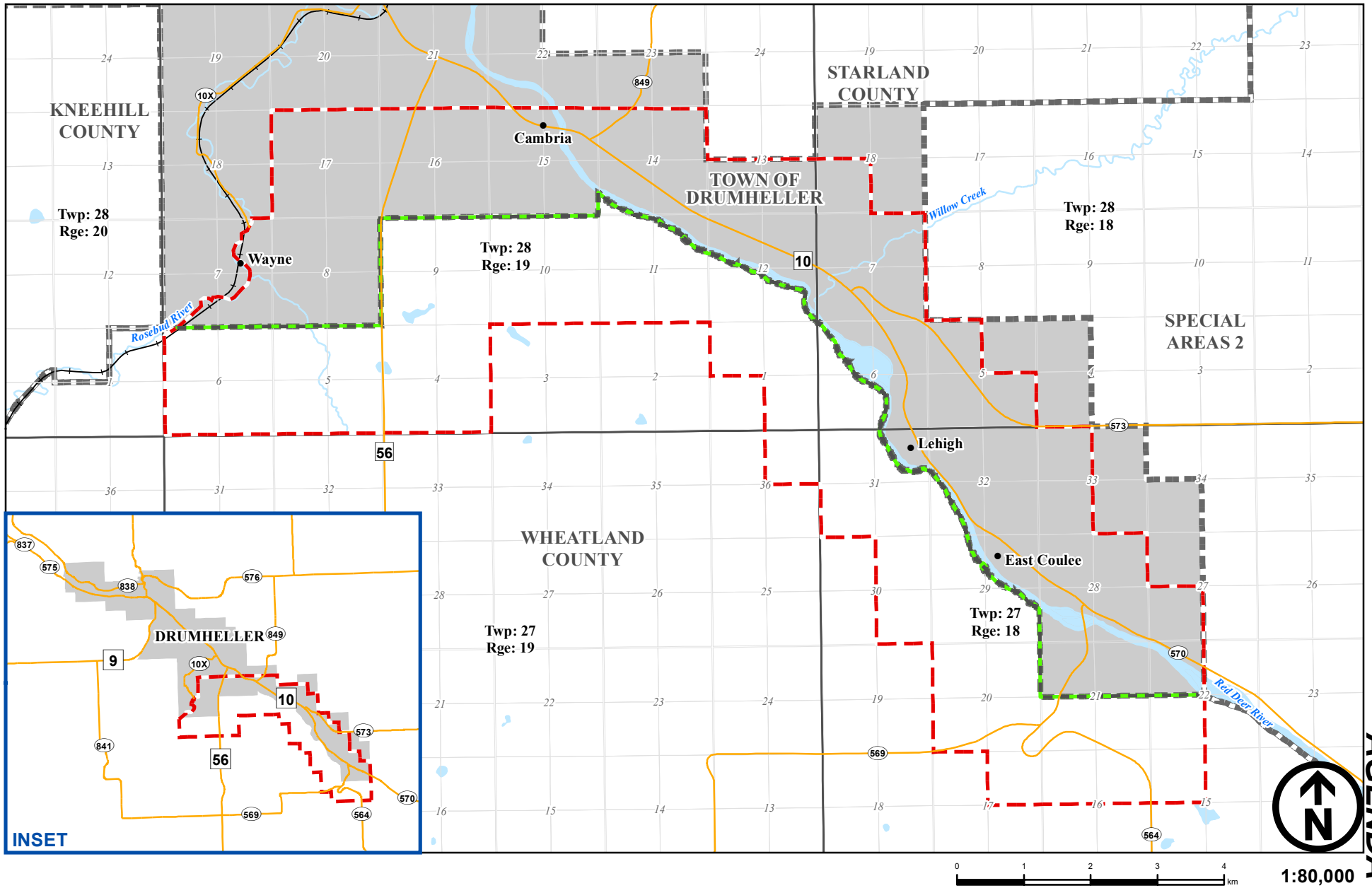
The Plan Area consists of an area approximately 1.6 to 2.0 km (1.0 to 1.5 miles) on either side of the shared municipal border. The Plan Area consists of approximately 6,747 hectares (16,664 acres) and is illustrated on **Map 2**. The Town of Drumheller contains both urban and rural areas, with the central business and main urban residential area located north of the Plan Area. The shared border between Wheatland County and the Town of Drumheller is located within the Town’s rural area.

Key characteristics of the Plan Area include the following:

#### **AGRICULTURE & SOIL CHARACTERISTICS**



- Agriculture is the primary land use of the area.
- There is a mix of agricultural operations including grazing, irrigation, and crop farming in the area.
- The region contains a variety of soil characteristics that range from no capacity for arable culture (in particular, the steep Red Deer River valley that makes up much of the Plan Area) to soils with severe limitations restricting the range of crops that can be grown. For example, as shown on **Map 3** soil classes 2 through 7 are present, resulting in a diversity of agricultural capacity and associated agricultural activities.



Jul 23, 2019 - 10:03 AM W:\C2170 Wheatland IDPs 2018Apr19\5.0 Technical\5.1.2 GIS\ Maps\Wheatland-Drumheller IDP\C2170\_Map 2 Wheatland\_Drumheller IDP Area.mxd



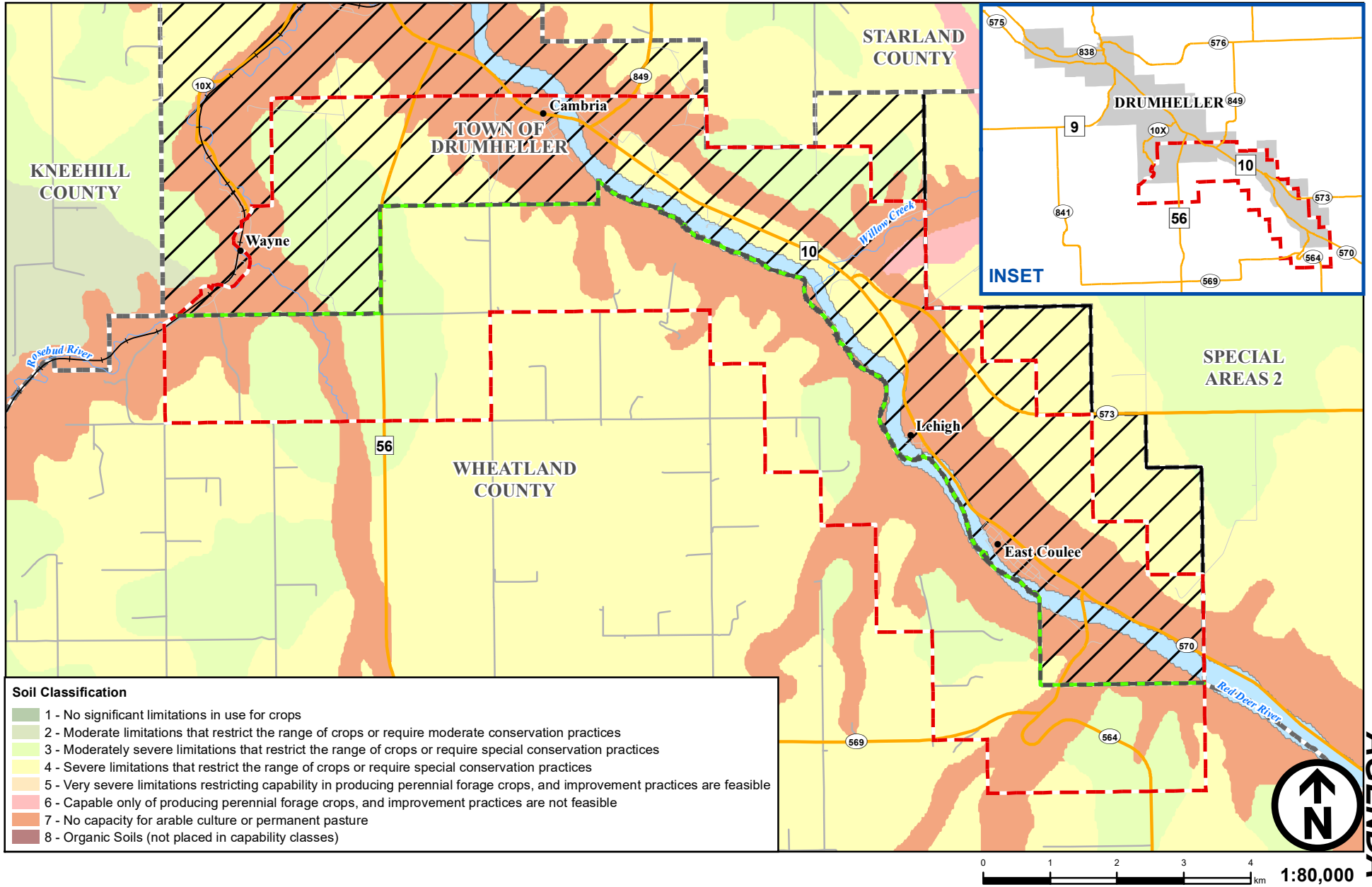
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- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Town of Drumheller
- Neighbourhood
- Provincial Highway
- Watercourse
- Waterbody

**Map 2: Intermunicipal Development Plan Area**  
**Wheatland County - Town of Drumheller**  
**Intermunicipal Development Plan**

July 2019

Map and data for informational and planning purposes only.



Jul 23, 2019 - 10:03 AM W:\C2170 Wheatland IDPs 2018Apr19\5.0 Technical\5.1 Technical Production\5.1.2 GIS\ Maps\Wheatland-Drumheller IDP\C2170 Map 3 Wheatland Drumheller Soil Classification.mxd



**Map 3: Soil Classification**  
**Wheatland County - Town of Drumheller**  
**Intermunicipal Development Plan**

July 2019

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**NATURAL LANDSCAPE**



- Much of the Plan Area is identified as being environmentally significant. This is reflective of the Rosebud River, the Red Deer River, and their respective river valleys.
- Environmental features are shown on **Map 4: Environmental Considerations.**

**HERITAGE AND HISTORIC RESOURCES**

- The Plan Area is defined by the high potential of much of the land to contain a historic resource.
- There are multiple provincial historic resources identified in the Plan Area, including the Hoodoos, natural landscape features of approximately ten (10) dark brown marine shale columns with white sandstone caprocks ranging in height from roughly 1 to 3 metres; the Atlas Coal Mine, a Provincial and National Historic Site that demonstrates the evolving technology of coal mining from as far back as the 1930s; and the East Coulee School, originally constructed in 1930 in part to support the opening of the Atlas Coal Mine.
- Provincial historic resources and heritage sites are shown on **Map 5: Historic Resources.**

**TRANSPORTATION INFRASTRUCTURE**



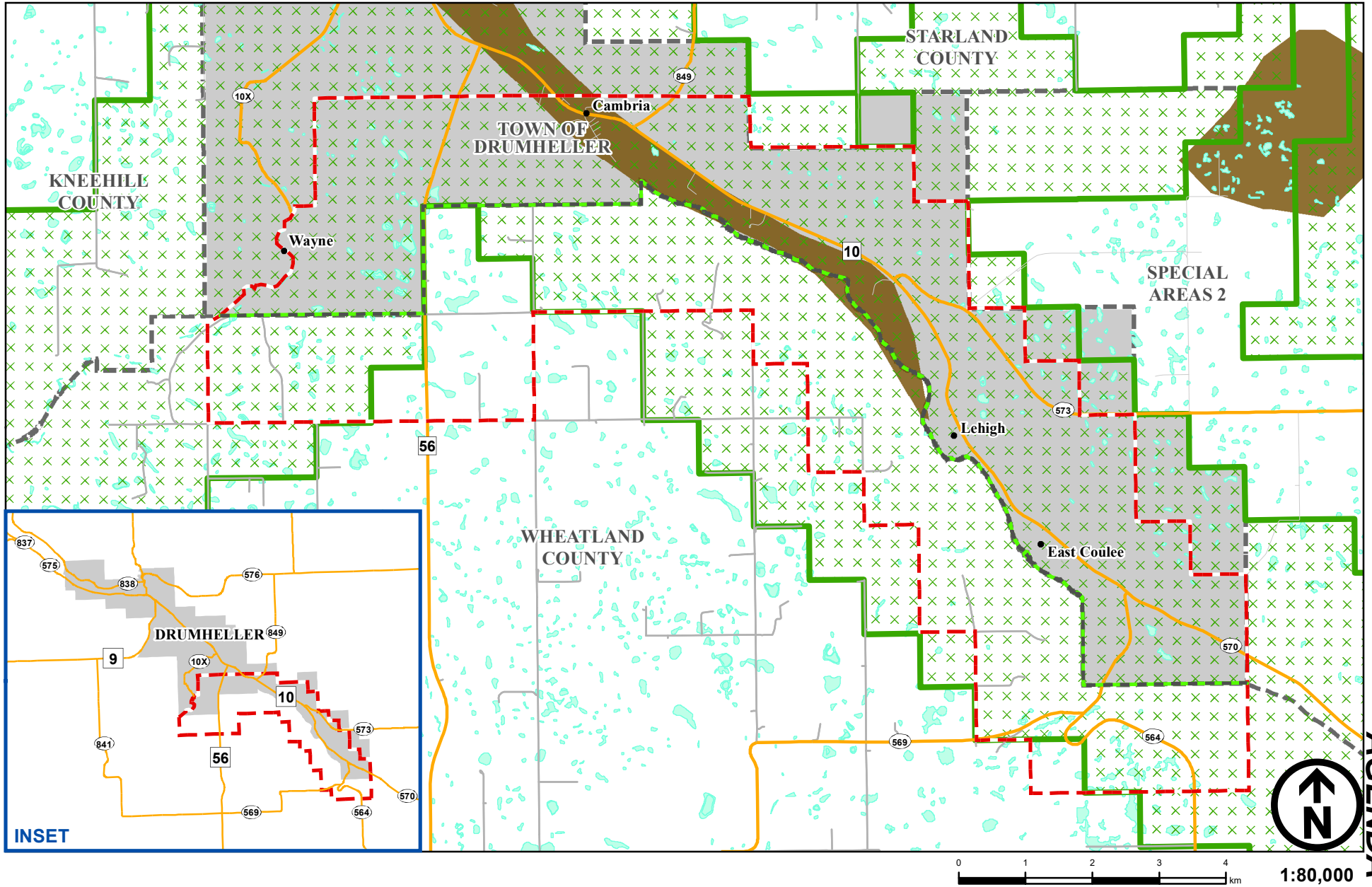
- Highway 10 is the main transportation corridor in the Plan Area. There are several regional intersections along Highway 10. The major intersection is Highway 10 and Highway 56, a major north-south corridor that runs parallel to Highway 2.
- The former CN Calgary-Drumheller rail right-of-way also defines a portion of the west side of the Plan Area. The Town is trying to secure the right-of-way for future use as a trail.
- In the west portion of the Plan Area Highway 10X is famous for its 11 bridges along a short 6 km stretch of highway connecting Drumheller to Wayne.
- Transportation infrastructure is shown on **Map 6: Hydrological and Road Network.**

**RESIDENTIAL DEVELOPMENT**

- The majority of residential development in the Plan Area is clustered within the Town of Drumheller in several communities along Highway 10 outside the town centre, including Wayne, Cambria, East Coulee, and Lehigh.
- There is minimal residential development within the rest of the Plan Area, and this is primarily farmsteads and acreages.

**ENERGY**

- There are numerous energy facilities within the Plan Area including wellsites and pipelines as shown on **Map 7: Energy**.



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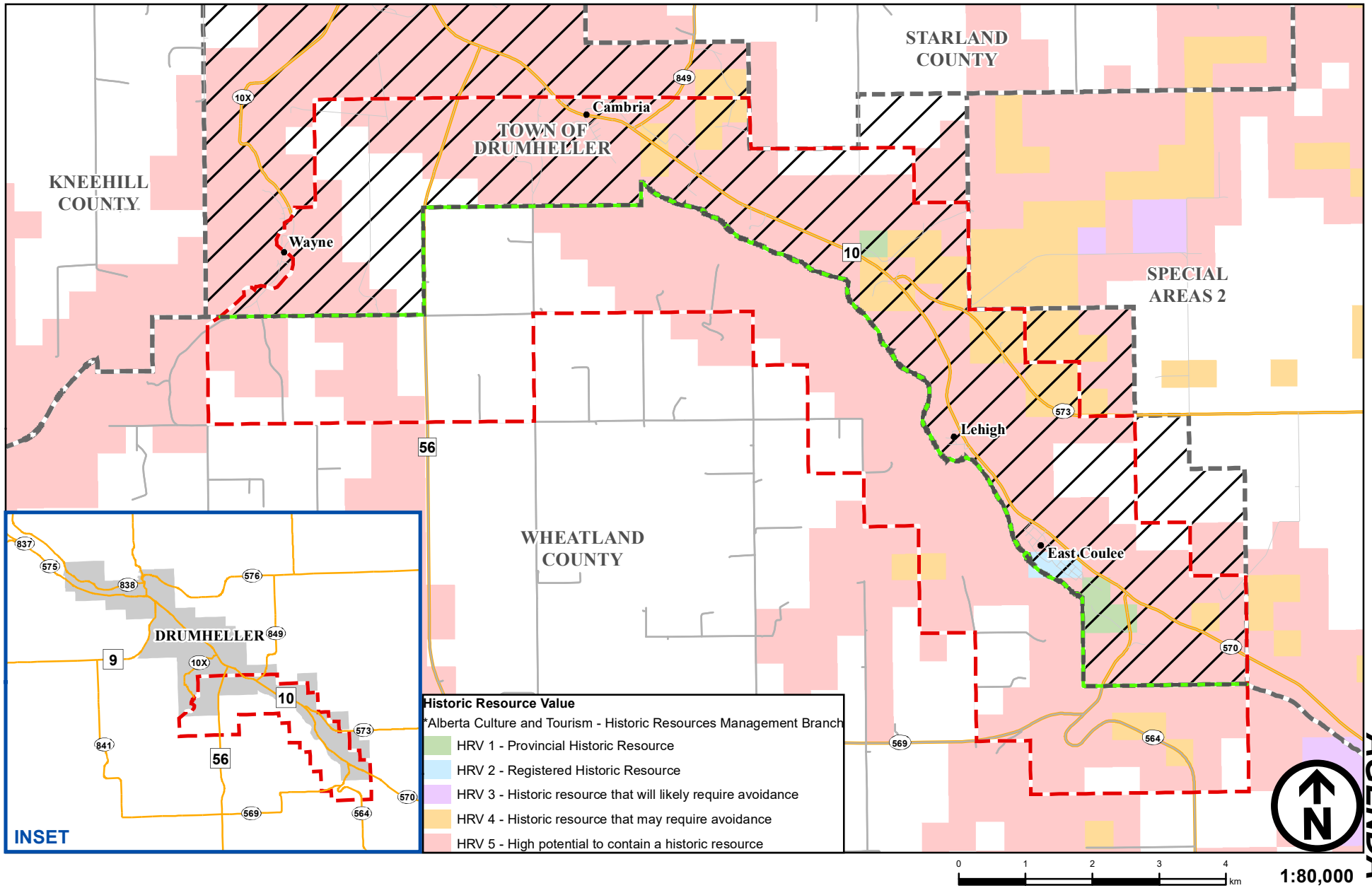
- Legend**
- Neighbourhood
  - Railway
  - Intermunicipal Development Plan Shared Boundary
  - Intermunicipal Development Plan Area
  - ⊗ Environmentally Significant Area
  - Alberta Wetland Inventory
  - Sand And Gravel Deposit
  - Provincial Highway
  - Road
  - ⊞ Municipal Boundary
  - Town of Drumheller

**Map 4: Environmental Considerations  
Wheatland County - Town of Drumheller  
Intermunicipal Development Plan**

September 2019

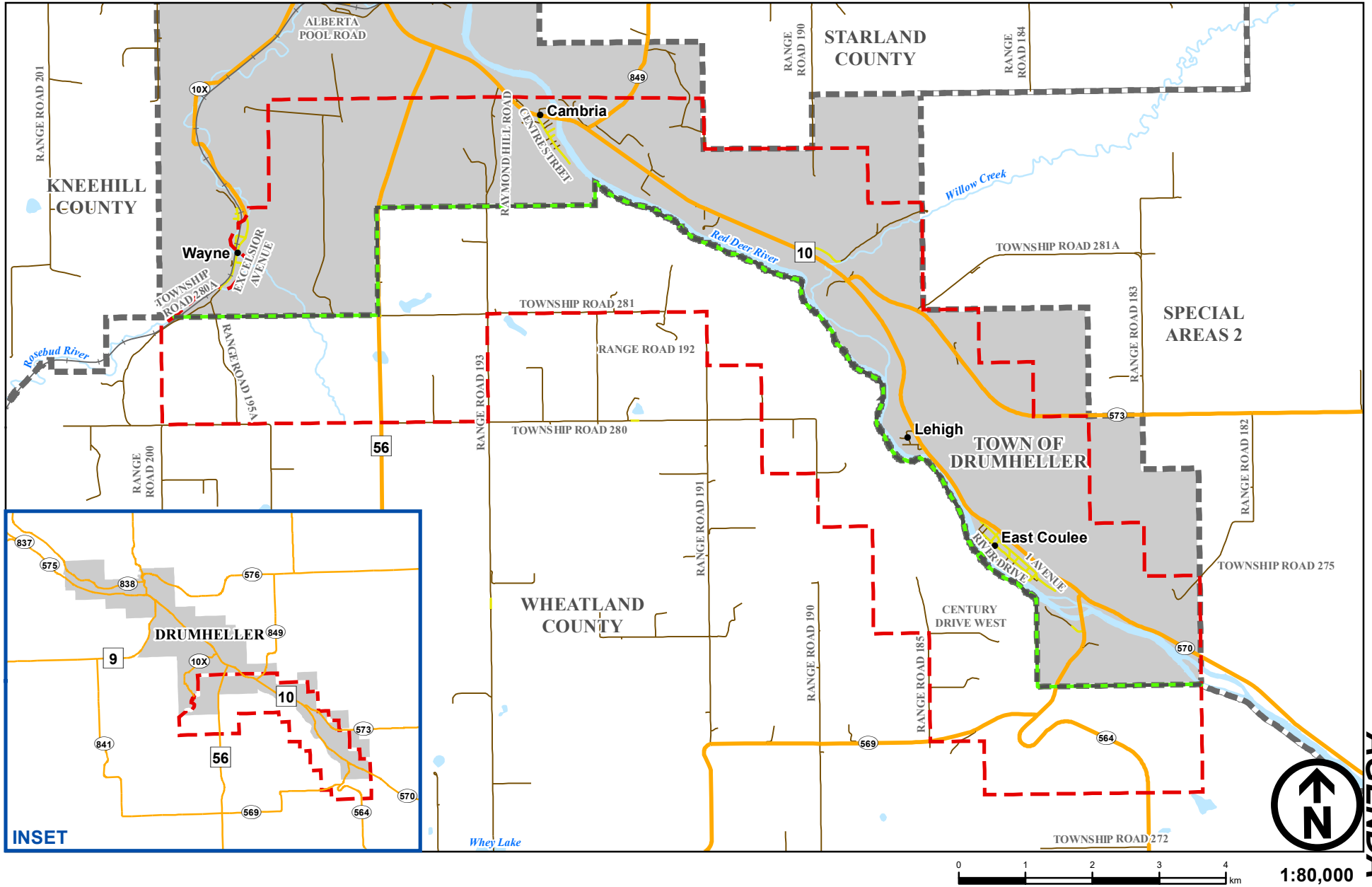
Map and data for informational and planning purposes only.





- Legend**
- Neighbourhood
  - Railway
  - Intermunicipal Development Plan Shared Boundary
  - Intermunicipal Development Plan Area
  - Provincial Highway
  - Road
  - Municipal Boundary
  - Town of Drumheller

**Map 5: Historic Resources**  
**Wheatland County - Town of Drumheller**  
**Intermunicipal Development Plan**



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**Legend**

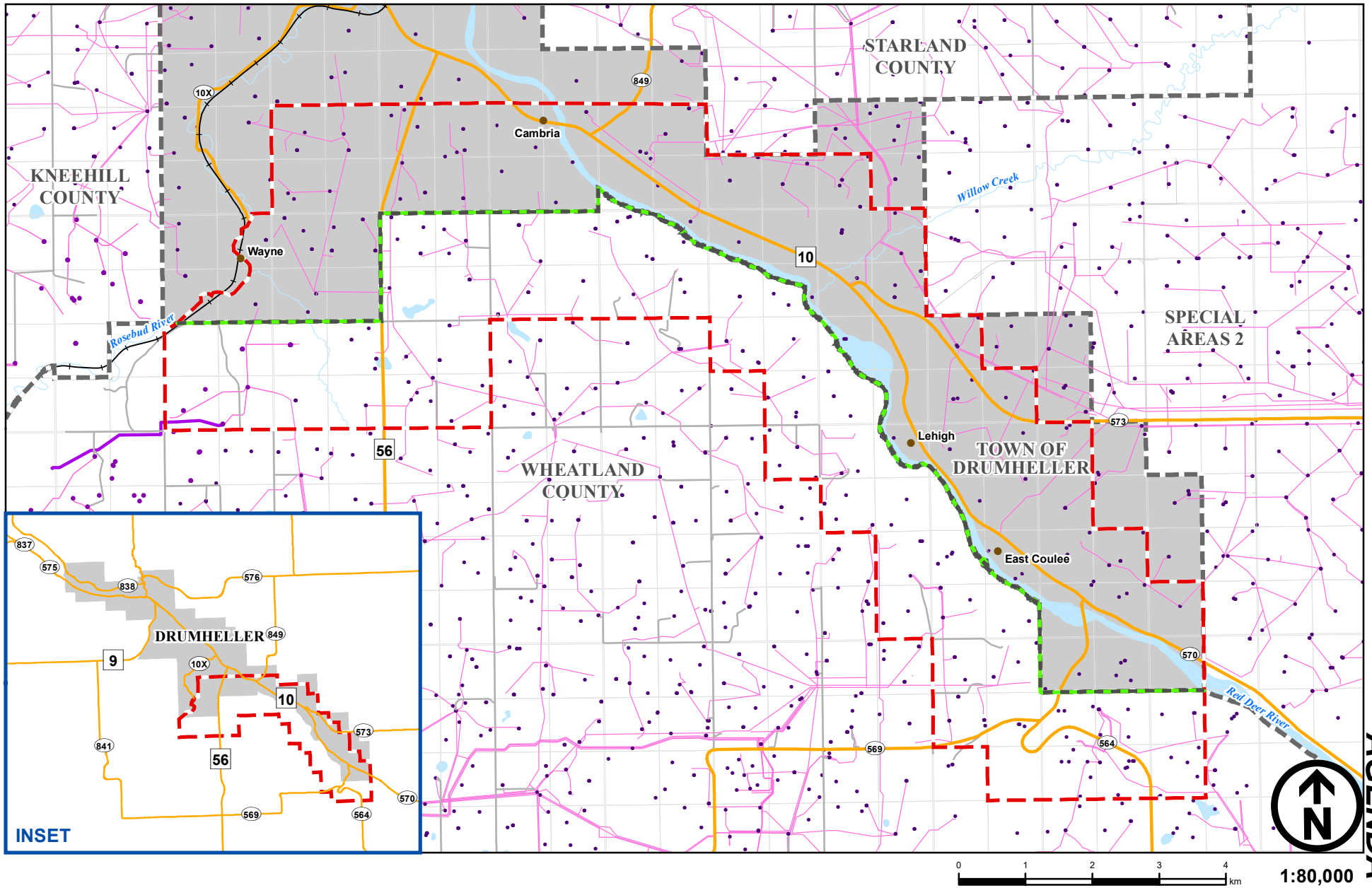
- Intermunicipal Development Plan Shared Boundary
- Intermunicipal Development Plan Area
- Municipal Boundary
- Town of Drumheller
- Neighbourhood
- Provincial Paved Highway
- Paved
- Unpaved
- Railway
- Watercourse
- Waterbody

**Map 6: Hydrological and Road Network**

**Wheatland County - Town of Drumheller Intermunicipal Development Plan**

July 2019

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- Legend**
- |   |                 |                    |             |
|---|-----------------|--------------------|-------------|
| Intermunicipal Development Plan Shared Boundary | Wellsite        | Neighbourhood      | Watercourse |
| Intermunicipal Development Plan Area            | <b>Pipeline</b> | Provincial Highway | Waterbody   |
| Municipal Boundary                              | Natural Gas     | Railway            |             |
| Town of Drumheller                              | Oil             | Road               |             |

**Map 7: Energy**  
**Wheatland County - Town of Drumheller**  
**Intermunicipal Development Plan**  
 July 2019

Map and data for informational and planning purposes only.

2.2 LAND USE DESIGNATIONS

LAND USE DESIGNATIONS	
	<p>The existing land use designations are determined by each municipality’s land use bylaw and are predominantly agricultural with the Agricultural General (AG) district in Wheatland County and the Agricultural (A) District in the Town of Drumheller, covering the area as shown on <b>Map 8: Land Use Designations</b>. The Land Use Designations shown on <b>Map 8</b> are provided as a point-in-time capture for information purposes only and are subject to change without amendment to this Plan.</p>

2.3 URBAN EXPANSION & POPULATION GROWTH

It is typical within an IDP involving an urban municipality to determine if future municipal expansion may be necessary or desirable in the foreseeable future. Historic land use and population growth patterns can provide a picture of whether this is likely or not to occur. Below is a simple population growth chart of the Town’s population change since 1996.

In 1998 the Town of Drumheller amalgamated with the MD of Badlands No. 7 and absorbed a number of small hamlets and rural areas into its municipal boundaries. This provided the municipality with sufficient land base for anticipated growth. Between 2001 and 2011 the municipality grew in population from 7,833 to a high of 8,029 before dropping in 2016 to 7,982. This relatively flat growth and the presence of available developable land likely means the municipality has sufficient land for future growth. However, a more in-depth study would be needed to fully verify this assumption. Furthermore, since the municipality’s core urban area is not in close proximity to the shared border with Wheatland County, any potential expansion plans are not likely to impact this Drumheller – Wheatland IDP.

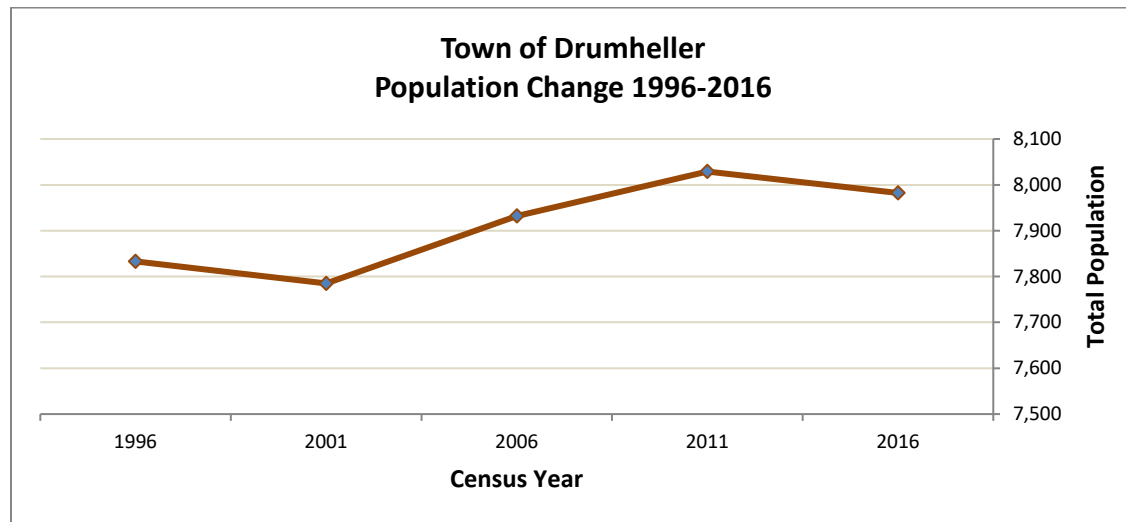
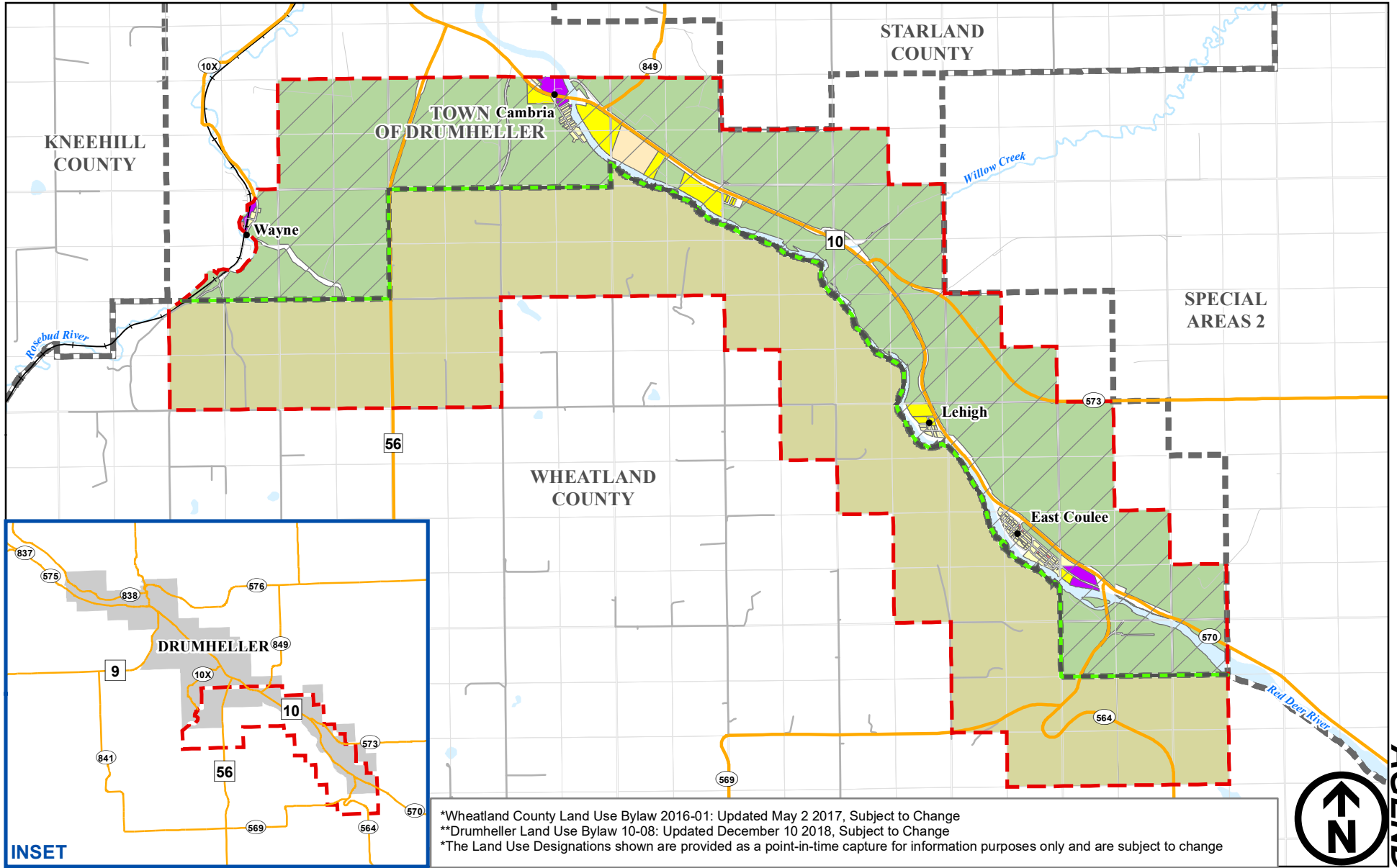


Figure 1: Town of Drumheller Population Change



\*Wheatland County Land Use Bylaw 2016-01: Updated May 2 2017, Subject to Change  
 \*\*Drumheller Land Use Bylaw 10-08: Updated December 10 2018, Subject to Change  
 \*The Land Use Designations shown are provided as a point-in-time capture for information purposes only and are subject to change

INSET

AGENDA ITEM #81



- |                                       |   |   |                      |
|---------------------------------------|---|---|----------------------|
| <b>Land Use Designation</b>           | CS - Community Service District (D)             | Intermunicipal Development Plan Shared Boundary | ● Neighbourhood      |
| A - Agricultural (D)                  | R-CH - Residential Cottage Housing District (D) | Intermunicipal Development Plan Area            | □ Town of Drumheller |
| AG - Agricultural (General)           | SCR - Suburb Community Residential District (D) | Municipal Boundary                              | — Watercourse        |
| C-1 - Local Commercial District (D)   | UT - Urban Transitional District (D)            |   | ■ Waterbody          |
| CR - Country Residential District (D) |   |   |                      |

**Map 8: Land Use Designation**  
**Wheatland County - Town of Drumheller**  
**Intermunicipal Development Plan**

July 2019

Map and data for informational and planning purposes only.



### **3 INTERMUNICIPAL LAND USE POLICIES**

The land use policies contained in this Plan are intended to provide direction to the Town of Drumheller and Wheatland County administrations, subdivision and development authorities and Councils to encourage and manage the future development of lands contained within the Plan Area.

#### **3.1 GENERAL LAND USE POLICIES**

##### **INTENT**

The general land use policies address matters that apply to the entire Plan Area and are intended to provide an overall guiding direction for the IDP. Agriculture is intended to remain as the primary land use in the area; however, potential growth centres identified in each municipality’s statutory plans (e.g. MDP or ASPs) may identify potential areas for non-agricultural land uses that will be dependent upon market and land owner interest. Each municipality will ensure non-agricultural development is designed in a smart, sustainable, and advantageous form.

##### **POLICIES**

- 3.1.1 The primary land uses in the Plan Area are agriculture and grazing.
- 3.1.2 Both municipalities recognize and support the region’s tourism industry through cooperative land use planning, economic development initiatives, and provision of appropriate servicing and infrastructure.
- 3.1.3 Non-agricultural development within the Plan Area shall be aligned with each municipality’s Municipal Development Plan (MDP) and should be located along major highway corridors,

within existing urban areas, or within growth centres as identified in an MDP or other statutory plan (e.g. ASP).

- 3.1.4 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.
- 3.1.5 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 upon mutual agreement.
- 3.1.6 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 a mutual benefit.
- 3.1.7 In any area where the plan area for this IDP overlaps with another IDP plan area, all statutory plans, land use bylaw, and subdivision applications affecting the lands within the overlap area shall be processed in accordance with the Municipal Development Plan and Land Use Bylaw of the municipality processing the application.

### 3.2 URBAN EXPANSION

#### **INTENT**

From time to time urban municipalities require additional land within their jurisdiction to accommodate future population growth and/or to enable the municipality to plan rationally for the future. The Town has not expressed any interest in annexation.

#### **POLICIES**

- 3.2.1 The Town of Drumheller shall consult with Wheatland County and its residents prior to initiating any annexation application to the province.

### 3.3 AGRICULTURE

#### **INTENT**

Agriculture and grazing will continue to be a predominant use on the landscape within the Plan Area. Non-agricultural uses should be considered in such areas where they will not negatively impact agriculture and grazing.

#### **POLICIES**

- 3.3.1 Agricultural operations and development are the primary land use and development within the Plan Area. Where appropriate, non-agriculture development shall be permitted according to each municipality's statutory and guiding documents.

- 3.3.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed, and insect control adjacent to developed areas through best management practices and Alberta Agriculture guidelines.
- 3.3.3 If disputes or complaints in either municipality should arise between ratepayers and agricultural operators, the municipality receiving the complaint shall strive to direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution wherever necessary.

### 3.4 TOURISM AND RECREATIONAL DEVELOPMENT

#### **INTENT**

To ensure tourism and recreational related development occurs in a harmonious and efficient manner with the natural landscape that surrounds it and minimizes negative impacts to the communities.

#### **POLICIES**

- 3.4.1 Both municipalities should consult with each other and other agencies and stakeholders to develop management plans which integrate tourism, economic development, land use, development and recreational activities.
- 3.4.2 Wheatland County acknowledges the Town of Drumheller’s Tourism Corridor Bylaw and its linkage to a healthy tourism economy that benefits the entire region. While the bylaw does not affect lands in Wheatland County, the County will encourage its residents and landowners within the vicinity of the Tourism Corridor Bylaw to maintain their properties to a high standard and to minimize unsightly properties that may deter tourism.
- 3.4.3 Both municipalities recognize that authentic rural living and working landscapes along tourism corridors are supported and encouraged and that these activities may at times require operations and aesthetics not familiar to all tourists (e.g. manure spreading).
- 3.4.4 When making land use decisions either municipality may wish to consider the preservation of viewsapes / view corridors that are important to the tourism industry and have been recognized by either municipality.

### 3.5 NATURAL ENVIRONMENT

#### **INTENT**

The Red Deer River and the Rosebud River are both located within the Plan Area, which provides a multitude of ecological, tourism and aesthetic value and potential for both municipalities and their residents. Both municipalities recognize the connection between the natural environment and quality of life and strive to protect, preserve, and enhance natural systems and environmentally significant areas while promoting appropriate development and tourism.



**POLICIES**

- 3.5.1 When making land use decisions, each municipality will:
- a) utilize and incorporate measures which minimize possible impacts on the Red Deer River, Rosebud River, and any other important water resources;
  - b) determine appropriate land use patterns in the vicinity of significant water resources and other water features including wetlands;
  - c) establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability, and habitat.
- 3.5.2 For proposed development on lands within the Plan Area that may contain an environmentally significant site, an environmental/biophysical impact assessment (EIA/BIA) may be required to be completed by the developer to satisfaction of the municipality.
- 3.5.3 For proposed development on lands that may contain a historic resource, a Historical Resource Overview (HRO) or Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of Alberta Culture and Tourism. The developer must comply with the Historical Resources Act and Alberta Culture and Tourism.
- 3.5.4 Both municipalities should consider the Alberta Wetland Policy and Stepping Back from the Water Policy when making land use decisions with the goal of sustaining the environment and economic benefits.
- 3.5.5 Areas identified as environmentally sensitive or environmentally significant through federal, provincial, or municipal reports, policies, or plans, or through supplemental professional studies should be protected through the use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate methods as determined by the municipality and its applicable Municipal Development Plan policies or Land Use Bylaw regulations.
- 3.5.6 Development on slopes and in river valleys within natural areas is generally discouraged. However, where development is proposed on these natural features, it will proceed only in accordance with the respective municipality's statutory plans, applicable bylaws, and other municipal policies and regulations.
- 3.5.7 Subdivision and Development in or adjacent to river valleys shall take into consideration slope stability and soil characteristics in order to minimize negative environmental and developmental impacts.
- 3.5.8 Either municipality shall refer any new environmental or biophysical study or report in support of a planning or development application pertaining to lands within the Plan Area to the other municipality.
- 3.5.9 Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the Plan Area.

### 3.6 WATER QUALITY AND FLOOD PROTECTION

#### **INTENT**

Water is a precious resource used by agriculture, residential, commercial, industrial, and recreational developments. It is important that both the Town and County consider the impact of development on water quantity and quality as well as the broader watershed impacts. Furthermore, protective measures should be taken to ensure developments are not located within flood prone areas.

#### **POLICIES**

- 3.6.1 Where new development may affect water quality, appropriate water and wastewater treatment and collection systems shall be considered using best management practices in the Town and County.
- 3.6.2 Development in identified flood fringe and floodways as per provincial mapping (if completed) shall comply with provincial regulations and legislation. Where land use development is to occur in flood prone areas not identified on provincial maps as either flood fringe or floodway, appropriate regulations shall be implemented to ensure no negative impacts on the land and neighboring municipality.

### 3.7 RESOURCE EXTRACTION & ENERGY DEVELOPMENT

#### **INTENT**

Resource extraction is recognized as important to the local economy and to the maintenance of transportation routes and other infrastructure. However, impacts from resource extraction operations may affect nearby lands and must be addressed through proper siting and operation practices.

#### **POLICIES**

- 3.7.1 Upon receipt of a development application for a new or expanded natural resource extraction operation within the Plan Area, the municipality shall forward a copy to the other municipality.
- 3.7.2 Upon receipt of a notice of application from a provincial agency for a natural resource extraction operation within the Plan Area (e.g. Code of Practice application notice from Alberta Environment & Parks) the municipality shall forward a copy to the other municipality.
- 3.7.3 When evaluating an application for a new or expanded natural resources extraction development the approving municipality shall ensure the development provides evidence of

how it will mitigate the potential negative impacts of dust, noise, traffic, air, and water pollution.

- 3.7.4 Each municipality must be notified of any natural resource extraction development proposal in the other municipality that will result in access being required from a road under its control or management. After the application is deemed complete, the affected municipality must be notified of the application and give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.
- 3.7.5 Either municipality may require an agreement regarding the construction, repair, and maintenance of any municipal roads which may be impacted by natural resource extraction development, when the development requires access to come from the other municipality's road.
- 3.7.6 If either the Town of Drumheller or Wheatland County are in receipt of a notice for a new or expanded Alberta Transportation gravel pit or other natural resource extraction operation within the Plan Area, they shall forward a copy of the notice to the other municipality.

### 3.8 RENEWABLE ENERGY DEVELOPMENT

#### **INTENT**

The availability of wind, sun and other renewable natural resources in both municipalities allows for the potential of large and small renewable energy developments. However, the appropriate siting of these types of developments is critical to minimizing the impacts to adjacent lands and local infrastructure.

#### **POLICIES**

- 3.8.1 The municipalities encourage the location of renewable energy developments within the Plan Area:
- a) where compatible with existing land uses; and
  - b) in consideration of comments from the adjacent municipality.
- 3.8.2 Either municipality shall refer to the other municipality any application, after it is deemed completed, for a renewable energy development within the Plan Area. Small scale renewable energy developments that either do not require a development permit or are listed as a permitted use in the applicable Land Use Bylaw District do not require referral to the other municipality.

### 3.9 TRANSPORTATION

#### **INTENT**

It is important that each municipality take into consideration the impact of development on provincial highways and municipal roads located within the Plan Area that form the area's transportation infrastructure.

**POLICIES**

- 3.9.1 Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.
- 3.9.2 Each municipality shall be notified of any road closure or development of an undeveloped road that will result in access being increased, decreased, or removed for a road under its control or management. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period it will be determined the municipality has no comments.
- 3.9.3 Either municipality may require a developer to enter into a road use agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.
- 3.9.4 When required by Alberta Transportation, developers shall conduct traffic studies with respect to the impact and access onto provincial highways. Any upgrading identified by a traffic study conducted by a developer with respect to a highway shall be implemented by the developer at its sole cost and to the satisfaction of Alberta Transportation.

**3.10 TELECOMMUNICATION TOWERS / UTILITIES**

**INTENT**

Telecommunication towers and associated infrastructure is largely outside the jurisdiction of municipalities despite potential impacts to the local area. Municipalities can provide comments to applicants and approving authorities/agencies regarding applications within the Plan Area and municipality.

**POLICIES**

- 3.10.1 Where there is an application for a new, expanded, or retrofitted telecommunications tower within the Plan Area, the municipality within which the application is located shall refer the application to the other municipality for comment. If the municipality in which the application is located chooses to send a letter in response to an application for a telecommunications tower (sometimes referred to as a 'Letter of Concurrence') to the approving authority/agency the municipality shall include any comments received from the other municipality. If the municipality in which the application is located chooses not to send a letter it shall instruct the adjacent municipality to send their comments directly to the approving authority.
- 3.10.2 When providing a response letter or Letter of Concurrence for a new, expanded or retrofitted telecommunications tower, the Town of Drumheller and Wheatland County shall request telecommunications companies to co-locate within the Plan Area where technically feasible.

- 3.10.3 When providing comments to provincial and federal departments regarding utility development within the Plan Area, the Town of Drumheller and Wheatland County shall request that consideration be given to the establishment of utility corridors with multiple users.

### 3.11 INTERPRETATION

#### **INTENT**

To ensure the policies and language within this Plan are as clear and concise as possible.

#### **POLICIES**

- 3.11.1 All references to a specific agency, body, or department were accurate at the time of writing. All references throughout the Plan shall therefore be considered applicable to the current relevant agency, body, or department.
- 3.11.2 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act, Chapter I-8, RSA 2000* as amended, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.
- 3.11.3 The relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as an approximation and not a precise depiction of its actual or full extension.



## 4 PLAN ADMINISTRATION & IMPLEMENTATION

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

### 4.1 INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE

#### **INTENT**

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

#### **POLICIES**

- 4.1.1 For the purposes of administering and monitoring the IDP, the Town of Drumheller and Wheatland County shall establish an Intermunicipal Development Plan Committee (“the Committee”) comprised of an even number of members of Council from both the Town of Drumheller and Wheatland County. Each municipality may appoint an alternate Committee member in the event a regular member cannot attend a scheduled meeting. Alternate Committee members shall have standing.
- 4.1.2 The term of appointment for Committee members should be as determined by each municipality. Following each election, Members of the Committee shall be appointed by respective Councils at their Organizational Meeting. If a Council wishes to appoint a new

member to the Committee (including the alternate), they must do so by motion of Council at a regular Council meeting. The municipalities shall notify one another upon appointing members and alternate members to the Committee.

- 4.1.3 The Town of Drumheller and Wheatland County agree the main functions of the Committee are to:
- a) create a forum for dialogue on issues of common concern and interest;
  - b) address concerns regarding the policies of the Plan;
  - c) address proposed amendments to the Plan;
  - d) address issues in relation to the implementation of Plan policies;
  - e) engage in resolving any conflicts or disputes which arise from this Plan;
  - f) equally share costs associated with using outside assistance to resolve a dispute; and
  - g) address any other land use issues deemed appropriate, but which are not explicitly identified in the Plan.
- 4.1.4 Meetings of the Committee shall be held on an “as-needed” basis, or at the request of either municipality. Committee meetings should be held as soon as possible if any conflict arises, or if any matter is brought before it.
- 4.1.5 A municipality may call a meeting of the Committee at any time with no less than five (5) days notice of the meeting being given to all members of the Committee and support personnel stating the date, time, purpose, and place of the proposed meeting. The five (5) days notice may be waived with three-quarters of the Committee members’ agreement noted.
- 4.1.6 The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.
- 4.1.7 At least one (1) member of each municipality’s administrative staff should attend each meeting in the capacity of technical, non-voting advisor.
- 4.1.8 Both Councils agree the Committee is not a decision-making body and that the Committee shall issue a written response in the form of comments and/or recommendations to the appropriate and relevant decision-making body within ten (10) business days from the Committee meeting date.
- 4.1.9 Any changes to the Committee format, composition, roles, responsibilities, or any aspect of its existence or operation may be requested by either municipality.
- 4.1.10 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution Process in Section 5 of this Plan should be adhered to.

## 4.2 INTERMUNICIPAL REFERRAL POLICIES

### **INTENT**

The purpose of this section of the Plan is to establish clear and consistent expectations and protocols pertaining to the referral process for applications within both municipalities.

### **POLICIES**

#### ***General***

- 4.2.1 Where an intermunicipal referral is required by policies contained in this Plan, each municipality agrees to provide the other municipality with the required landowner information for the circulation area.
- 4.2.2 Where a plan or bylaw (including amendments) or application requires notifications to be sent to a municipality that is external to this Plan, the referring municipality shall follow the referral requirements outlined in the Municipal Government Act (MGA), or where applicable, those contained in a relevant Intermunicipal Development Plan.
- 4.2.3 The Town of Drumheller and Wheatland County may wish to notify the other municipality of major municipal infrastructure or public works projects within the Plan Area (e.g. major road upgrades, bridge construction).

#### ***Response Timelines***

- 4.2.4 The responding municipality shall, from the date of notification by either postal mail or electronic mail, have the following timelines to review and provide comment on intermunicipal referrals:
  - a) 14 calendar days for all complete subdivision or development applications,
  - b) 14 calendar days for all complete redesignation applications, and
  - c) 14 calendar days for all other intermunicipal referrals.
- 4.2.5 In the event that either municipality, the Committee, or any other referral does not reply within the response time for intermunicipal referrals stipulated in this Section, it is presumed the responding municipality and/or Committee has no comment or objection to the referred planning application or matter.

#### ***Statutory Plans***

- 4.2.6 A newly proposed Municipal Development Plan or amendment pertaining to the Plan Area shall be referred to the other municipality for comment prior to a public hearing.
- 4.2.7 A newly proposed statutory plan or amendment pertaining to the Plan Area shall be referred to the other municipality for comment prior to a public hearing.



***Land Use Bylaws***

- 4.2.8 All Land Use Bylaw amendments pertaining to the Plan Area shall be referred to the other municipality prior to a public hearing.
- 4.2.9 All redesignation applications within the Plan Area shall be referred to the other prior to a public hearing.
- 4.2.10 A newly proposed Land Use Bylaw from either municipality shall be referred to the other prior to a public hearing.

***Outline Plans, Area Concept Plans & Design Concepts***

- 4.2.11 All outline plans, area concept plans, design concepts, or similar non-statutory plans in support of a subdivision or development that are located within the Plan Area shall be referred to the other municipality for comment prior to approval.

***Subdivision and Development***

- 4.2.12 All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.
- 4.2.13 All discretionary use applications within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.
- 4.2.14 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 within the Plan Area.

***Consideration of Responses***

- 4.2.15 Comments from the responding municipality and/or the Committee regarding proposed Municipal Development Plans, other statutory plans, Land Use Bylaws, or amendments to any of those documents shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered.
- 4.2.16 Comments from the responding municipality and/or the Committee regarding subdivision and development applications shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered on the application.

### 4.3 PLAN VALIDITY

#### **INTENT**

This Plan may require amendments from time to time to accommodate unforeseen situations and to keep the Plan relevant. This Plan does not contain a “sunset” clause, but rather a method of continuous updating.

#### **POLICIES**

##### ***Addressing Provincial Regional Planning Requirements***

The two municipalities are located within different provincial regional plans. The Town of Drumheller is within the Red Deer Regional Plan, which has not yet been completed. Wheatland County is within the South Saskatchewan Regional Plan (SSRP) which has been completed and came into effect September 1, 2014.

- 4.3.1 The municipalities agree that they will comply with any relevant adopted regional plan.
- 4.3.2 This Plan aligns with the strategies of the SSRP for lands lying within the boundary of Wheatland County.

##### ***Addressing Municipal Amendments and Plan Validity***

- 4.3.3 This Plan comes into effect on the date it is adopted by both the Town of Drumheller and Wheatland County.
- 4.3.4 Amendments shall be adopted by both Councils using the procedures outlined in the Municipal Government Act (MGA). No amendment shall come into force until such time as both municipalities adopt the amending bylaw.
- 4.3.5 Proposed amendments to this Plan by parties other than the Town of Drumheller or Wheatland County shall be accompanied by the following:
  - a) an application for amendment submitted to the Town of Drumheller along with the applicable municipal fee for processing amendments to a statutory document; and
  - b) an application for amendment submitted to Wheatland County along with the applicable municipal fee for processing amendments to a statutory document.
- 4.3.6 The Plan shall only be repealed if mutually agreed upon by both municipalities and under the condition the Plan will be replaced with a new IDP that will be adopted by both municipalities at the time of the repeal.
- 4.3.7 In the case where only one municipality wishes to repeal the Plan, sixty (60) days notice shall be given to the other municipality stating the intent and reasons for repealing the Plan. Both Councils shall pass the bylaw repealing the Plan and adopting a new IDP for the repeal to take effect.
- 4.3.8 Should only one municipality wish to repeal the Plan, the dispute resolution process in Section 5.0 shall be initiated.

- 4.3.9 Administrative staff should review the policies of the Plan annually and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective Councils for amendment to the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.
- 4.3.10 A formal review of the Plan shall occur within five (5) years from the date the IDP is adopted by both municipalities.
- 4.3.11 A formal review of the Plan shall occur when the Drumheller Flood Mitigation and Climate Adaptation System Plan is completed.



## **5 DISPUTE RESOLUTION**

The MGA mandates that every IDP must have policies pertaining to dispute resolution.

### **5.1 GENERAL DISPUTE PROCESS**

#### ***INTENT***

The policies of this Plan are designed to be general in nature, ensuring that both the Town of Drumheller and Wheatland 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 the Plan is adhered to as adopted, including full circulation of any permit or application that may affect the municipality as required in the Plan and prompt enforcement of the Plan policies.
- 5.1.2 Prior to the meeting of the Committee, 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 Committee should discuss the issue or dispute with the intent to seek a recommended solution by consensus.

### ***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 should contact the other and request that a Committee meeting be scheduled to discuss the issue. The Committee will review the issue and attempt to resolve the matter by consensus.
- 5.1.6 The dissenting municipality is requested to bring a resolution of Council to the Committee. The resolution of Council should clearly outline the concern(s) and possible remedy requested from the other municipality.
- 5.1.7 Should the Committee be unable to arrive at a consensus, the administration of each municipality will schedule a joint meeting of the two Councils to discuss possible solutions and attempt to reach consensus on the issue.
- 5.1.8 Should the Councils be unable to resolve the matter, a formal mediation process to facilitate resolution of the issue shall be initiated.

### ***Filing an Intermunicipal Dispute under the Municipal Government Act***

- 5.1.9 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw, or amendment to such within thirty (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 Municipal Government Act (MGA) so that the provincial statutory right and timeframe to file an appeal is not lost.
- 5.1.10 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 Municipal Government Act (MGA).

*Note: Using section 690(1) of the Municipal Government Act (MGA) is the final stage of dispute settlement, where the municipalities request the Municipal Government Board to intercede and resolve the issue.*

*Dispute Resolution Flow Chart*

The dispute resolution flow chart shown as **Figure 1** 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.

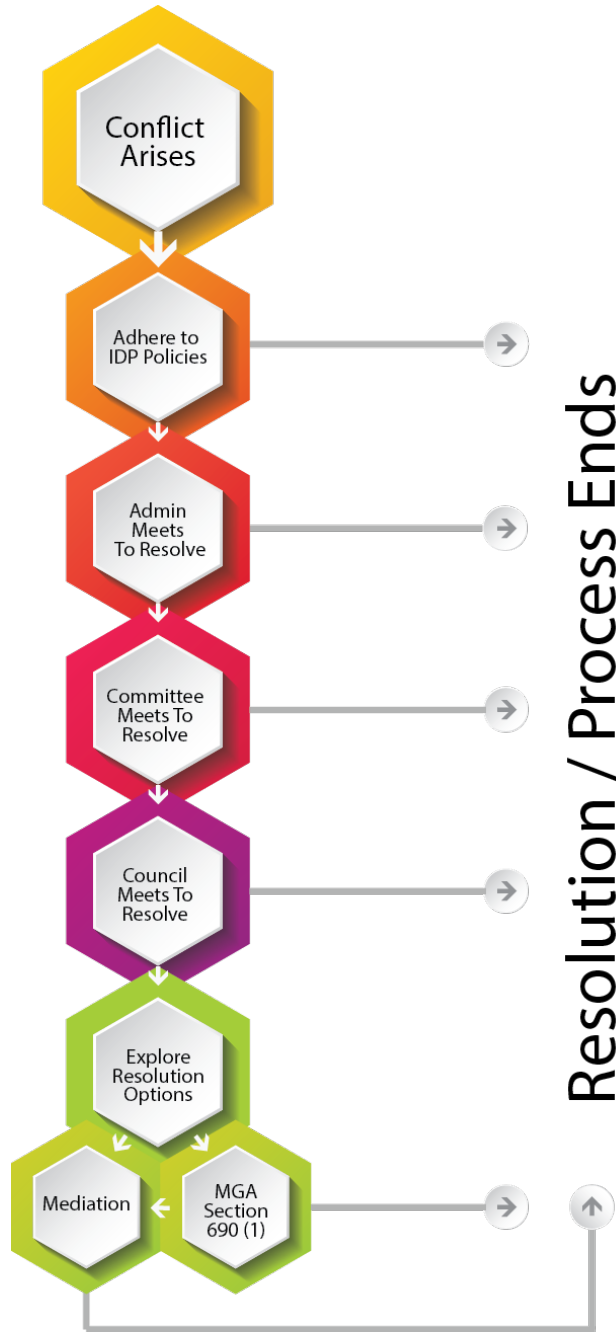


Figure 1: Dispute Resolution Flow Chart

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## **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 Statues of Alberta 2000, M-26* with amendments.

**Agricultural Operation:** If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

- a) the cultivation of land;
- b) the raising of livestock, including game-production animals within the meaning of the "*Livestock Industry Diversification Act*" and poultry;
- c) the raising of fur-bearing animals, pheasants or fish;
- d) the production of agricultural field crops;
- e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- f) the production of eggs and milk;
- g) the production of honey (apiaries);
- h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- i) the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- j) the collection, transportation, storage, application, use transfer and disposal of manure;
- k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**Alberta Land Stewardship Act (ALSA):** The *Alberta Land Stewardship Act Statues of Alberta, 2009 Chapter A-26.8*, as amended.

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

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

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

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

**Conservation Easement:** A voluntary agreement between a landowner and a conservation organization or government agency. The intent of the Conservation Easement is to protect the ecological, scenic, and or agricultural values of the land. The agreement is placed on title, and the landowner continues using the land subject to the specific restrictions in the easement.

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

**Council(s):** The Council of the Town of Drumheller and the Council of Wheatland County in the Province of Alberta.

**County:** The Municipality of Wheatland 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.

**Energy Industry or Energy Development:** Industry that uses some form of alternative energy either as the source of its operation or the result of its operation, such as, but not limited to, wind farms, solar farms, hydroelectric dams among others.

**Environmental Reserve:** Regulated through the Municipal Government Act (MGA), it is the transference of land from the landowner to the municipality through the subdivision process. The lands can consist of water bodies, steep slopes, gullies, or drainage courses, and would be required to remain in its natural state.

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

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

**Environmental Site Assessment (ESA – Phase I or II):** An investigation in relation to land to determine the environmental condition of property. It includes a Phase 1 environmental site assessment, a Phase 2 environmental site assessment and confirmatory investigation.

**Extensive Agriculture:** The general raising of crops and grazing of livestock in a non-intensive nature.

**Extractives or Extractive Industry:** Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource.

**Historical Resource Value (HRV):** Lands that contain or are believed to contain historic resources, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

**Intensive Agriculture:** If not defined in the respective municipalities' Land Use Bylaw, it is any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market including, but not limited to,

such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, apiaries, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

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

**Intermunicipal Development Plan Committee (the Committee):** The members assigned by each respective Council for the purposes of administering and monitoring the Intermunicipal Development Plan.

**Intermunicipal Development Plan Shared Boundary:** The shared border between the Town of Drumheller and Wheatland County.

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

**Municipalities (the Municipalities):** The municipalities of the Town of Drumheller and Wheatland County.

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

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

**Permitted Use:** The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Plan:** The Town of Drumheller and Wheatland County Intermunicipal Development Plan.

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

**Provincial Highway:** A road development as such by Ministerial Order pursuant to the *Highway Development and Protection Act*, Alberta Regulation 326/2009.

**Ratepayer:** A land owner within the municipality who pays taxes to the respective municipality and is considered a stakeholder in public matter relating to the municipality.

**Red Deer Regional Plan:** The Regional Plan and regulations for the Red Deer Regional Plan area established by Order of the Lieutenant Governor in Council Pursuant to the Alberta Land Stewardship Act.

**Renewable Resource/Energy:** A natural resource or form of energy that can replenish on its own with time.

**Shall:** Is an operative word that means the action is mandatory.

**Should:** Is an operative word that means that in order to achieve the Plan's objectives, it is strongly advised that the action be taken.

**Soil Classifications:** The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

**Class 1** – Soils in this class have no significant limitations in use for crops.

**Class 2** – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

**Class 3** – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

**Class 4** – Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.

**Class 5** – Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible.

**Class 6** – Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible.

**Class 7** – Soils in this class have no capacity for arable culture or permanent pasture land.

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

**Stakeholder:** A person with an interest or concern in matters pertaining to this Plan.

**Statutory Plan:** As per Part 17 of the *Municipal Government Act*, is an intermunicipal development plan, a municipal development plan, an area structure plan, or an area redevelopment plan adopted by a municipality under Division 4 of the *Municipal Government Act*.

**Subdivision and Development Authority:** Within the boundary of the Town of Drumheller means the Town of Drumheller Subdivision and Development Authority, and within the boundary of the Wheatland County means the Wheatland County Subdivision and Development Authority.

**Town:** The Town of Drumheller.



# INTERMUNICIPAL DEVELOPMENT PLAN

## KNEEHILL COUNTY & TOWN OF DRUMHELLER



Kneehill County Bylaw No. 1817 &  
Town of Drumheller Bylaw No. 04.20

Adopted XXXX, XX, 2020



**Kneehill County  
Bylaw No. 1817**

**BYLAW No. 1817 OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA,  
BEING A BYLAW TO ADOPT THE TOWN OF DRUMHELLER / KNEEHILL COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN**

**WHEREAS**, Section 631(1) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, provides that two or more Councils must, by each passing a Bylaw, adopt an Intermunicipal Development Plan;

**AND WHEREAS**, Council deems it desirable to adopt an Intermunicipal Development Plan with the TOWN OF DRUMHELLER;

**AND WHEREAS**, Council recognizes that the lands contained within the Intermunicipal Development Plan will remain under the jurisdiction of each respective municipality, and that the Intermunicipal Development Plan provides a basis for cooperation and communication on matters of mutual interest;

**AND WHEREAS**, notice of the proposed Bylaw and Public Hearing was given pursuant to Section 606(2) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta;

**AND WHEREAS**, a Public Hearing into the proposed Bylaw was scheduled for and held on \_\_\_\_\_ commencing at \_\_\_\_\_ at the Kneehill County Office;

**NOW THEREFORE**, the Municipal Council of Kneehill County duly assembled enacts as follows:

**THAT THE TOWN OF DRUMHELLER / KNEEHILL COUNTY INTERMUNICIPAL DEVELOPMENT PLAN, AS ATTACHED AND FORMING PART OF THIS BYLAW BE ADOPTED.**

**READ** a first time in Council this 10<sup>th</sup> day of March, 2020.

**READ** a second time in Council this \_\_\_ day of \_\_\_\_\_

**READ** a third time in Council and finally passed this \_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



**TOWN OF DRUMHELLER**

**BYLAW NO. 04.20**

A Bylaw of the Town of Drumheller in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to adopt the Town of Drumheller-Kneehill County Intermunicipal Development Plan (2020).

WHEREAS Section 631(1) of the Municipal Government Act authorizes two or more Councils to adopt an Intermunicipal Development Plan;

WHEREAS the Town of Drumheller and Kneehill County have agreed to the joint preparation of the Town of Drumheller-Kneehill County Intermunicipal Development Plan;

AND WHEREAS all parties required to be included in the Plan preparation have been properly notified in accordance with Section 636 of the Municipal Government Act;

AND WHEREAS the Councils of the Town of Drumheller and Kneehill County will hold public hearings pursuant to Section 692 of the Municipal Government Act after giving notice of it in accordance with Section 606 of the Municipal Government act;

NOW THEREFORE the Municipal Council of the Town of Drumheller, duly assembled, enacts as follows:

1. That this Bylaw shall be known as the “Town of Drumheller-Kneehill County Intermunicipal Development Plan” (as shown in attached Schedule “A”) which is part of this document.
2. That the Town of Drumheller-Kneehill County Intermunicipal Development Plan shall provide the policy framework for future subdivision and development of the lands describe therein.
3. That Town of Drumheller Bylaw No. 04.20 shall have force and take effect from the final reading thereof.

**AGENDA ITEM #8.2.**

READ A FIRST TIME this 3<sup>rd</sup> day of February, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

READ A SECOND TIME this 16<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

READ A THIRD AND FINAL TIME this 30<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Mayor Heather Colberg

\_\_\_\_\_  
Darryl Drohomerski, CAO

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**Photo sources:**

Photos on pages 1, 14 - Kneehill County Instagram (<https://www.instagram.com/kneehillcounty/>) &

Photo on page 7 - Rick Schmidt Photography

Photo on page 22 - Google Earth



## 1 | INTRODUCTION

### 1.1 Purpose of an Intermunicipal Development Plan

The purpose of intermunicipal planning is to establish a long-range collaborative approach for future land use along municipal borders. The Town of Drumheller's western boundary borders Kneehill County. Land use decisions made by either municipality along this border may affect and influence one another. This Intermunicipal Development Plan (IDP) is a cooperative planning initiative that ensures development and land use decisions along the shared border occur in a harmonious manner that respect the interests of each municipality. The overall objectives of this IDP are to:

- Ensure development and growth occurs in a sustainable and responsible manner;
- Establish a coordinated approach to development and land use decisions along the shared municipal border;
- Encourage continued communication between the municipalities;
- Minimize future land use conflicts;
- Outline processes for resolving disputes; and
- Provide landowners with greater certainty of potential land use and future development within the Plan Area.

### 1.2 Hierarchy of Plans in Alberta

In accordance with the Municipal Government Act (MGA) IDPs are the highest order of municipal statutory plan. All lower order statutory plans for a municipality, including a Municipal Development Plan (MDP) and Area Structure Plans (ASPs) must be in alignment with any and all IDPs a municipality has adopted (see Figure 1).

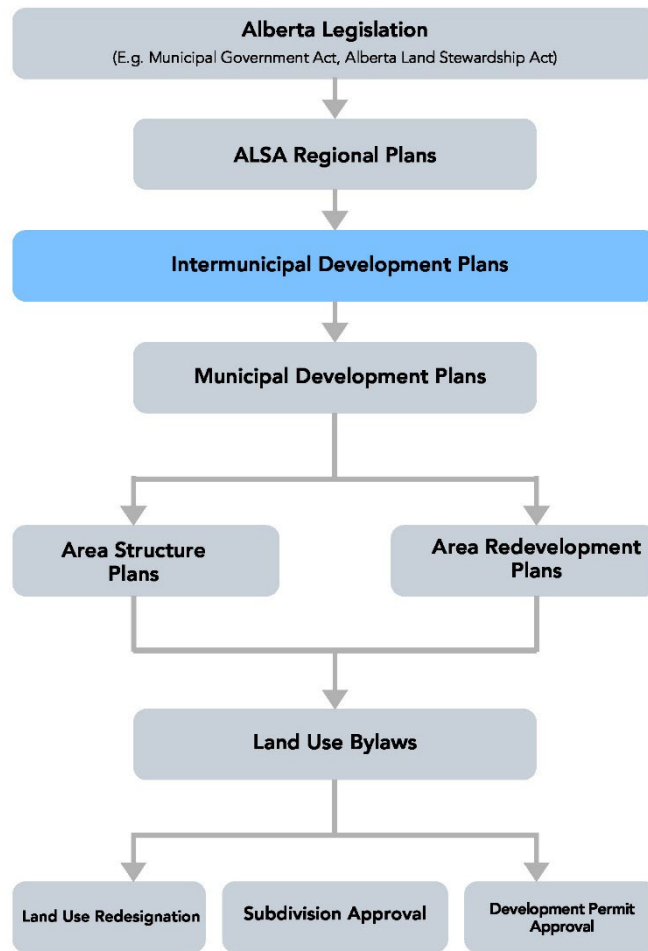


Figure 1.: Planning Hierarchy in Alberta

### 1.3 Provincial and Regional Plans

The Province of Alberta takes a multi-tiered approach to legislating planning and development within the province. The two main pieces of provincial legislation that mandate planning and development in Alberta are the Alberta Land Stewardship Act (ALSA), and the Municipal Government Act (MGA). The ALSA mandates the legislative authority for the province’s seven (7) Regional Plans, while the MGA provides the legislative authority of municipal planning documents.

The seven (7) Regional Plans are organized geographically by seven major watersheds within Alberta. Two of the seven Regional Plans have been adopted (Lower Athabasca Regional Plan and South Saskatchewan Regional Plan). The remaining five Regional Plans are either underway or not started. The Red Deer Regional Plan, which encompasses Kneehill County and the Town of Drumheller, has not been started. The overall objective of the Regional Plans is to set a collaborative approach to managing the province’s land and natural resources to achieve economic, environmental and social goals. All municipal bylaws, including planning documents, are required to be in alignment with the applicable Regional Plan.

## 1.4 IDP Legislative Requirements

The Municipal Government Act (MGA) mandates the legislative requirements for IDPs. Section 631 of the MGA (as amended January 1, 2020) outlines the requirements for an IDP:

### *Intermunicipal Development Plans*

*631(1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and 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.*

*(2) Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).*

*(3) The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.*

*(4) Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.*

[...]

*(8) An intermunicipal development plan*

*(a) must address*

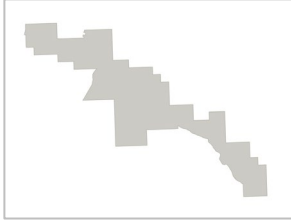
- (i) the future land use within the area,*
- (ii) the manner of and the proposals for future development in the area,*
- (iii) the provision of transportation systems for the area, either generally or specifically,*
- (iv) the co-ordination of intermunicipal programs relating to the physical, social 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,*

*(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.*

## 1.5 Municipal Profiles

### Town of Drumheller



The Town of Drumheller is located in the Red Deer River valley in south-central Alberta spanning an area of 10,803 hectares (26,694 acres), situated between Starland County to the north, Kneehill County to the west, Special Areas 2 to the east, and Wheatland County to the south. The Town offers a diversity of residential options, employment opportunities, and way of life for the Town’s population of 7,982 (Statistics Canada, 2016 Census). The Town of Drumheller is greatly influenced by its unique landscape made up of rolling fields, steep, dry coulees, and the Red Deer River. The Town’s goal is to preserve and enhance the natural environment while accommodating growth responsibly and strategically. The Town is well-known for its tourism industry. In the heart of the Canadian Badlands, Drumheller’s unique scenery and fascinating dinosaur-oriented history attracts hundreds of thousands of people to the community each year.

### Kneehill County



Kneehill County is located in south-central Alberta spanning an area of 331,900 hectares (820,143 acres), situated between Red Deer County to the north, Mountain View County to the west, and Starland County to the east, Town of the Drumheller to the south-east and Wheatland County to the south. The majority of the land is zoned for agricultural uses, allowing the population of 5,001 (Statistics Canada, 2016 Census) to enjoy a rural way of life. As a region, Kneehill County with the Towns of Three Hills, Trochu and Villages of Acme, Carbon, Linden, and four hamlets, have a combined population of over 11,000 residents. Oil and gas is the second major industry in the region. The County’s goal is to protect this rural way of life while proactively enhancing it. The eastern border of Kneehill County runs along the Red Deer River Valley down to the heart of the Canadian Badlands, making tourism a viable market opportunity.



## 2 | PLAN AREA

### 2.1 Plan Boundary

The Plan Area extends approximately 1.6 km (1 mile) on either side of the shared border between the municipalities (see *Map 1: IDP Area*). At times the Plan Area extends further to accommodate geometric irregularities along the shared border, geographic constraints and to minimize any overlaps with other IDPs for either municipality.

Within the Plan Area, the following economic, environmental and social considerations were examined:

- Land use and zoning;
- Residences and urban areas;
- Tourism and recreation;
- Confined Feeding Operations (CFOs);
- Resource Extraction and Energy development;
- Transportation Corridors;
- Environmentally Significant Areas (ESAs); and
- Historic Resource Value (HRV) Sites.

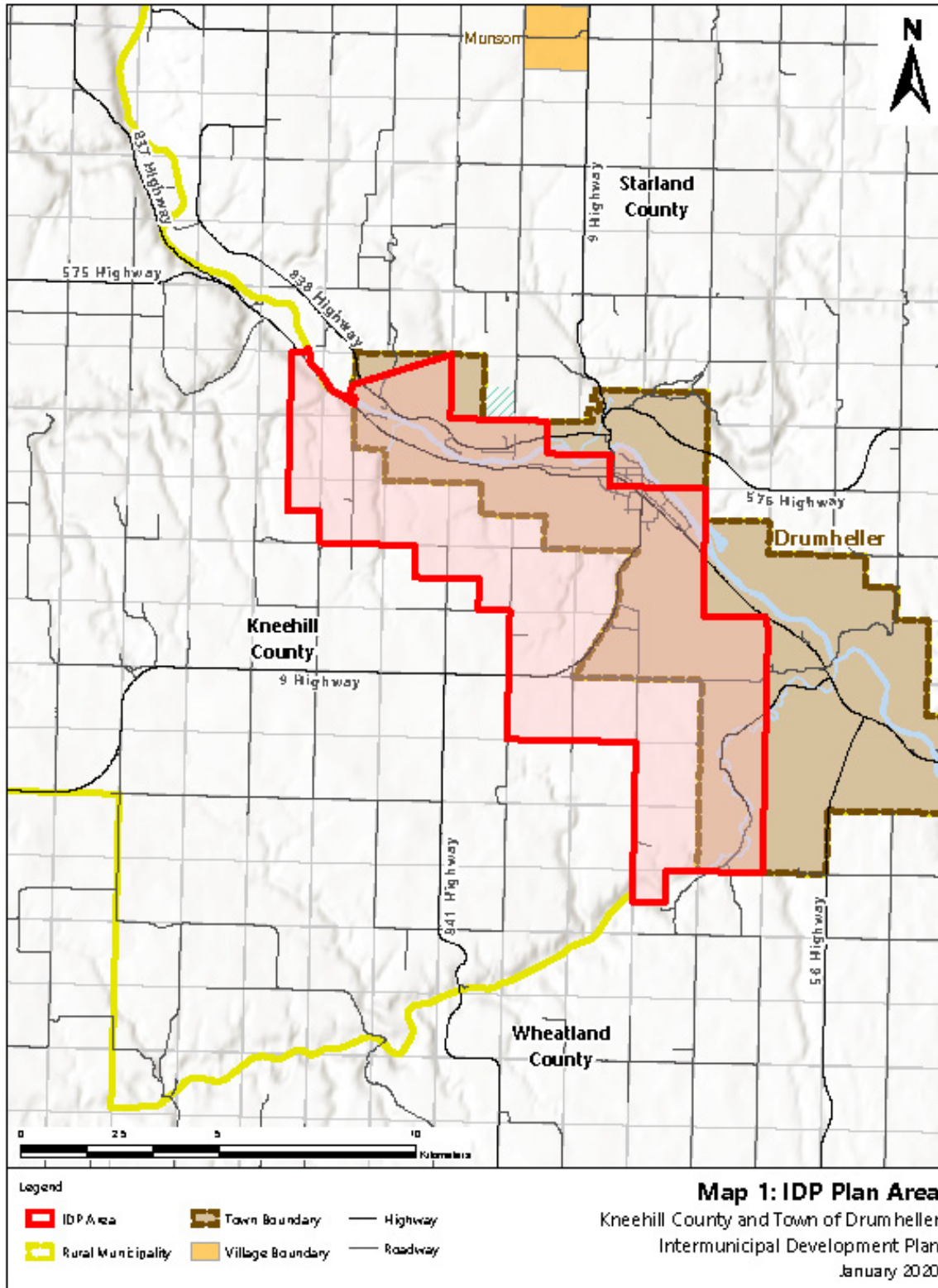
### 2.2 Plan Area Characteristics

The Plan Area as shown on *Map 1* encompasses rural and agricultural areas within Kneehill County and both urban and rural areas within the Town of Drumheller.

The Town of Drumheller contains both urban and rural areas, with the central business and main urban residential area located just to the north of the Plan Area. The shared border between Kneehill County and the Town of Drumheller is located within the Town's mostly rural area.

#### GENERAL CHARACTERISTICS

The central Plan Area features Highway 9, which could be considered the main gateway into the Town of Drumheller. The western edge of the Plan Area along Highway 9 is above the Red Deer River valley, but as it heads east it drops down into the valley. Heading northwest from the middle of the Plan Area, the Plan Area is bounded by Highway 575 as it meanders westward out of the Town. To the southeast of Highway 9 the Plan Area generally stays on the south side of the Red Deer River encompassing both the river valley area and higher flat land. The Plan Area heads southeast until it comes against the Rosebud River and Highway 10X at which point it follows the Rosebud River south until the junction with Wheatland County.



Map 1: IDP Area



## **NATURAL ENVIRONMENT & THE RED DEER RIVER BASIN**

Much of the eastern portion of the Plan Area boundary runs along the edge of the Red Deer River and includes important riparian areas within the Red Deer River Basin. The Plan Area's eastern border follows the smaller but also important environmental feature, the Rosebud River and its riparian areas. Riparian areas provide a wide range of ecological functions that are vital to a healthy functioning landscape and form part of an extensive drainage basin within every watershed. Both municipalities are committed to protecting and preserving the environmental aspects of this basin.

## **AGRICULTURAL LAND USES**

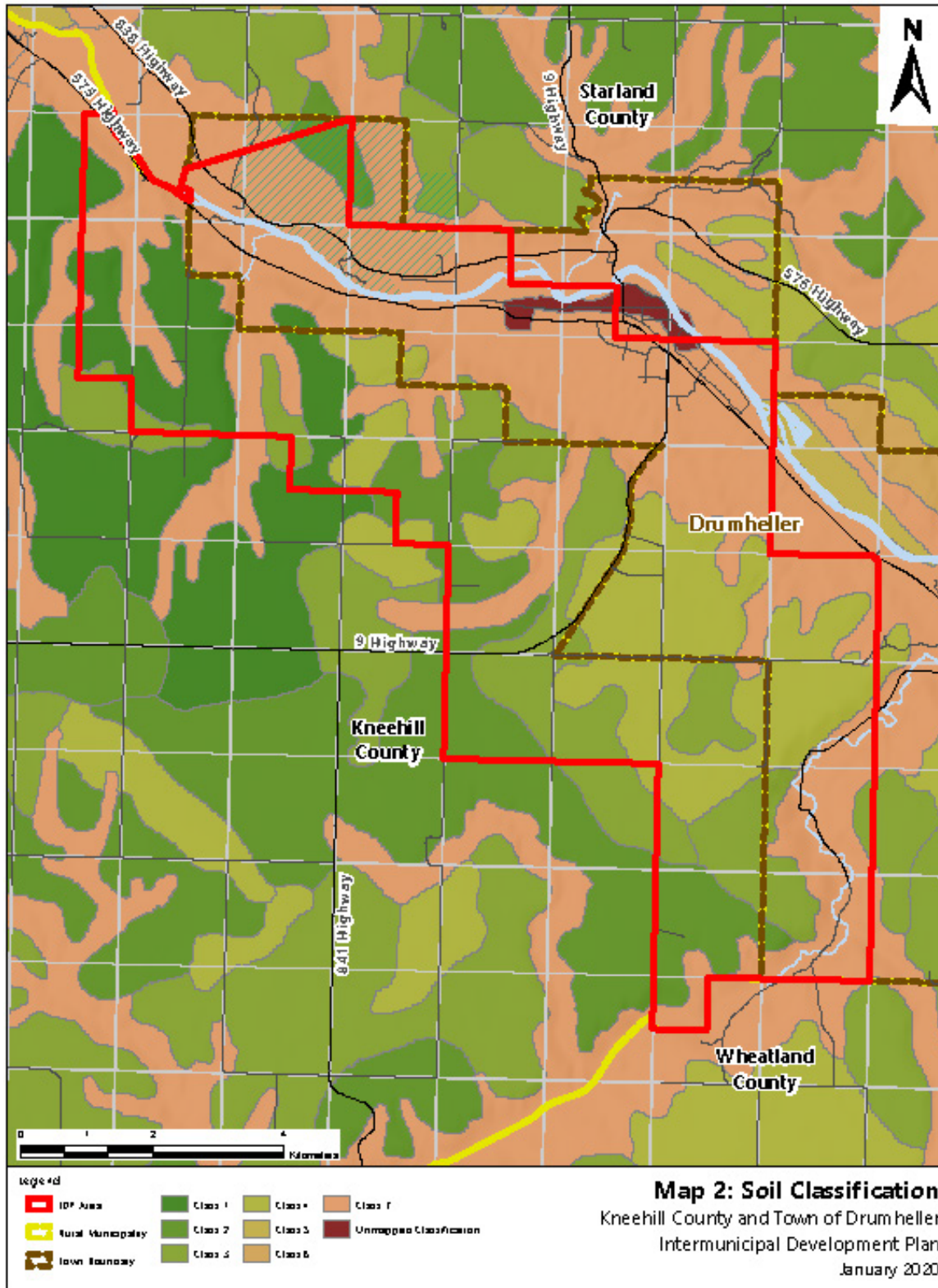
The agricultural land in the Plan Area consists of a variety of soil classifications that are used for a range of agricultural activities including grazing and crop production (see **Map 2: Soil Classifications**).

## **RESIDENTIAL LAND USES**

Residential land use within the Plan Area is mainly located within the Town of Drumheller. Within the Kneehill County portion of the Plan Area minimal residential and acreage development has occurred.

## **INDUSTRIAL LAND USES**

The Plan Area also contains a sizable industrial area that is located west of Highway 9 along Highway 575. The industrial park is mainly light industrial land uses consisting of shop buildings, contractor bays, and industries servicing the oil and gas sector. The industrial area is mainly built out, but has some vacant undeveloped areas for future growth.



Map 2: Soil Classification

## INSTITUTIONAL LAND USES

The Drumheller Institution, a correctional facility with both medium-security and minimum-security facilities is also located within the Plan Area. The Drumheller Institution has a medium security facility capacity of 582 and a minimum security capacity of 122 and is a major employer in the region.

## RECREATIONAL LAND USES

Just north of the Drumheller Institution is a large 100+ acre outdoor racetrack, called the Dinosaur Downs Speedway. The site includes an oval dirt racetrack and a long motorcross track. This outdoor facility is host to numerous racing events throughout the year.

## TRANSPORTATION INFRASTRUCTURE

The Plan Area is bisected by major highways both north-south and east-west (see **Map 1**). Highway 9 bisects the middle of the Plan Area going north-south while Highway 575 heads northwest to southeast joining into Highway 10. Given the dramatic topography within the Plan Area transportation networks play a key role in dictating the location of human development in this area. The creation of new major road networks is unlikely and future development will likely be located near existing transportation corridors.

## HISTORIC RESOURCES

The Plan Area and region is a unique landscape that is rich in cultural, archaeological and paleontological history and artifacts (see **Map 3: Historic and Environmental Features**). The area is well-known as a destination for scientists and tourists interested in the science of paleontology and especially dinosaurs.

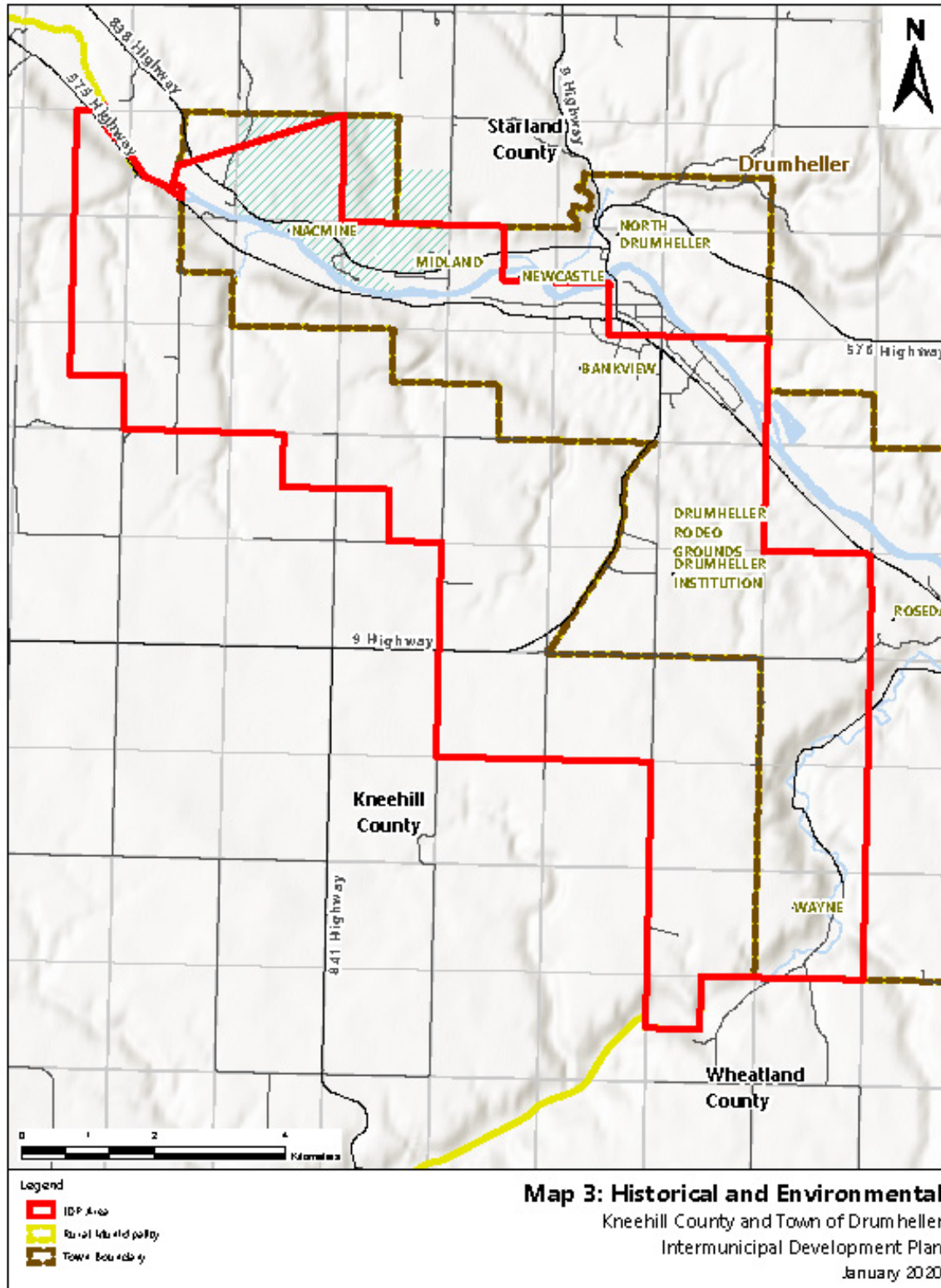
The area's rich history also extends to human habitation of the region. This area has been inhabited by Indigenous peoples for thousands of years. The Plan Area is located within Treaty 7, which was signed on by the Government of Canada and five First Nations: the Siksika (Blackfoot), Kainai (Blood), Piikani (Peigan), Stoney-Nakoda, and Tsuut'ina (Sarcee).

## LAND USE DESIGNATIONS (ZONING)

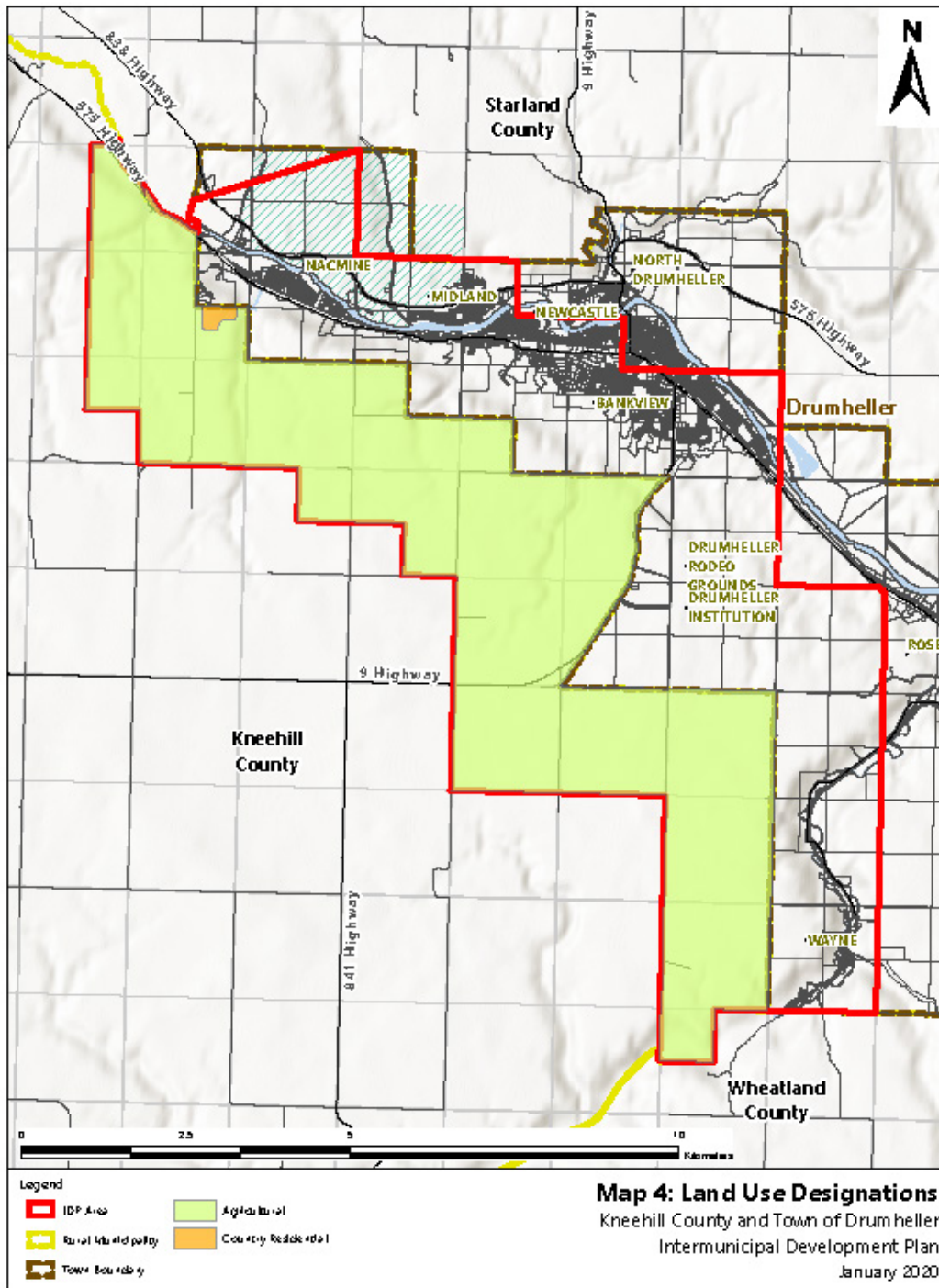
Lands within the Plan Area are predominately designated (zoned) as Agricultural districts in the respective Land Use Bylaws of both municipalities. Other land use designations include institutional, industrial and residential as shown on **Map 4: Land Use Designations (Zoning)**.

## OIL & GAS FACILITIES

Oil and gas facilities are present throughout the region and also within the Plan Area, mainly on the Kneehill side. **Map 5: Energy Facilities** identifies the existing oil and gas facilities.



Map 3: Historical and Environmental



Map 4: Land Use Designations (Zoning)

### 2.3 Town of Drumheller Population Analysis

Town of Drumheller amalgamated with the M.D. of Badlands No. 7 in 1988 thereby including additional hamlets and rural areas into its municipal boundaries. This provided the municipality with a healthy land base for any anticipated future growth. Between 1996 and 2011 the municipality grew in population from 7,833 to a high of 8,029 before dropping in 2016 to 7,982 (see **Figure 1**). An IDP provides the opportunity to gain an understanding of any future growth requirements of the urban municipality. The Town of Drumheller's relatively flat population growth combined with a desktop analysis of vacant lands suggests there is sufficient residential and non-residential land available for the Town. Thus, the need for annexation is not expected in the foreseeable future.

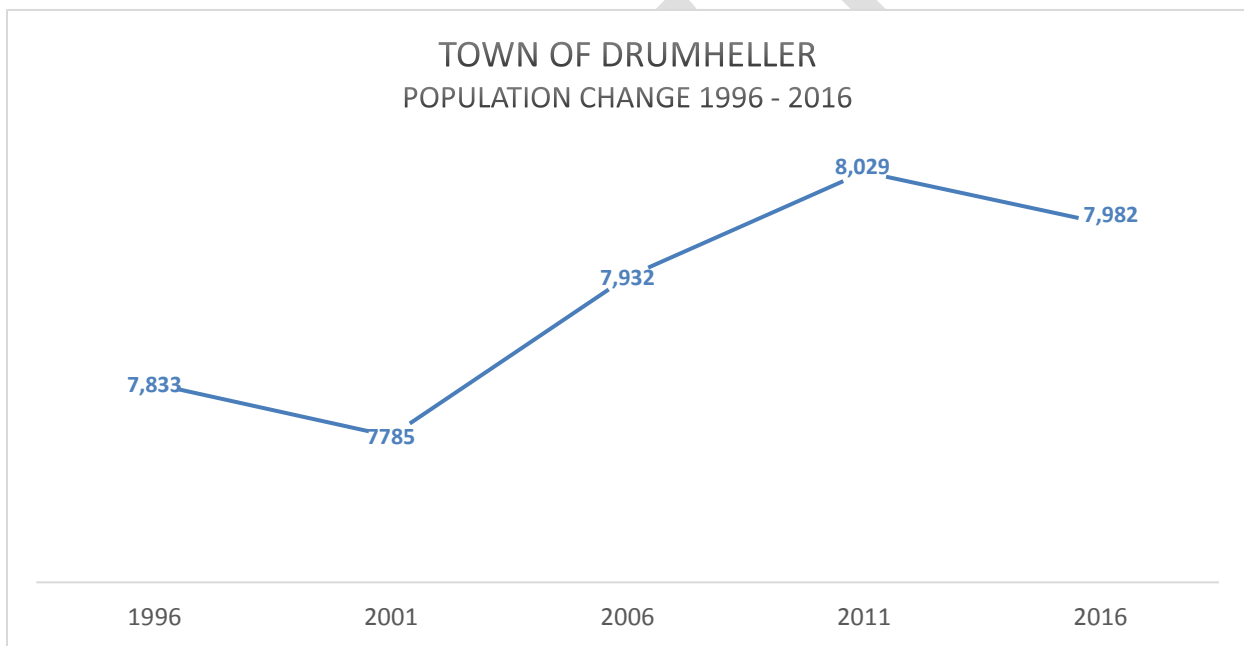
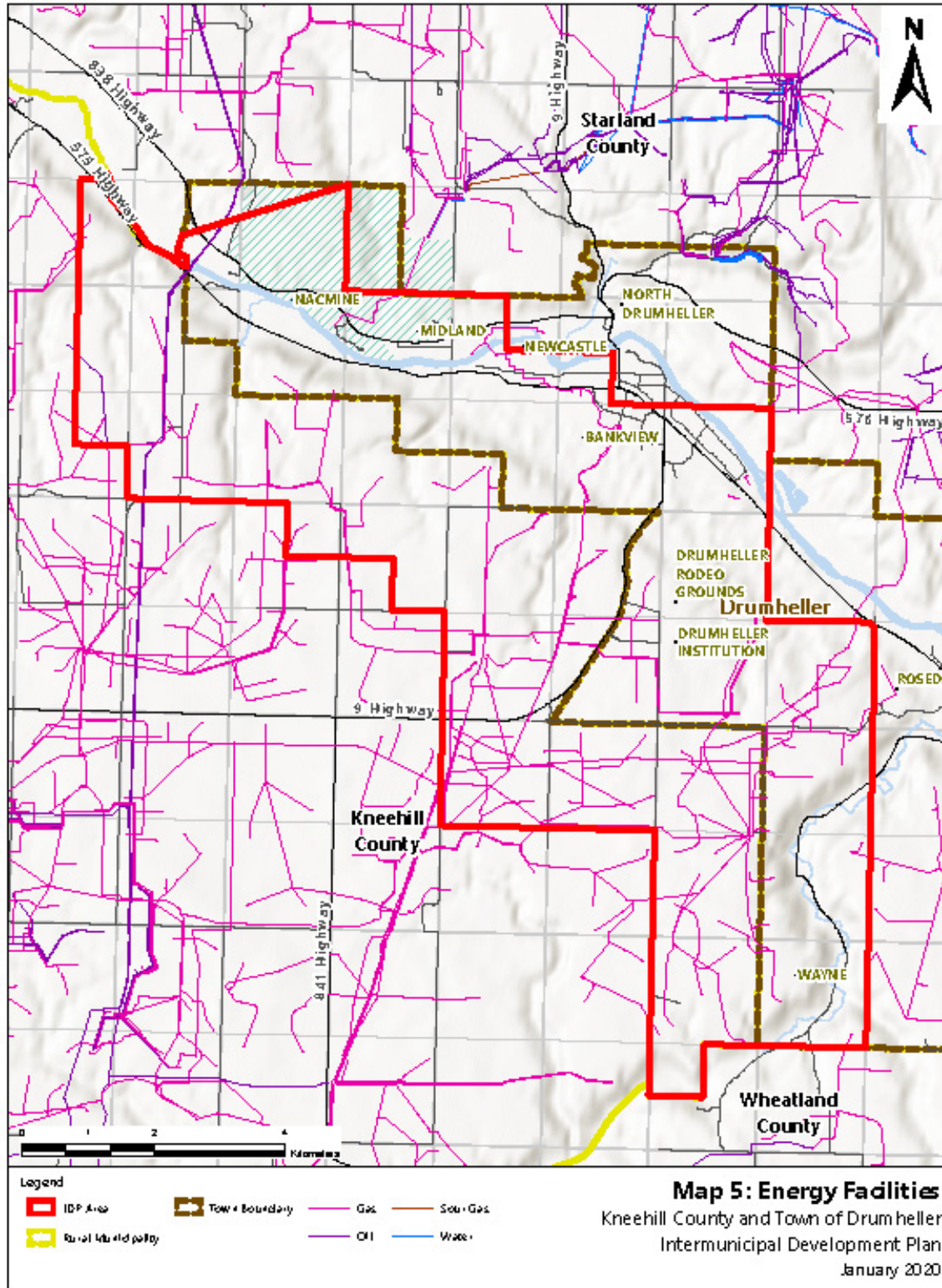


Figure 1: Town of Drumheller Population Change





Map 5: Energy Facilities

## 3 | POLICY FRAMEWORK

IDP policies guide and direct each municipality in their day-to-day decision-making pertaining to development and land use. The MGA dictates that an IDP is the highest order statutory plan in a municipality and subsequently decision-making and lower level statutory plans must closely align with IDP policies. The following policy sections take into consideration the key characteristics of the Plan Area and establish policies that works towards achieving the common goals of each municipality for the IDP area.

### 3.1 Interpretation

This IDP uses specific language to ensure clear and concise policies that will guide decision making. Further, it is important to ensure these policies are communicated in the proper context. The following words are to be interpreted throughout the plan as follows:

- Policy 3.1.1**      **Council:** refers to the Town of Drumheller Council and/or Kneehill County Council.
- Policy 3.1.2**      **Shall, require(d), must, or will:** mean that the policy is mandatory; exceptions would require an amendment to the Plan.
- Policy 3.1.3**      **Should:** always applies to the situation unless it can clearly be identified to the agreement of Council or the Approving Authority that in the given situation, the policy is not reasonable, practical or feasible.
- Policy 3.1.4**      **May:** acknowledges support in principle and indicates that Council or the Approving Authority has the discretion to determine the level of compliance that is required.
- Policy 3.1.5**      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.

**Policy 3.1.6** 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.

**Policy 3.1.7** The geographical or relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.

## **3.2 Land Use**

### **Intent**

Identifying long-term future land use goals is a legislative requirement of an IDP and forms one of the key areas of agreement and coordination in this plan. Currently, the vast majority of land within the Plan Area is zoned agricultural and primarily used for extensive agricultural operations. In general the proportion of rural to urban land uses within the Plan Area are not likely to change significantly within the foreseeable future.

**Policy 3.2.1** The future vision for the Plan Area is to ensure continuation of the agricultural character of the area while concentrating future urban development within the Town's existing urban areas.

**Policy 3.2.2** Future land uses in the Plan Area shall align with the Future Land Use Maps within each municipality's Municipal Development Plan.

**Policy 3.2.3** Fragmentation of agricultural land and premature conversion to non-agricultural uses should be limited.

**Policy 3.2.4** Land use within the Plan Area shall align with any statutory planning documents or Land Use Bylaw from either municipality.

**Policy 3.2.5** The municipalities shall strive to engage in open communication when considering land use decisions in the Plan Area and should discuss any proposed Statutory Plans, Land Use Bylaw updates, or amendments that may impact the Plan Area.

**Policy 3.2.6** Land owned by either municipality within the other municipality's jurisdiction shall follow any bylaw, statutory planning document, land use bylaw of the municipality the land is located in.

## 3.3 Growth Management & Annexation

### Intent

An IDP provides the opportunity to identify any lands that may be required for municipal expansion through annexation to ensure that municipalities have an adequate land supply to support future growth. However, through the population and vacant land analysis it was identified that the Town currently contains an adequate land supply to meet short and medium-term future development demands.

**Policy 3.3.1** Should the Town require additional lands the annexation process may be initiated by the Town in accordance with the requirements of the *Municipal Government Act*.

**Policy 3.3.2** The Town of Drumheller shall consult with Kneehill County and its residents prior to initiating an annexation application to the province.

**Policy 3.3.3** The Town of Drumheller and Kneehill County will endeavor to reach an agreement on an annexation prior to submitting an annexation to the Municipal Government Board.

## 3.4 Agriculture

### Intent

Agricultural land represents the largest land use in the Plan Area, consisting predominately of activities associated with extensive agriculture. Extensive agriculture shall continue to be the primary use of land in the Plan Area.

**Policy 3.4.1** In making land use decisions within the Plan Area, both municipalities shall respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.

**Policy 3.4.2** Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

### Confined Feeding Operations

**Policy 3.4.3** It is recognized that approval of Confined Feeding Operations (CFOs) ultimately lies with the Natural Resources Conservation Board (NRCB). Prior to approvals being given within the Plan Area, both municipalities shall request that the staff of the NRCB review local plans and policies and consider these in their decision making.

### **3.5 Tourism and Recreation**

#### **Intent**

To ensure tourism and recreational related development continues to thrive and occurs in a harmonious and efficient manner with the natural landscape that surrounds it and minimizes any potential negative impacts.

**Policy 3.5.1** Both municipalities should consult with each other and other agencies and stakeholders to development management plans which integrate tourism, economic development, land use, development and recreational activities.

**Policy 3.5.2** Kneehill County acknowledges the Town of Drumheller’s Tourism Corridor Bylaw and its linkage to a healthy tourism economy that benefits the entire region. While the bylaw does not affect lands in Kneehill County, the County will encourage residents and landowners within the vicinity of the Tourism Corridor Bylaw to maintain their properties to a high standard and to minimize unsightly properties that may deter tourism.

**Policy 3.5.3** Both municipalities recognize that authentic rural living and agricultural production along tourism corridors is supported and encouraged. These rural activities require operations and aesthetics not familiar to all tourists (e.g. manure spreading, slow moving vehicles on roads) and are supported by both municipalities to ensure the continued rural character of the area.

**Policy 3.5.4** Either municipality when making land use decisions or providing referral comments to the other municipality may wish to consider the preservation of view corridors / viewsapes that are important to the tourism industry and/or local character of the area.

### **3.6 Servicing and Infrastructure**

#### **Intent**

Proper servicing of development is critical for the continued health and safety of residents. Coordination of the delivery of infrastructure and services between both municipalities can lead to greater efficiency and cost savings.

**Policy 3.6.1** Both municipalities are strongly encouraged to identify and implement cost effective ways of delivering shared services that benefit both municipalities and their residents.

**Policy 3.6.2** Where possible local infrastructure and development should connect to regional services.

**Policy 3.6.3** Where servicing a development is more feasible from the services and infrastructure of the other municipality the development levies or equivalent contributions shall be collected from the benefiting development to ensure the cost of services do not negatively impact existing residents of the municipality where the services are being provided.

**Policy 3.6.4** Both municipalities will discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are mutually beneficial.

### **3.7 Natural Environment & Historic Resources**

#### **Intent**

The lands within the IDP Plan Area contain important Environmentally Significant Areas (ESAs) such as native grasslands, riparian areas and drainage courses in addition to essential wildlife, bird and fish habitat. Additionally, lands within the IDP Plan Area may contain important Historical Resources, including archaeological, cultural, or palaeological artifacts. Policies within this IDP should ensure that development occurs in a manner that does not negatively impact important historical resources and natural landscapes.

#### **Natural Environment**

**Policy 3.7.1** Both municipalities shall endeavor to conserve and protect ESAs as defined in each municipality's Land Use Bylaw and other significant natural areas and resources.

**Policy 3.7.2** When making land use decisions each municipality will:

- a) Utilize and incorporate measures where possible to minimize potential impacts on the Red Deer River, Rosebud River, and any other important water resources;
- b) Determine appropriate land use patterns in the vicinity of significant water resources and other water features including wetlands;
- c) Establish appropriate setbacks to maintain water quality, floodwater conveyance and storage, bank stability and habitat.

**Policy 3.7.3** Where development is proposed near natural features or lands deemed to be environmentally sensitive or significant, the approving municipality, at their sole discretion, may require an Environmental / Biophysical Impact Assessment (EIA/BIA) to be completed by a qualified professional to determine the potential impacts from development and how those impacts will be minimized.

**Policy 3.7.4** Both municipalities should consider the provincial *Wetland Policy* and *Stepping back from the Water-A Beneficial Management Practices Guide For New Development* when making land use decisions with the goal of sustaining the environment and economic benefits.

**Policy 3.7.5** Areas identified as environmentally sensitive or environmentally significant should be protected through Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate methods as determined by the municipality and its applicable statutory plans and Land Use Bylaw regulations.

**Policy 3.7.6** Either municipality shall refer any new environmental or biophysical study or report in support of a planning or development application pertaining to lands within the Plan Area to the other municipality.

**Policy 3.7.7** Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the Plan Area.

### **Red Deer River Basin**

**Policy 3.7.8** Subdivision and Development in or adjacent to the Red Deer River valley including the Rosebud River shall take into consideration slope stability and soil characteristics in order to minimize negative impacts. Within floodplains, development should be regulated to protect the natural area and to minimize potential flood damage.

**Policy 3.7.9** All land uses and developments proposed along the top or within the river valley in both municipalities shall be evaluated to ensure that water quality and protection of any ESAs.

**Policy 3.7.10** Development in identified flood fringe and floodways as per provincial mapping (if completed) shall comply with provincial regulations and legislation. Where land use development is to occur in flood prone areas not identified on provincial maps as either flood fringe or floodway, appropriate regulations shall be implemented to ensure no negative impacts on the land and neighbouring municipality.

### **Historic Resources**

**Policy 3.7.11** Where development is proposed on lands that may contain a Historical Resource Value (HRV), a Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of the municipality and Alberta Culture and Tourism. The Developer must comply with *the Historical Resources Act* and Alberta Culture and Tourism.

**Policy 3.7.12** Both municipalities should identify properties with significant historic resources within the Plan Area to ensure conservation and maintenance.

### **3.8 Resource Extraction & Renewable Energy Development**

**Intent**

Resource extraction and renewable energy development are important to the local economy. Further, it is important that resource extraction and renewable energy development operations occur in a manner that is compatible with adjacent land uses and minimizes offsite impacts to ensure sustainable economic, environmental and social outcomes.

**Policy 3.8.1** Decisions regarding natural resource extraction or renewable energy shall take into consideration impacts on existing land use, residents, landowners, and future land use in both municipalities.

**Policy 3.8.2** Each municipality must be notified of any resource extraction or renewable energy development proposal in the other municipality that will result in access being required from a road under its control or management.

**Policy 3.8.3** Either municipality may require an agreement regarding the construction, repair, or maintenance of any municipal roads which may be impacted by a resource extraction or renewable energy-development, where the development requires access through the other municipality's road network.

**Policy 3.8.4** The municipalities shall consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded resource extraction activities including pits, or other extractive activities, where they maintain jurisdiction.

**Policy 3.8.5** If either municipality receives a notification from a provincial agency, board or department pertaining to a proposed or approved natural resource or renewable energy development within the Plan Area, the municipality should forward it to the other municipality.

### **3.9 Transportation**

**Intent**

Efficient and functional transportation networks are critical to long-range growth and development within the Plan Area. Further, the communication and coordination between both municipalities as well as provincial transportation jurisdictions are necessary to ensure efficiency and functionality.



- Policy 3.9.1** Both municipalities shall jointly consult with Alberta Transportation to coordinate planning and development along major roadways and provincial highways/jurisdictions within the Plan Area.
- Policy 3.9.2** Road closures that may affect both municipalities shall be jointly coordinated by following the agreed upon referral process.
- Policy 3.9.3** Both municipalities are encouraged to share information regarding appropriate practices for road design, maintenance, classification, permitting and road bans to promote an efficient and cost effective regional transportation network.
- Policy 3.9.4** Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality must give its response in writing in a timely manner in accordance with the IDP referral process. If comments are not received within the notification period, it will be determined the municipality has no concerns.
- Policy 3.9.5** Either municipality may require a developer to enter into a Road Use Management Agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.

### **3.10 Telecommunication Towers & Utilities**

#### **Intent**

It is recognized that the jurisdiction for telecommunication towers and utility approvals is outside of the control of municipalities. However, as the demand for this infrastructure grows there is potential for these developments to have land use impacts. The following policies seek to guide both municipalities when providing comments to applicants or relevant agencies in regard to applications for telecommunication infrastructure within the Plan Area.

- Policy 3.10.1** When providing comments for a new, expanded or retrofitted telecommunications tower, both municipalities shall request telecommunications companies to co-locate within the Plan Area where technically feasible.
- Policy 3.10.2** When providing comments to provincial and federal departments regarding utility development within the Plan Area, both municipalities shall request that consideration be given to the establishment of utility corridors with multiple users.



## 4 | IDP IMPLEMENTATION & ADMINISTRATION

Continuous collaboration and communication between both municipalities is essential for effective coordination of land use planning and the successful implementation and administration of the IDP.

### 4.1 Circulation and Referral Process

#### Intent

To establish a clear process for referring subdivision and development applications, statutory and non-statutory planning documents and amendments, and land use related studies and achieving a coordinated approach to planning and development within the Plan Area.

#### Policy 4.1.1

The following shall be referred by each municipality prior to a public hearing, meeting or decision:

- i. A proposed Municipal Development Plan (MDP);
- ii. A proposed Area Structure Plan (ASP) or Area Redevelopment Plan (ARP) within the Plan Area; or a proposed ASP or ARP that may have an impact on the Plan Area;
- iii. A proposed new Land Use Bylaw (LUB);
- iv. An amendment to a statutory planning document or Land Use Bylaw within the Plan Area or which may affect the Plan Area;
- v. A proposed *multi lot* subdivision within the Plan Area;
- vi. A development application for a *Discretionary Use* within the Plan Area;
- vii. A road closure within the Plan Area;

#### Policy 4.1.2

Either municipality may refer any other application, statutory plan, policy, report or land use matter not specified in *Policy 4.1.1* to the other municipality if the municipality is of the opinion that the adjacent municipality may have an interest in the matter and wish to comment.

**Policy 4.1.3** If either municipality is in receipt of a notice of application for a new or expanded pit / natural resource extraction operation within the Plan Area, they shall forward a copy of the notice and/or application to the other municipality.

**Policy 4.1.4** Where there is an application for a new, expanded or retrofitted telecommunications tower within the Plan Area, the municipality receiving the application shall notify the other municipality to seek their comments.

**Timelines**

**Policy 4.1.5** From the date that a municipality receives a referral, the municipality will have the following timelines to review and provide comments:

- i. 15 calendar days for development applications;
- ii. 21 calendar days for subdivision applications and all other intermunicipal referrals.

**Policy 4.1.6** A municipality that has received a referral may request an extension of the initial review period. If an extension of the review period is granted, it shall be communicated in writing.

**Policy 4.1.7** If the municipality receiving the referral has not replied within the stipulated timeline, it will be determined that the municipality has no comments or concerns regarding the referral.

**Policy 4.1.8** Should any concerns arise through the referral process that cannot be resolved between the two administrations, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

**4.2 IDP Committee**

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

**Policy 4.2.1** For the purposes of administering and monitoring the IDP, the Town of Drumheller and Kneehill County shall establish an Intermunicipal Development Plan Committee (“the Committee”) comprised of an even number of members of Council from both the Town of Drumheller and Kneehill County. Each municipality may appoint an alternate Committee member in the event a regular member cannot attend a schedule meeting. Alternate Committee members shall have standing.

**Policy 4.2.2** The term of appointment for Committee members should be as determined by each municipality. Following each election, Members of the Committee shall be appointed by respective Councils at their Organizational Meeting. If a Council wishes to appoint a new member to the Committee (include the alternate) they must do so by motion of Council at a regular Council meeting. The municipalities shall notify one another upon appointing members and alternate members to the Committee.

**Policy 4.2.3** The Committee will meet on an as-needed basis to discuss and provide recommendations to their respective Councils on matters or issues of mutual interest and cooperation such as:

- (i) Strategic growth plans in relation to the IDP, MDPs, Area Structure Plans, etc.;
- (ii) Regional and intermunicipal transportation issues including proposed infrastructure, major truck routes as well as potential or existing utility corridors;
- (iii) Intermunicipal communications including current referral processes; and
- (iv) Any other topic that may be of mutual interest (i.e. regional planning initiatives).

**Policy 4.2.4** Notwithstanding Policy 4.2.3, the Committee shall meet every four years, commencing no later than 2023, in order to review the IDP.

**Policy 4.2.5** A municipality may call a meeting of the Committee at any time with no less than five (5) days notice of the meeting being given to all members of the Committee and support personnel stating the date, time, purpose, and place of the proposed meeting. The five (5) days notice may be waived with three-quarters of the Committee members' agreement noted.

**Policy 4.2.6** The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.

**Policy 4.2.7** At least one (1) member of each municipality's administrative staff should attend each meeting in the capacity of the technical, non-voting advisor.

**Policy 4.2.6** Both Councils agree the Committee is not a decision-making body and that the Committee shall issue a written response in the form of comments and/or recommendations to the appropriate and relevant decision-making body within ten (10) business days from the Committee meeting date.

**Policy 4.2.6** Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution Process in *Section 4.4* of this IDP should be followed.

### **4.3 Reviewing, Repealing and Amending the Plan**

Regular review of the IDP is important to ensure that the principles and policies remain current and are responsive to local change. For this IDP to remain relevant and function effectively, amendments to the Plan may be necessary from time to time. The following policies outline the process for reviewing, amending and repealing the Plan.

**Policy 4.2.1** The IDP should be reviewed every 4 years from the date the Plan was adopted by both Municipalities. The review shall be completed in conjunction with administration from both Municipalities and may include Support from any agency designated as either municipalities planning authority

**Policy 4.2.2** When a new MDP for either municipality is adopted, a review of the IDP should be undertaken to ensure consistency with the MDP policies.

**Policy 4.2.3** The Plan may be amended as needed and mutually agreed upon by both municipalities. Any amendments to the plan must be adopted by both Councils.

**Policy 4.2.4** Should any disagreements arise with an amendment to the Plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

**Policy 4.2.5** Proposed amendments to this Plan by parties other than the Town of Drumheller or Kneehill County shall be accompanied by the following:

- a) An application to amend Kneehill County's IDP bylaw submitted to the municipality along with the applicable fee for processing amendments to a statutory document; and
- b) An application to amend the Town of Drumheller IDP bylaw submitted to the Town or their designated planning authority along with the applicable fee for processing amendments to a statutory document.

#### **Repealing the Plan**

In the event that one or both municipalities deem the IDP no longer relevant, the bylaws adopting the IDP will need to be repealed by both municipalities. However, an IDP is a mandatory requirement under the MGA unless the municipalities mutually agree that an IDP is not required (MGA s. 631 as amended January 1, 2020).

- Policy 4.2.6** The Plan shall only be repealed if mutually agreed upon by both municipalities.
- Policy 4.2.7** Should only one municipality wish to repeal the Plan, 60 days' notice will need to be given to the other municipality stating the intent and reasons for repealing the Plan. Both Councils must pass the bylaw repealing the Plan and either adopt a new IDP or mutually agree that an IDP is not required for the repeal to take effect.
- Policy 4.2.8** Should only one municipality wish to repeal the plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

#### **4.4 Dispute Resolution Process**

Adopting a dispute resolution process is an MGA requirement under Part 17 pertaining to an IDP. The intent of a dispute resolution process is to resolve, or attempt to resolve, any conflicts between municipalities early in the process and avoid protracted, lengthy and costly disputes. By following the process identified in this IDP disputes can be avoided, or where they do occur, shortened and resolved through facilitated mediation (see *Figure 2*). The IDP dispute resolution process provides the two municipalities the opportunity to come to a resolution at the municipal level. If a resolution cannot be achieved, the matter could be resolved through arbitration and/or brought before the Municipal Government Board.

- Policy 4.3.1** Both municipalities shall be responsible for documenting and maintaining records of all meetings and exchanges throughout the dispute resolution process.
- Policy 4.3.2** Administration from each municipality shall ensure the facts of the issue have been thoroughly investigated and information is made available and transparent to both parties.
- Policy 4.3.3** Costs incurred through the dispute resolution process shall be shared equally by both municipalities.
- Policy 4.3.4** Notifying and engaging any affected parties or members of the public will be at the discretion of each municipality. Each municipality shall ensure they are meeting requirements and processes outlined in the MGA or relevant public participation policies for each municipality for notifying and engaging members of the public or affected parties.
- Policy 4.3.5** Should mediation be required through the dispute resolution process; the powers and responsibilities of the mediator will be limited to providing recommendations to both municipalities.

**Policy 4.3.6** Should arbitration be required through the dispute resolution process; every order of an arbitrator is final and binding on all parties.

**Policy 4.3.7** The municipalities are encouraged to attempt to resolve disputes prior to submission of a Section 690 appeal to the Municipal Government Board. However, in the case of a dispute that cannot be resolved involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, an appeal may be filed without prejudice, within 30 days of adoption to the *Municipal Government Board (MGB)*, in accordance with *Section 690 (1) of the MGA* so the provincial statutory right and timeframe to appeal is not lost.

**Policy 4.3.8** An appeal may be withdrawn if an agreement is reached between the two municipalities prior to the *Municipal Government Board* meeting.

**Dispute Resolution Process**

**Policy 4.3.9** When the administration of a municipality identifies a potential issue, either party may give written notice to the other identifying the areas of conflict, initiating the dispute resolution process.

**Policy 4.3.10** Once notice of the conflict including identification of the issues, concerns and potential remedies has been received, both municipalities shall discontinue any actions pertaining to the matter in disagreement until a resolution has been determined.

**Policy 4.3.11** Within 15 days of receiving written notice of an identified conflict, a meeting shall be convened between the respective administrations directly involved in the matter to attempt to come to a solution. This will generally include a member of planning staff and the CAOs of each municipality. If a solution to the disagreement is reached, then staff from each municipality shall take the necessary steps to implement the solution.

**Policy 4.3.12** If the Administrations are unable to resolve the disagreement, a meeting of the IDP Committee shall be convened between to discuss possible resolutions and attempt to reach consensus on the issue. If a proposed solution or agreement is reached each municipality shall take the necessary steps to implement the solution or agreement.

**Policy 4.3.12** If the IDP Committee is unable to resolve the disagreement, a Joint Council meeting shall be convened between to discuss possible resolutions and attempt to reach consensus on the issue.

**Policy 4.3.13**

Should the Councils be unable to resolve the matter within 30 days of the Joint Council meeting, a formal mediation process to facilitate resolution of the issue shall be initiated. The facilitated mediation process will involve a mediator mutually agreed upon by both municipalities.

**Policy 4.3.14**

If the dispute resolution process is not completed within one year from the date the notice of the dispute is given, either municipality may request the Minister to appoint an arbitrator pursuant to the regulations outlined in the *Municipal Government Act*.

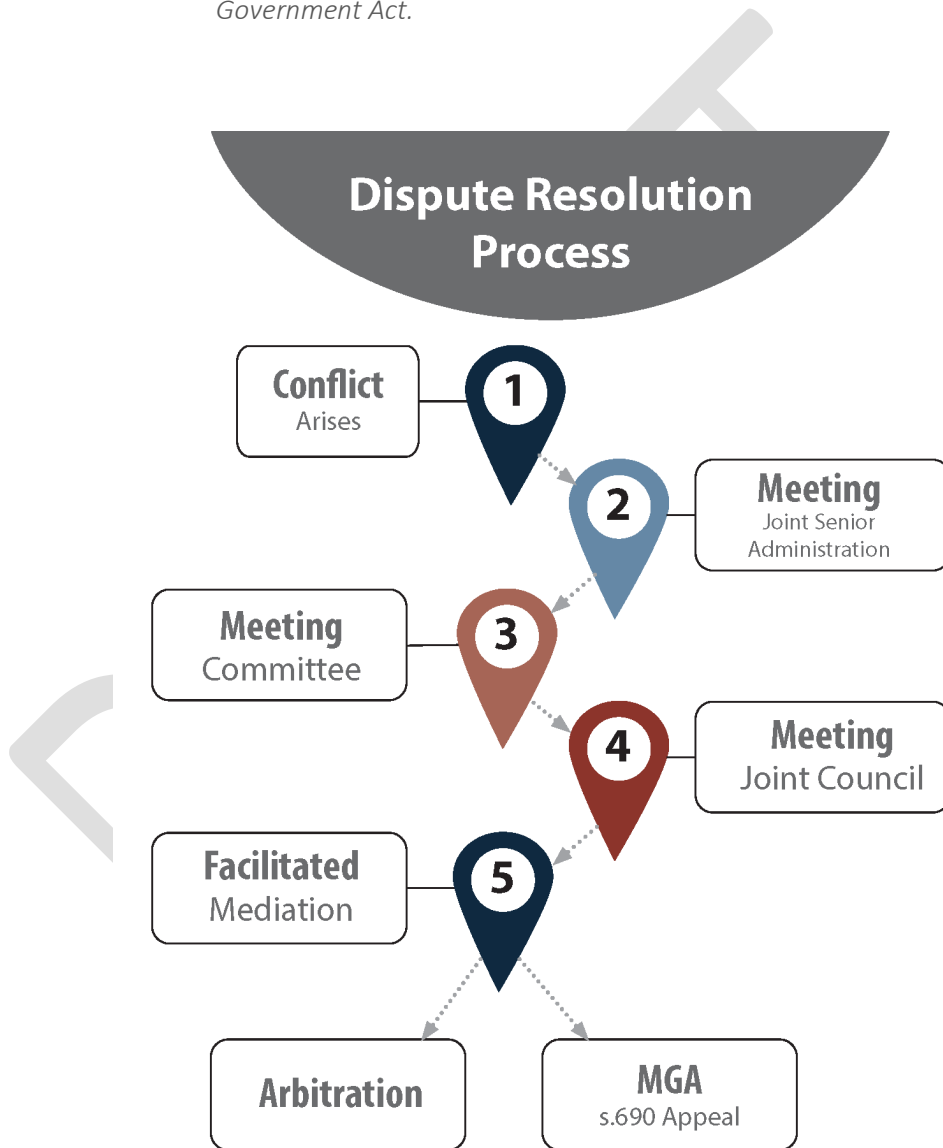


Figure 2: Dispute Resolution Process



## 5 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, M26 with amendments.

**Agricultural Operation:** If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

- a) the cultivation of land;
- b) the raising of livestock, including game-production animals within the meaning of the "Livestock Industry Diversification Act" and poultry;
- c) the raising of fur-bearing animals, pheasants or fish;
- d) the production of agricultural field crops;
- e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- f) the production of eggs and milk;
- g) the production of honey (apiaries);
- h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- i) the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- j) the collection, transportation, storage, application, use transfer and disposal of manure;
- k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**Alberta Land Stewardship Act (ALSA):** The Alberta Land Stewardship Act Statutes of Alberta, 2009 Chapter A-26.8, as amended.

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

**Biophysical Impact Assessment:** means the assessment of the biological and physical elements for the purpose of reducing the potential impacts of the proposed development on the natural environment. The

report details specific components of the environment such as topography, geology, hydrology, soils, vegetation, wildlife, and biodiversity (terrestrial and aquatic) for a specific development area. Mitigation measures are suggested to minimize or eliminate potential environmental concerns.

**Confined Feeding Operations (CFO):** An activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operation Practices Act (AOPA), Revised Statutes of Alberta 2000, Chapter A-7, as amended from time to time, but does not include residences, seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

**Conservation Easement:** A voluntary agreement between a landowner and a conservation organization or government agency. The intent of the Conservation Easement is to protect the ecological, scenic, and or agricultural values of the land. The agreement is placed on title, and the landowner continues using the land subject to the specific restrictions in the easement.

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

**Council(s):** The Council of Kneehill County and the Town of Drumheller in the Province of Alberta.

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

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

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

**Extensive Agriculture:** means systems of tillage and grazing on large areas of land by the raising of crops or the rearing of livestock but does not include confined feeding or intensive livestock operations and may be either separately or in conjunction with one another and includes buildings and other structures incidental to the operation but does not include residential buildings.

**Environmentally Significant Areas (ESA):** Means an area defined as an Environmentally Significant Area within the applicable Land Use Bylaw of the approving municipality.

**Environmental Site Assessment (ESA – Phase I or II):** An investigation in relation to land to determine the environmental condition of property. It includes a Phase 1 environmental site assessment, a Phase 2 environmental site assessment and confirmatory investigation.

**Resource extraction:** Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource

**Historical Resource Value (HRV):** Lands that contain or are believed to contain “historic resources” as defined in the *Historical Resources Act*, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

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

**Multi-lot Subdivision:** A subdivision of land that will create two (2) or more *new* lots.

**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.

**Municipalities (the Municipalities):** The municipalities of Kneehill County and Town of Drumheller.

**Natural Resource Conservation Board (NRCB):** The Natural Resources Conservation Board is responsible for reviews of proposed major natural resource projects, and for the regulation of confined feeding operations in Alberta.

**Permitted Use:** The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Plan:** The Town of Drumheller and Kneehill County Intermunicipal Development Plan.

**Plan Area:** The lands defined in this document on Map 1: Plan Area noted as “Plan Area”.

**Pit(s):** means any opening in, excavation in or working of the surface or subsurface made for the purpose of removing sand, gravel, clay or marl and includes any associated infrastructure, but does not include a mine or quarry. Alberta Environment and Parks categorizes and regulates pits as follows:

Large (Class I) Pits – Class I pits are 5 hectares or more in area

Small (Class II) Pits – Class II pits are less than 5 hectares in size on private land

**Provincial Highway:** A road development as such by Ministerial Order pursuant to the Highway Development and Protection Act, Alberta Regulation 326/2009.

**Renewable Energy Development or Renewable Energy Industry:** Industry that uses some form of alternative energy either as the source of its operation or the result of its operation, such as, but not limited to, wind energy conversion systems, solar energy systems, hydroelectric dams among others.

**Soil Classifications:** The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

Class 4 – Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.

Class 5 – Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 6 – Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible. Class 7 – Soils in this class have no capacity for arable culture or permanent pasture land

**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 Kneehill County means Kneehill County Subdivision and Development Authority, and within the boundary of the Town of Drumheller means the Town of Drumheller Subdivision and Development Authority.

**Telecommunications Tower:** means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals.

**TOWN OF DRUMHELLER**

**BYLAW NO. 05.20**

A Bylaw of the Town of Drumheller in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to adopt the Town of Drumheller-Special Areas Intermunicipal Development Plan (2020).

WHEREAS Section 631(1) of the Municipal Government Act authorizes two or more Councils to adopt an Intermunicipal Development Plan;

WHEREAS the Town of Drumheller and Wheatland County have agreed to the joint preparation of the Town of Drumheller-Special Areas Intermunicipal Development Plan;

AND WHEREAS all parties required to be included in the Plan preparation have been properly notified in accordance with Section 636 of the Municipal Government Act;

AND WHEREAS the Councils of the Town of Drumheller and the Special Areas have held public hearings pursuant to Section 692 of the Municipal Government Act after giving notice of it in accordance with Section 606 of the Municipal Government act;

NOW THEREFORE the Municipal Council of the Town of Drumheller, duly assembled, enacts as follows:

1. That this Bylaw shall be known as the “Town of Drumheller-Special Areas Intermunicipal Development Plan” (as shown in attached Schedule “A”) which is part of this document.
2. That the Town of Drumheller-Special Areas Intermunicipal Development Plan shall provide the policy framework for future subdivision and development of the lands describe therein.
3. That Town of Drumheller Bylaw No. 05.20 shall have force and take effect from the final reading thereof.

**AGENDA ITEM #8.3.**

READ A FIRST TIME this 3<sup>rd</sup> day of February, 2020.

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Mayor Heather Colberg

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Darryl Drohomerski, CAO

READ A SECOND TIME this 2<sup>nd</sup> day of March, 2020.

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Mayor Heather Colberg

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Darryl Drohomerski, CAO

READ A THIRD AND FINAL TIME this 16<sup>th</sup> day of March, 2020.

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Mayor Heather Colberg

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Darryl Drohomerski, CAO

**SCHEDULE "A"**

# **IDP**

## Intermunicipal Development Plan



### **Special Areas**

Bylaw No. XXXX  
Adopted XXXX, XX, 2020

### **Town of Drumheller**

Bylaw No. 05.20  
Adopted XXXX, XX, 2020

Prepared By: Palliser Regional Municipal Services





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**1 | INTRODUCTION**

**1.1. Purpose of an Intermunicipal Development Plan**

The purpose of intermunicipal planning is to establish a long-range collaborative approach for future land use along municipal borders. The Town of Drumheller’s southeastern boundary borders Special Area No. 2, which is administered by the Special Areas Board jointly with Special Areas No. 3 and No. 4 and referred to collectively as the Special Areas. Land use decisions made by either municipality within the vicinity of the shared border may affect and influence the other. This Intermunicipal Development Plan (IDP) is a cooperative planning initiative that ensures development along this border and land use decision-making occurs in a manner that respects the interests of each municipality. The overall objectives of this IDP are to:

- Ensure development and growth occurs in a sustainable and responsible manner;
- Establish a coordinated approach to development and land use decisions along the common border;
- Encourage continued communication between the municipalities;
- Minimize future land use conflicts;
- Outline processes for resolving disputes; and
- Provide landowners with greater certainty of potential land use and future development within the IDP Area.

**1.1 Hierarchy of Plans in Alberta**

In accordance with the Municipal Government Act (MGA) IDPs are the highest order of municipal statutory plan. All lower order statutory plans for a municipality, including a Municipal Development Plan (MDP) and Area Structure Plans (ASPs) must be in alignment with any and all IDPs a municipality has adopted (see Figure 1)

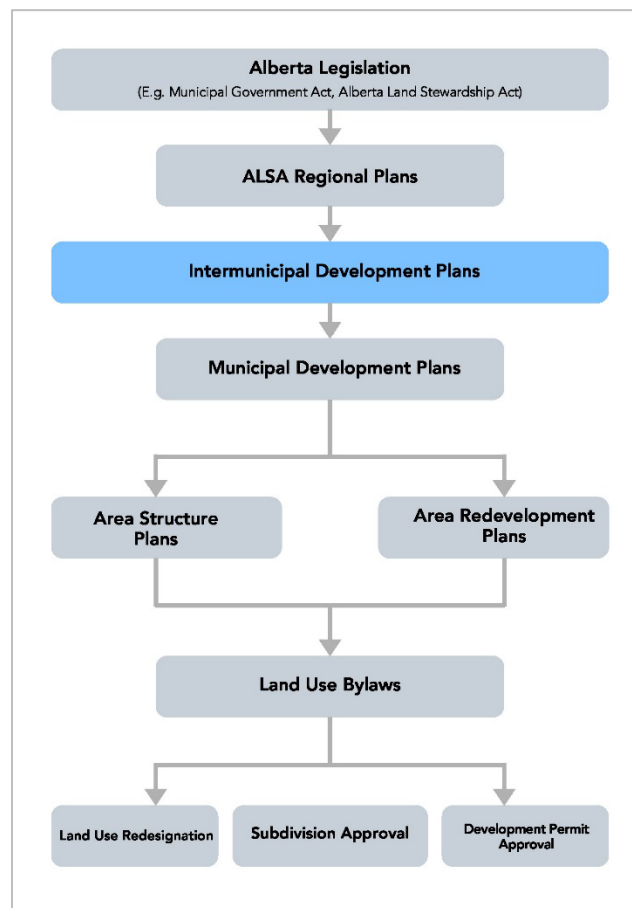


Figure 1: Provincial Planning Hierarchy

## 1.2. Provincial and Regional Plans in Alberta

The two main pieces of provincial legislation that mandate planning and development in Alberta are the Alberta Land Stewardship Act (ALSA), and the Municipal Government Act (MGA). The ALSA mandates the legislative authority for Regional Plans, while the MGA provides the legislative authority of municipal planning documents including Intermunicipal Development Plans (IDPs), Municipal Development Plans (MDPs) and Land Use Bylaws/Orders (LUBs/LUOs). Additionally, the MGA mandates a hierarchy of the legal authority of these planning documents (see *Figure 1 Hierarchy of Plans*).

The ALSA Regional Plans are developed under the direction of the Land-use Framework (LUF). The LUF divides the entire province into seven watersheds and will oversee the creation of a Regional Plan for each of these watersheds (see *Figure 2: Regional Plans*). There are currently two Regional Plans that have been completed and adopted (Lower Athabasca Regional Plan and South Saskatchewan Regional Plan). The Red Deer Regional Plan will encompass Special Areas and the Town of Drumheller. However, this plan has not been drafted. The overall objective of the Regional Plans is to set a collaborative approach to managing our province’s land and natural resources to achieve economic, environmental and social goals. All municipal bylaws, including planning documents, are now required to be in compliance with ALSA Regional Plans (Regional plans have the highest legislated authority in the hierarchy of planning documents).



*Figure 2: Regional Plans*

An IDP falls under the legislative authority of the MGA and is prepared cooperatively and adopted by Bylaw by each participating municipality. The policy direction outlined in these statutory plans informs the regulations and rules regarding appropriate land uses, subdivision and development criteria detailed in the Land Use Bylaw (LUB) or Land Use Order (LUO) of each municipality.

## 1.3. IDP Legislative Requirements

The Municipal Government Act (MGA) mandates the legislative requirements for IDPs. Section 631 of the MGA (as amended January 1, 2020) outlines the requirements for an IDP:

### *Intermunicipal Development Plans*

*631(1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and 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.*

*(2) Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).*

*(3) The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.*

*(4) Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.*

*[...]*

*(8) 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,*

*(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.*

## 1.4. Municipal Profiles

### Town of Drumheller

The Town of Drumheller is located in the Red Deer River valley in south-central Alberta spanning an area of 10,803 hectares (26,694 acres), situated between Starland County to the north, Kneehill County to the west, Special Areas 2 to the east, and Wheatland County to the south. It is the largest urbanized centre between Calgary and Saskatchewan even though the majority of land is zoned for agricultural use, offering a diversity of residential options, employment opportunities, and way of life for the Town's population of 7,982 (Statistics Canada, 2016 Census). The Town of Drumheller is greatly influenced by its unique landscape made up of rolling fields, steep, dry coulees, and the Red Deer River. The Town's goal is to preserve and enhance the natural environment while accommodating growth responsibly and strategically. The Town is well-known for its tourism industry. In the heart of the Canadian Badlands, Drumheller's unique scenery and fascinating dinosaur-oriented history attracts thousands of people to the community each year.

### Special Areas

Together Special Areas comprise one of the largest rural municipalities in the province; broken into three areas (Special Areas No. 2, 3, and 4), with the entire land base being over 20,000 square kilometers. Special Areas 2 borders the Town of Drumheller on its southwest. Special Area No.2 alone is over one million hectares in size, with a population of 1,905 (2016). While agriculture is the fundamental economic activity in the Special Areas, oil and gas production, along with linear properties (electric generation and transmission lines, and pipelines) contribute significantly to the economic prosperity of the area.

## **2 | IDP AREA**

### **2.1 Plan Boundary**

The shared border between the municipalities is located on the Town of Drumheller's most south eastern border, which is east of both the Red Deer River and Highway 10. The mutually agreed upon IDP Area extends approximately 1.6 km (1 mile) on either side of the shared border (see **Map 1: IDP Area**) and is rural in character.

Within the IDP Area, the following economic, environmental and social considerations were examined:

- Land use and zoning
- Residences and urban areas
- Confined Feeding Operations (CFOs)
- Resource Extraction and Energy development
- Transportation Corridors
- Environmentally Significant Areas (ESAs)
- Historic Resource Value (HRV) Sites

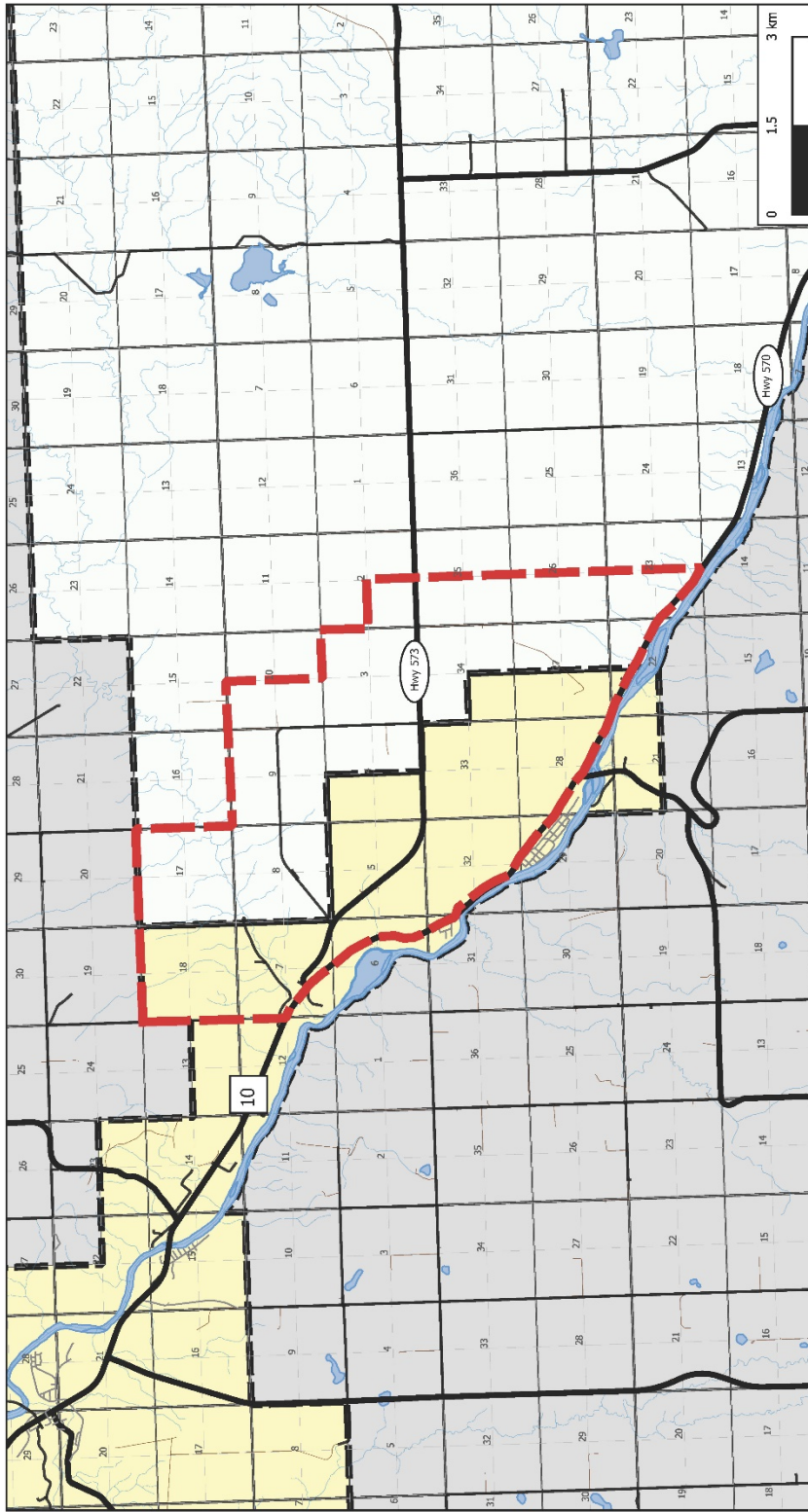
### **2.2 Key Characteristics of the IDP Area**

The IDP Area is characterized by its rural nature that is a mixture of river valley and hoodoos landscape with relatively flat prairie land above the Red Deer River valley. The IDP Area is the farthest removed part of the Town from its central business and residential areas, being located approximately 15 km from the Town's main urban areas. For Special Areas the IDP Area is located within its most western border and located at the north-south midway point for the municipality.

#### **NATURAL ENVIRONMENT & THE RED DEER RIVER VALLEY**

The Red Deer River and its dramatic river valley, complete with fascinating hoodoo formations, is the IDP Area's major natural feature. The Red Deer River Valley portion of the IDP Area includes lands classified by Alberta Environment and Parks as environmentally significant, including important riparian areas that provide a wide range of ecological functions and services that are vital to a healthy functioning landscape for flora, fauna and human use. The presence of water from the Red Deer River and its tributaries exist as a fairly rare commodity in an otherwise arid region and requires thoughtful land use planning. Special considerations should be taken for developments that may impact the river's water quality and bank stability.

Both municipalities are committed to protecting and preserving the environmental aspects of the IDP Area and agree to conservation efforts for environmentally significant natural areas that are necessary to maintain natural processes and healthy physical landscapes long-term.



**Map 1: Intermunicipal Development Plan Area**  
 Town of Drumheller - Special Areas  
 Intermunicipal Development Plan

- Legend**
- IDP Area
  - Waterbody
  - Roads
  - Special Areas
  - Highway
  - Local Road
  - Town of Drumheller
  - County



Map 1: IDP Area





## AGRICULTURAL LAND USES

The majority of agricultural land within the IDP Area consists of Class 5 soils or worse that are uncultivated and used for grazing purposes.

## RESIDENTIAL LAND USES

Residential land use within the IDP Area is very limited; however two small settlement areas, Lehigh and East Coulee, are located just outside the IDP Area. East Coulee is the largest containing approximately 100 dwellings.

## TRANSPORTATION INFRASTRUCTURE

The IDP Area's western border roughly follows Highway 10, the main north-south highway through the Town of Drumheller. Secondary highways 573 and 570 are also in the area. Highway 573 is located in the north portion of the IDP Area while Highway 570 is the southeastern continuation of Highway 10 after Highway 10 heads directly south just east of East Coulee.

## HISTORIC RESOURCES

The IDP Area and region is a unique landscape that is rich in cultural, archaeological and palaeological history and artifacts and contains sites identified by Alberta Culture and Tourism as having Historic Resource Value. Such sites are subject to the Historical Resources Act and development in and around these sites requires clearance or approval from Alberta Culture and Tourism. The area is well-known as a destination for scientists and tourists interested in the science of palaeontology and especially dinosaurs.

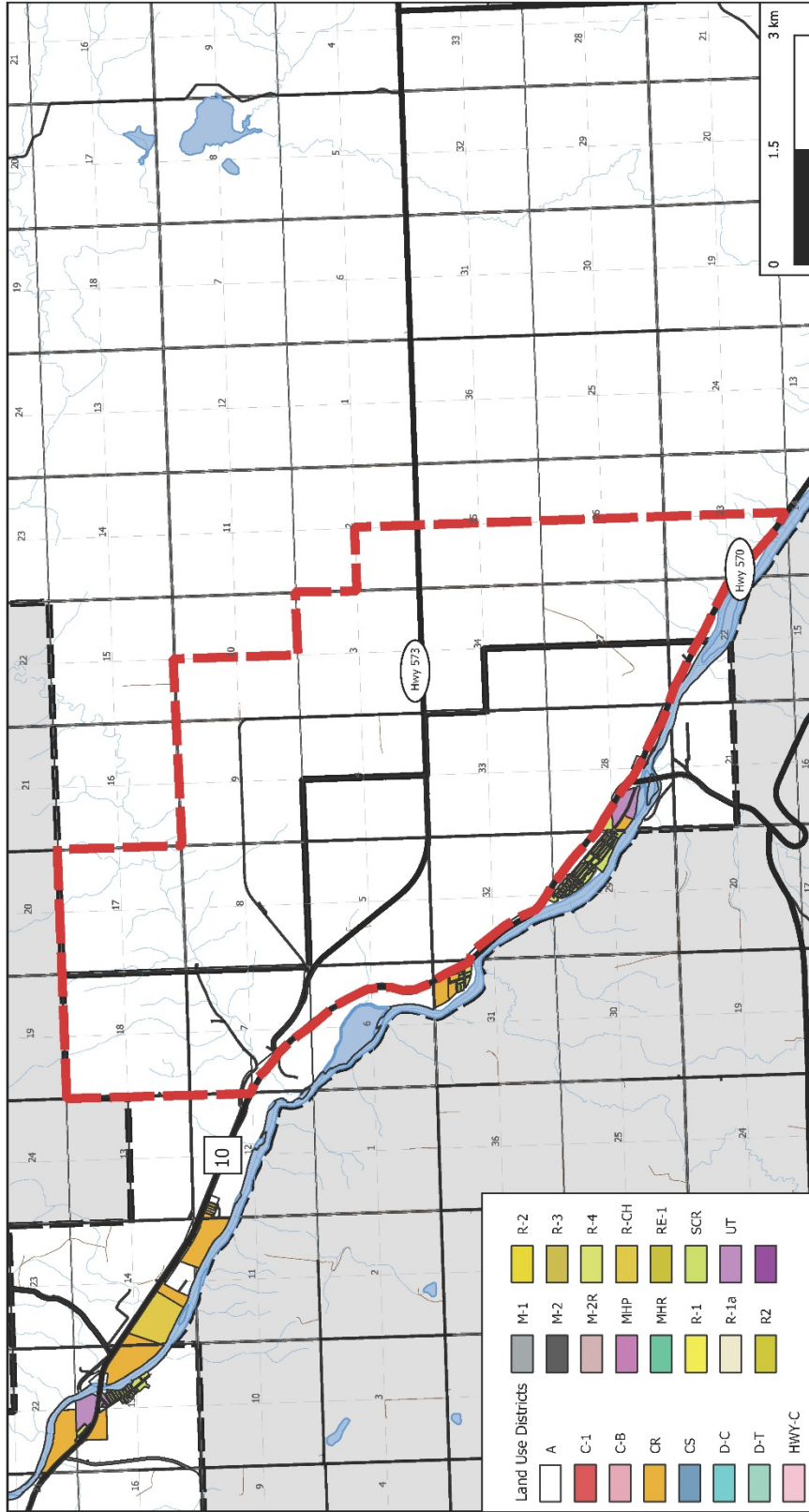
The area's rich history also extends to human habitation of the region. This area has been inhabited by Indigenous peoples for thousands of years. The IDP Area is located within Treaty 7, which was signed by the Government of Canada and five First Nations: the Siksika (Blackfoot), Kainai (Blood), Piikani (Peigan), Stoney-Nakoda, and Tsuut'ina (Sarcee).

## LAND USE DESIGNATIONS (ZONING)

The existing land use designations are determined by each municipality's Land Use Bylaw or Land Use Order and are all designated agricultural within the Agricultural (A) land use district of both municipalities as shown on **Map 2: Land Use Designations (Zoning)**.

## OIL & GAS FACILITIES

Oil and gas facilities are present throughout the region and also within the IDP Area.



Map 2: Land Use Designations (Zoning)

**Map 2: Land Use Designations (Zoning)**

Town of Drumheller - Special Areas  
Intermunicipal Development Plan

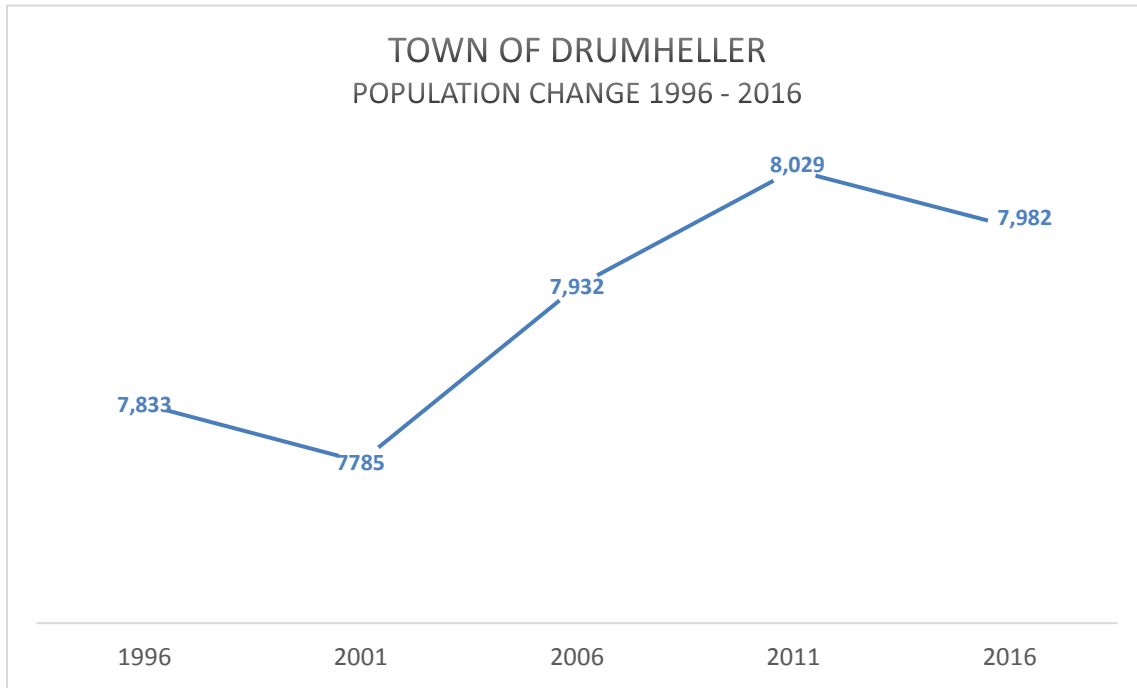
**Legend**

- IDP Area
- Roads
  - Highway
  - Local Road
- Waterbody
- Special Areas
- Town of Drumheller
- County



### **2.3 Town of Drumheller Population & Vacant Land Analysis**

Town of Drumheller amalgamated with the M.D. of Badlands No. 7 in 1988 thereby including additional hamlets and rural areas into its municipal boundaries. This provided the municipality with a healthy land base for any anticipated future growth. Between 1996 and 2011 the municipality grew in population from 7,833 to a high of 8,029 before dropping in 2016 to 7,982 (see **Figure 3**).



*Figure 3: Town of Drumheller Population Change*

### **2.4 Town of Drumheller Vacant Land Analysis**

An IDP provides the opportunity to gain an understanding of any future growth requirements of the urban municipality. The Town of Drumheller’s relatively flat population growth combined with a desktop analysis of vacant lands suggests there is sufficient residential and non-residential land available for the Town. Thus, the need for annexation is not expected in the foreseeable future.

### 3 | IDP DIRECTION & FRAMEWORK

The following sections take into consideration the key characteristics of the IDP Area and establish the overall direction for both municipalities to manage the planning and development of land.

#### 3.1 Interpretation

The following words are to be interpreted throughout the plan as follows:

##### General Agreement

- 3.1.1 **Board:** refers to the Special Areas Board.
- 3.1.2 **Council:** refers to the Town of Drumheller Council.
- 3.1.3 **Shall, require, must, or will:** mean that the policy is mandatory; exceptions would require an amendment to the Plan.
- 3.1.4 **Should:** always applies to the situation unless it can clearly be identified to the agreement of Council and/or the Board or the Approving Authority that in the given situation, the policy is not reasonable, practical or feasible.
- 3.1.5 **May:** acknowledges support in principle and indicates that Council and/or the Board or the Approving Authority has the discretion to determine the level of compliance that is required.
- 3.1.6 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.
- 3.1.7 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.
- 3.1.8 The geographical or relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the IDP Area, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.

## 3.2 Land Use

Identifying long term future land uses goals is a legislative requirement of an IDP and forms one of the key areas of agreement and coordination in this plan. Currently, land within the IDP Area is designated (zoned) entirely agricultural and primarily used for extensive agricultural operations. This dominant agricultural land use for the IDP area is is not anticipated to change within a short- or medium- term planning time frame. The following land use intentions seek to preserve the overall agricultural character of the IDP Area and encourage development at a scale and location where it will not negatively impact nor change the predominant rural character of the area where appropriate.

The municipalities agree that:

- 3.2.1 The predominant land use in the IDP area shall be agriculture and grazing. Non-agricultural land uses shall be limited in size and scale and only considered in such areas where they will not result in significant negative impacts to agricultural lands or environmentally / historically sensitive areas.
- 3.2.2 Future land use within the IDP Area shall be aligned with the Municipal Development Plan from the respective municipal jurisdiction that the lands fall within.
- 3.2.3 The municipalities shall strive to engage in open communication when considering land use and development decision-making in the IDP Area and should discuss any proposed Statutory Plans, Land Use Bylaws, Land Use Orders or amendments that may impact the adjacent municipality3.2.4 Land owned by either municipality within the other municipality’s jurisdiction shall follow any bylaw, statutory planning document, land use bylaw or land use order of the municipality that the land is located in.

## 3.3 Growth Management & Annexation

This IDP provides the opportunity to identify any lands that may be required for annexation and ensure the Town of Drumheller has an adequate land supply to support future growth. However, through the population and vacant land analysis it was identified that the Town currently contains an adequate land supply to meet short and mid-term future development demands.

## 3.4 Agriculture

Agricultural land represents the largest land use in the IDP Area, consisting predominately of activities associated with extensive agriculture. Extensive agriculture shall continue to be the primary use of the land.

The municipalities agree that:

- 3.4.1 In making decisions on development issues within the IDP Area, both municipalities shall respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.
- 3.4.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

### **Confined Feeding Operations**

The municipalities agree that:

- 3.4.3 It is recognized that approval of Confined Feeding Operations (CFOs) ultimately lies with the Natural Resources Conservation Board (NRCB). Prior to approvals being given within the IDP Area, both municipalities shall request that the staff of the NRCB review local plans and policies and consider these in their decision making.

## **3.5 Servicing and Infrastructure**

Proper servicing of development is critical to maintain and improve quality of life of residents. Further, coordinating the delivery of infrastructure and services between both municipalities can lead to greater efficiency and cost savings.

The municipalities agree that:

- 3.5.1 Efforts to identify and implement cost effective ways of delivering shared services that benefit both municipalities and residents are encouraged.
- 3.5.2 Where potential opportunities to connect to regional services are identified, joint planning should be pursued.
- 3.5.3 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 mutually beneficial.
- 3.5.4 Where municipal servicing is not available, the provision of potable water and the treatment and disposal of wastewater on all parcels in the IDP Area shall be the responsibility of individual landowners or developers, in accordance with provincial standards.

## 3.6 Natural Environment & Historic Resources

The lands within the IDP Area contain Environmentally Significant Areas (ESAs) as defined by Alberta Environment and Parks. Additionally, lands within the IDP Area may contain important Historical Resources. This IDP should ensure that development occurs in a manner that does not negatively impact important historical and natural landscapes.

### Natural Environment

The municipalities agree that:

- 3.6.1 If an application for development (including recreational) is located within an Environmentally Significant Area as defined by Alberta Environment and Parks, a biophysical or wetland impact assessment may be required to comply with provincial policy.
- 3.6.2 All applications for development located within an ESA in the IDP Area shall be circulated to the other municipality for review and to provide comment.

### Red Deer River Basin

The municipalities agree that:

- 3.6.3 Subdivision and development in or adjacent to the river valley shall take into consideration slope stability and soil characteristics in order to minimize negative impacts to bank stability and the river's water quality. Within flood plains development should minimize potential flood damage.
- 3.6.4 Where the Province of Alberta flood mapping identifies land as either floodway or flood fringe as defined by the Municipal Government Act the relevant provincial and municipal regulations and policies shall be followed to mitigate potential impacts from development within flood prone areas.

### Historic Resources

The municipalities agree that:

- 3.6.5 All development must comply with *the Historical Resources Act* and Alberta Culture and Tourism.
- 3.6.6 Where development is proposed on lands listed as having a Historical Resource Value (HRV), a Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of Alberta Culture and Tourism.



## 3.7 Resource Extraction & Energy Development

Resource extraction and energy development are important to the local economy. It is important that resource extraction and energy development operations occur in a manner that is compatible with adjacent land uses and minimizes offsite impacts to ensure sustainable economic, environmental and social outcomes. Where a subdivision or development application is under the jurisdiction of the municipality (and not the province) the municipalities agree to the following:

- 3.7.1 When making decisions regarding a natural resource extraction or energy development proposal, both municipalities shall take into consideration impacts on existing land use, residents, landowners, and future land use in both municipalities.
- 3.7.2 Each municipality must be notified of any resource extraction or energy development proposal in the other municipality that will result in access being required from a road under its control or management.
- 3.7.3 Either municipality may require an agreement regarding the construction, repair, or maintenance of any municipal roads which may be impacted by resource extraction or energy development, when the development requires access to come from the other municipality's road.
- 3.7.4 The municipalities shall consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded resource extraction activities including pits, or other extractive activities, where they maintain jurisdiction.

## 3.8 Transportation

Efficient and functional transportation networks are critical to long-range growth and development within the IDP Area. Further, the communication and coordination between both municipalities as well as provincial transportation jurisdictions are necessary to ensure efficiency and functionality.

The municipalities agree that:

- 3.8.1 Municipalities shall jointly consult with Alberta Transportation to coordinate planning and development along major roadways and provincial highways/jurisdictions within the IDP Area.
- 3.8.2 Road closures that may affect both municipalities shall be jointly coordinated.

- 3.8.3 Information sharing regarding appropriate practices for road design, maintenance, classification, permitting and road bans is encouraged between municipalities to promote an efficient and cost effective regional transportation network.
- 3.8.4 Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management.
- 3.8.5 Either municipality may require a developer to enter into a Road Use Management Agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.

### **3.9 Telecommunication Towers & Utilities**

It is recognized that the jurisdiction for telecommunication towers and utility approvals is outside of the control of municipalities. However, as the demand for this infrastructure grows there is potential for these developments to have land use impacts. The following policies seek to guide both municipalities when providing comments to applicants or relevant agencies in regard to applications for telecommunication infrastructure within the IDP Area.

The municipalities agree that:

- 3.9.1 When providing comments for a new, expanded or retrofitted telecommunications tower, municipalities shall request telecommunications companies to co-locate within the IDP Area where technically feasible.
- 3.9.2 Where there is an application for a new, expanded or retrofitted telecommunications tower within the IDP Area, the municipality within which the application is located shall refer the application to the other municipality for comment.

## 4 | IDP IMPLEMENTATION & ADMINISTRATION

Continuous collaboration and communication between both municipalities is essential for effective coordination of land use planning at a regional level and the successful implementation and administration of the IDP. The following policies are established with the goal of ensuring effective and clear processes for communication and collaboration are established between the municipalities.

### 4.1 Circulation and Referral Process

The following section establishes a clear process for referring subdivision and development applications, statutory and non-statutory planning documents and amendments, and land use related studies with the objective of achieving a coordinated approach to planning and development within the IDP Area.

The municipalities agree that:

- 4.1.1 The following shall be referred by each municipality prior to a public hearing, meeting or decision:
- i. A proposed Municipal Development Plan (MDP);
  - ii. A proposed Area Structure Plan (ASP) or Area Redevelopment Plan (ARP) within the IDP Area; or a proposed ASP or ARP that may have an impact within the IDP Area;
  - iii. A proposed new Land Use Bylaw (LUB) or Land Use Order (LUO);
  - iv. An amendment to a statutory planning document or Land Use Bylaw/Order within the IDP Area or which may affect the IDP Area;
  - v. A proposed *multi lot* subdivision within the IDP Area;
  - vi. A development application for a *Discretionary Use* within the IDP Area;
  - vii. Any other development that may be deemed by one or both municipalities to have an impact on land within the IDP Area.
- 4.1.2 Applications received from the Natural Resources Conservation Board (NRCB) for Confined Feeding Operation approvals located within the IDP Area shall be referred by each municipality.
- 4.1.3 If either municipality is in receipt of a notice of application for a new or expanded pit within the IDP Area, they shall forward a copy of the notice to the other municipality.
- 4.1.4 Where there is an application for a new, expanded or retrofitted telecommunications tower within the IDP Area, the municipality receiving the application shall notify the other municipality to seek their comments.

## Timelines

The municipalities agree that:

- 4.1.5 From the date that a municipality receives a referral, the municipality will have the following timelines to review and provide comments:
- i. 15 calendar days for development applications;
  - ii. 30 calendar days for subdivision applications and all other intermunicipal referrals.
- 4.1.6 A municipality that has received a referral may request an extension of the initial review period. If an extension of the review period is granted, it shall be communicated in writing.
- 4.1.7 If the municipality receiving the referral has not replied within the stipulated timeline, it will be determined that the municipality has no comments or concerns regarding the application.
- 4.1.8 Should any concerns arise through the referral process that cannot be resolved between the two administrations, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

## 4.2 Reviewing, Repealing and Amending the Plan

Regular review of the IDP is important to ensure the principles and directions agreed upon remain current and are responsive to local change. For this plan to remain relevant and function effectively, amendments to the Plan may be necessary from time to time. The following agreements outline the process for reviewing, amending and repealing the Plan.

### Reviewing the Plan

The municipalities agree that:

- 4.2.1 The IDP should be reviewed every 10 years from the date the Plan was adopted by both municipalities. The review shall be completed in conjunction with administration from both municipalities and may include Palliser Regional Municipal Services.
- 4.2.2 When a new MDP for either municipality is adopted, a review of the IDP should be undertaken to ensure consistency with the MDP policies.

## Amending the Plan

The municipalities agree that:

- 4.2.3 The Plan may be amended as seen fit and mutually agreed upon by both Municipalities. Any amendments to the plan must be adopted by Council and the Board/Minister.
- 4.2.4 Should any disagreements arise with an amendment to the Plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.
- 4.2.5 Proposed amendments to this Plan by parties other than the Town of Drumheller or Special Areas shall be accompanied by the following:
- a) An application to amend the Special Areas IDP Ministerial Order submitted to municipality or their representative agency (e.g. Palliser Regional Municipal Services) along with the applicable fee for processing amendments to a statutory document; and
  - b) An application to amend the Town of Drumheller IDP bylaw submitted to the municipality or their representative agency (e.g. Palliser Regional Municipal Services) along with the applicable fee for processing amendments to a statutory document.

## Repealing the Plan

In the event that one or both municipalities deem the IDP no longer relevant, the bylaws adopting the IDP will need to be repealed by both municipalities. However, an IDP is a mandatory requirement under the MGA unless the municipalities mutually agree that an IDP is not required (MGA s. 631 as amended January 1, 2020).

The municipalities agree that:

- 4.2.6 The Plan shall only be repealed if mutually agreed upon by both municipalities.
- 4.2.7 Should only one municipality wish to repeal the Plan, 60 days' notice will need to be given to the other municipality stating the intent and reasons for repealing the Plan. Both Council and the Board must pass the bylaw repealing the Plan and either adopt a new IDP or mutually agree that an IDP is not required for the repeal to take effect.
- 4.2.8 Should only one municipality wish to repeal the plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

## 4.3 Dispute Resolution Process

Adopting a dispute resolution process is a requirement under Part 17 of the MGA. The intent of a dispute resolution process is to resolve, or attempt to resolve, any conflicts between municipalities. By following the process below disputes can be avoided, or where necessary, resolved through facilitated mediation. The process provides the two municipalities the opportunity to come to a resolution at the municipal level. If a resolution cannot be achieved, the matter could be resolved through arbitration and/or brought before the Municipal Government Board.

The municipalities agree that:

- 4.3.1 Both municipalities shall be responsible for documenting and maintaining records of all meetings and exchanges throughout the dispute resolution process.
- 4.3.2 Administration from each municipality shall ensure the facts of the issue have been thoroughly investigated and information is made available and transparent to both parties.
- 4.3.3 Costs incurred through the dispute resolution process shall be shared equally by both municipalities.
- 4.3.4 Notifying and engaging any affected parties or members of the public will be at the discretion of each municipality. Each municipality shall ensure they are meeting requirements and processes outlined in relevant public participation policies for notifying and engaging members of the public or affected parties.
- 4.3.5 Should mediation be required through the dispute resolution process; the powers and responsibilities of the mediator will be limited to providing recommendations to both municipalities.
- 4.3.6 Should arbitration be required through the dispute resolution process; every order of an arbitrator is final and binding on all parties.
- 4.3.7 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw/Order or amendment to such, an appeal may be filled without prejudice, within 30 days of adoption to the *Municipal Government Board*, in accordance with *Section 690 (1) of the MGA* so the provincial statutory right and timeframe to appeal is not lost.
- 4.3.8 An appeal may be withdrawn if an agreement is reached between the two municipalities prior to the *Municipal Government Board* meeting.

## Dispute Resolution Process

- 4.3.9                    When the administration of a municipality identifies a potential issue, either party may give written notice to the other identifying the areas of conflict, initiating the dispute resolution process.
  
- 4.3.10                Once notice of the conflict has been received, both municipalities shall discontinue any actions pertaining to the matter in disagreement until a resolution has been determined.
  
- 4.3.11                Within 15 days of receiving written notice of an identified conflict, a meeting shall be convened between the respective administrations directly involved in the matter to attempt to come to a solution. This will generally include a member of planning staff and the CAOs of each municipality. If a solution to the disagreement is reached, then staff from each municipality shall take the necessary steps to implement the resolution.
  
- 4.3.12                Within 15 days of Administrations being unable to resolve the disagreement, a meeting shall be convened between administrations from both municipalities, the Board and Council to discuss possible resolutions and attempt to reach consensus on the issue.
  
- 4.3.13                Should the Board and Council be unable to resolve the matter within 30 days, a formal mediation process to facilitate resolution of the issue shall be initiated. The facilitated mediation process will involve two Council members, two Advisory Council members and a member of administration from each municipality, as well as a mediator mutually agreed upon by both municipalities. The representatives from the municipalities will be decided at the time of mediation.
  
- 4.3.14                If the dispute resolution process is not completed within one year from the date the notice of the dispute is given, either municipality may request the Minister to appoint an arbitrator pursuant to the regulations outlined in the *Municipal Government Act*.

## Dispute Resolution Flow Chart

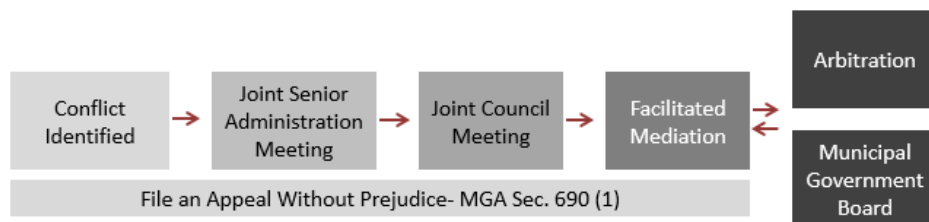


Figure 4: Dispute Resolution Flow Chart

## 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, M26 with amendments.

**Agricultural Operation:** If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

- a) the cultivation of land;
- b) the raising of livestock, including game-production animals within the meaning of the "Livestock Industry Diversification Act" and poultry;
- c) the raising of fur-bearing animals, pheasants or fish;
- d) the production of agricultural field crops;
- e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- f) the production of eggs and milk;
- g) the production of honey (apiaries);
- h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- i) the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- j) the collection, transportation, storage, application, use transfer and disposal of manure;
- k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**Alberta Land Stewardship Act (ALSA):** The Alberta Land Stewardship Act Statutes of Alberta, 2009 Chapter A-26.8, as amended.

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

**Confined Feeding Operations (CFO):** An activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operation Practices Act (AOPA), Revised Statutes of Alberta 2000, Chapter A-7, as amended from time to time, but does not include residences, seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.



**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.

**Environmentally Significant Area (ESA)** means an area defined by Alberta Environment and Parks as being environmentally significant.

**Extensive Agriculture:** means systems of tillage and grazing on large areas of land by the raising of crops or the rearing of livestock but does not include confined feeding or intensive livestock operations and may be either separately or in conjunction with one another and includes buildings and other structures incidental to the operation but does not include residential buildings.

**Resource extraction:** Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource

**Historical Resource Value (HRV):** Lands that contain or are believed to contain “historic resources” as defined in the *Historical Resources Act*, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

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

**Multi-lot Subdivision:** A subdivision of land that will create two (2) or more *new* lots.

**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.

**Natural Resource Conservation Board (NRCB):** The Natural Resources Conservation Board is responsible for reviews of proposed major natural resource projects, and for the regulation of confined feeding operations in Alberta.

**Permitted Use:** The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Plan:** The Town of Drumheller and Special Areas Intermunicipal Development Plan.

**IDP Area:** The lands defined in this document on Map 1: IDP Area noted as “IDP Area”.

**Pit(s):** means any opening in, excavation in or working of the surface or subsurface made for the purpose of removing sand, gravel, clay or marl and includes any associated infrastructure, but does not include a mine or quarry. Alberta Environment and Parks categorizes and regulates pits as follows:

Large (Class I) Pits – Class I pits are 5 hectares or more in area

Small (Class II) Pits – Class II pits are less than 5 hectares in size on private land

**Provincial Highway:** A road development as such by Ministerial Order pursuant to the Highway Development and Protection Act, Alberta Regulation 326/2009.

**Soil Classifications:** The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

Class 4 – Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.

Class 5 – Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 6 – Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible. Class 7 – Soils in this class have no capacity for arable culture or permanent pasture land

**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.

**Telecommunications Tower:** means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals.

# INTERMUNICIPAL DEVELOPMENT PLAN

## STARLAND COUNTY & TOWN OF DRUMHELLER

Starland County Bylaw No. XXXX &  
Town of Drumheller Bylaw No. 07.20

Adopted XXXX, XX, 2020



[Insert Signed Bylaw from municipality #1]

DRAFT

**TOWN OF DRUMHELLER**

**BYLAW NO. 07.20**

A Bylaw of the Town of Drumheller in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000 and amendments thereto, to adopt the Town of Drumheller-Starland County Intermunicipal Development Plan (2020).

WHEREAS Section 631(1) of the Municipal Government Act authorizes two or more Councils to adopt an Intermunicipal Development Plan;

WHEREAS the Town of Drumheller and the Starland County have agreed to the joint preparation of the Town of Drumheller-Starland County Intermunicipal Development Plan;

AND WHEREAS all parties required to be included in the Plan preparation have been properly notified in accordance with Section 636 of the Municipal Government Act;

AND WHEREAS the Councils of the Town of Drumheller and Starland County will hold public hearings pursuant to Section 692 of the Municipal Government Act after giving notice of it in accordance with Section 606 of the Municipal Government act;

NOW THERFORE the Municipal Council of the Town of Drumheller, duly assembled, enacts as follows:

1. That this Bylaw shall be known as the “Town of Drumheller-Starland County Intermunicipal Development Plan” (as shown in attached Schedule “A”) which is part of this document.
2. That the Town of Drumheller-Starland County Intermunicipal Development Plan shall provide the policy framework for future subdivision and development of the lands describe therein.
3. That Town of Drumheller Bylaw No. 07.20 shall have force and take effect from the final reading thereof.

**AGENDA ITEM #8.4.**

READ A FIRST TIME this 2<sup>nd</sup> day of March, 2020.

---

Mayor Heather Colberg

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Darryl E. Drohomerski, CAO

READ A SECOND TIME this 16<sup>th</sup> day of March, 2020.

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Mayor Heather Colberg

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Darryl E. Drohomerski, CAO

READ A THIRD AND FINAL TIME this 30<sup>th</sup> day of March, 2020.

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Mayor Heather Colberg

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Darryl E. Drohomerski, CAO

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**Photo sources:**

Cover Page & Page 23 - Google Earth (edited)

Pages 1 & 14 - Starland Website

Page 7 – Rick Schmidt Photography





## 1 | INTRODUCTION

### 1.1 Purpose of an Intermunicipal Development Plan

The purpose of intermunicipal planning is to establish a long-range collaborative approach for future land use along municipal borders. The Town of Drumheller's northern boundary borders Starland County. Land use decisions made by either municipality along this border may affect and influence one another. This Intermunicipal Development Plan (IDP) will be a cooperative planning initiative that ensures development and land use decisions along this border occurs in a manner that respects the interests of each municipality. The overall objectives of this IDP are to:

- Ensure development and growth occurs in a sustainable and responsible manner;
- Establish a coordinated approach to development and land use decisions along the shared municipal border;
- Encourage continued communication between the municipalities;
- Minimize future land use conflicts;
- Outline processes for resolving disputes; and
- Provide landowners with greater certainty of potential land use and future development within the Plan Area.

### 1.2 Hierarchy of Plans in Alberta

In accordance with the Municipal Government Act (MGA) IDPs are the highest order of municipal statutory plan. All lower order statutory plans for a municipality, including a Municipal Development Plan (MDP) and Area Structure Plans (ASPs) must be in alignment with any and all IDPs a municipality has adopted (see Figure 1).

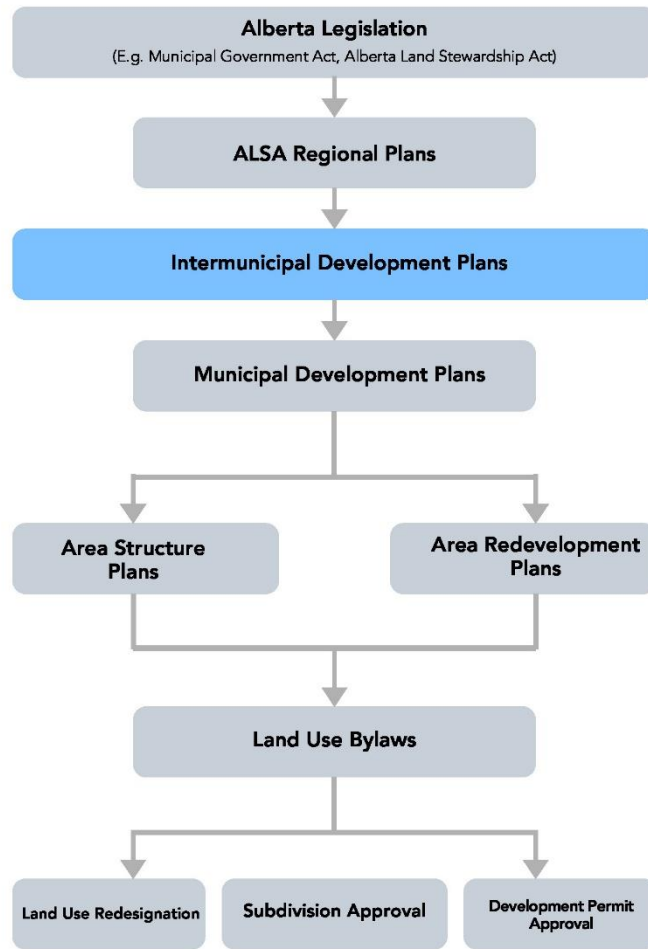


Figure 1.: Planning Hierarchy in Alberta

### 1.3 Planning Legislation in Alberta

The Province of Alberta takes a multi-tiered approach to legislating planning and development within the province. The two main pieces of provincial legislation that mandate planning and development in Alberta are the Alberta Land Stewardship Act (ALSA), and the Municipal Government Act (MGA). The ALSA mandates the legislative authority for the province’s seven (7) Regional Plans, while the MGA provides the legislative authority of municipal planning documents.

The seven (7) Regional Plans are organized geographically by seven major watersheds within Alberta. Two of the seven Regional Plans have been adopted (Lower Athabasca Regional Plan and South Saskatchewan Regional Plan). The remaining five Regional Plans are either underway or not started. The Red Deer Regional Plan, which encompasses Starland County and the Town of Drumheller, has not been started.

The overall objective of the Regional Plans is to set a collaborative approach to managing the province's land and natural resources to achieve economic, environmental and social goals. All municipal bylaws, including planning documents, are required to be in alignment with the applicable Regional Plan.IDP

## 1.4 Legislative Requirements

The Municipal Government Act (MGA) mandates the legislative requirements for IDPs. Section 631 of the MGA (*as amended January 1, 2020*) outlines the requirements for an IDP:

### *Intermunicipal Development Plans*

*631(1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and 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.*

*(2) Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).*

*(3) The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.*

*(4) Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.*

*[...]*

*(8) 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,*

*(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.*

## 1.5 Municipal Profiles

### Town of Drumheller



The Town of Drumheller is located in the Red Deer River valley in south-central Alberta spanning an area of 10,803 hectares (26,694 acres), situated between Starland County to the north, Kneehill County to the west, Special Areas 2 to the east, and Wheatland County to the south. The Town offers a diversity of residential options, employment opportunities, and way of life for the Town's population of 7,982 (Statistics Canada, 2016 Census). The Town of Drumheller is greatly influenced by its unique landscape made up of rolling fields, steep, dry coulees, and the Red Deer River. The Town's goal is to preserve and enhance the natural environment while accommodating growth responsibly and strategically. The Town is well-known for its tourism industry. In the heart of the Canadian Badlands, Drumheller's unique scenery and fascinating dinosaur-oriented history attracts hundreds of thousands of people to the community each year.

### Starland County



Starland County is a rural municipality consisting of a land area of approximately 2,560 square kilometres with a 2016 census population of 2,066. Starland County is bordered by the Town of Drumheller to its south. While agriculture is the fundamental economic activity in Starland County, oil and gas production, along with linear properties (electric generation and transmission lines, and pipelines) contribute significantly to the economic prosperity of the area.

## 2 | PLAN AREA

### 2.1 Plan Boundary

The Plan Area extends approximately 1.6 km (1 mile) on either side of the shared border between the municipalities (see *Map 1: IDP Area*). At times the Plan Area extends more or less than 1.6 km on either side of the shared border to accommodate geometric irregularities, geographic features and to minimize any overlaps with other IDPs for either municipality. The Plan Area's south boundary aligns with the north bank of Red Deer River providing a logical and natural boundary feature.

Within the Plan Area, the following economic, environmental and social considerations were examined:

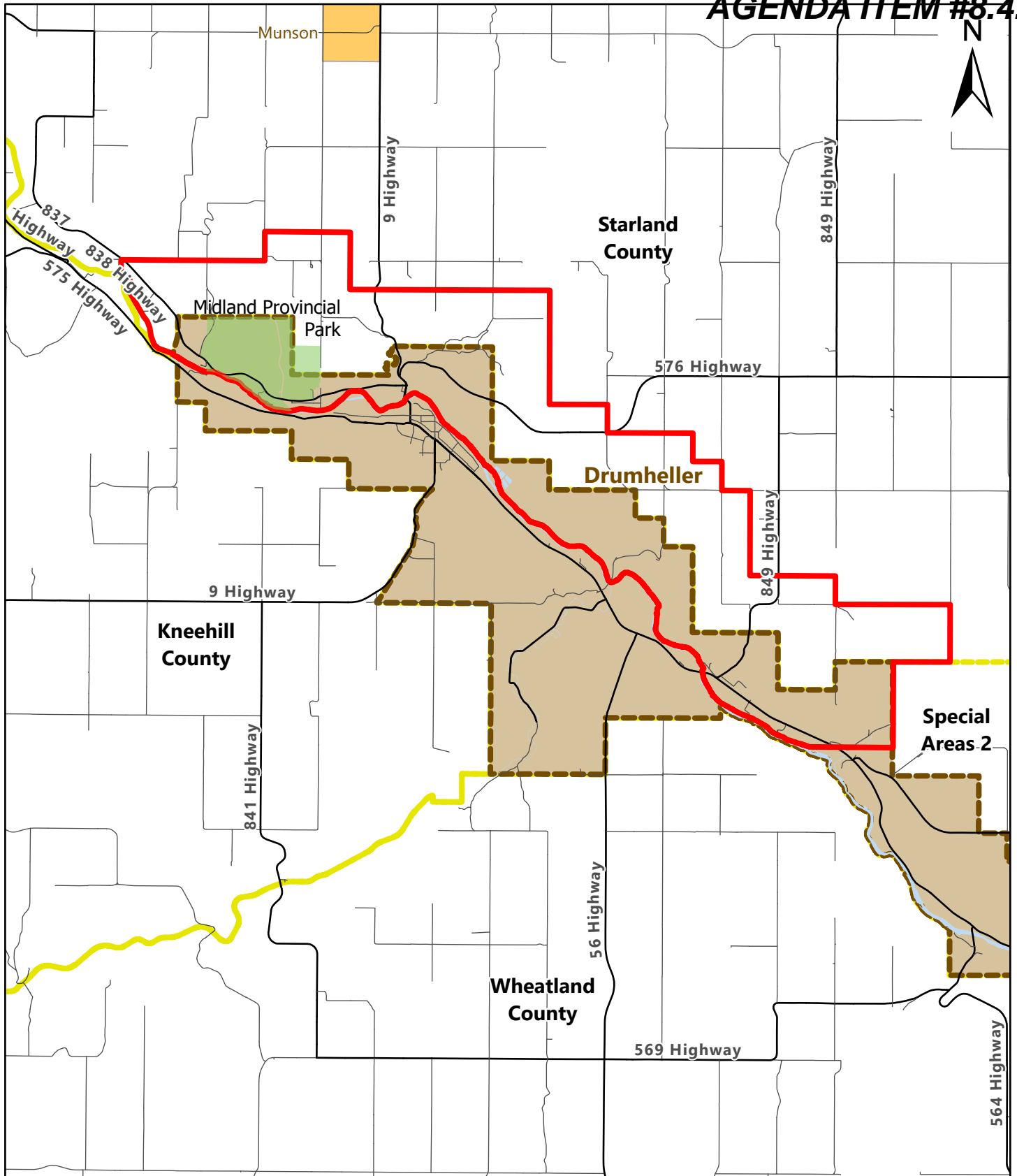
- Land use and zoning
- Residences and urban areas
- Confined Feeding Operations (CFOs)
- Resource Extraction and Energy development
- Tourism & Recreation
- Transportation Corridors
- Environmentally Significant Areas (ESAs)
- Historic Resource Value (HRV) Sites

### 2.2 Plan Area Characteristics

The Plan Area as shown on *Map 1* encompasses rural and agricultural areas within Starland County and both urban and rural areas within the Town of Drumheller, although the vast majority of the Plan Area in the Town is also rural and undeveloped.

#### GENERAL CHARACTERISTICS

The Plan Area stretches from the Town of Drumheller's north border, past the Town's major central urban area and then extends all the way to the boundary with Special Areas in the south. The Red Deer River is the south boundary of the Plan Area thereby maintaining a separation between the Plan Area and the Town's most urban and developed areas. In the north portion of the Plan Area the major east-west transportation route is Secondary Highway 838 that runs parallel and just north of the Red Deer River. To the east is Highway 56 that runs north-south and connects to the Town's central business area. In the southeast corner of the Plan Area Secondary Highway 849 runs north-south. The dramatic Red Deer River valley with its steep cliffs and badlands landscape is the main geographic influence on the Plan Area as well as tourist attraction and constraint on land development.



Data Sources: Aitfalls, Gov. of Alberta, Gov of Canada, Kneehill County, Town of Drumheller, Bluerock Planning  
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Scale: 1:150,000 Kilometers



- Legend**
- IDP Area
  - Rural Municipality
  - Town Boundary
  - Village Boundary
  - Provincial Park
  - Highway
  - Roadway

**Map 1: IDP Plan Area**  
**Starland County and Town of Drumheller**  
**Intermunicipal Development Plan**

February 2020  
 Map and Data for informational and planning purposes only



### **NATURAL ENVIRONMENT & THE RED DEER RIVER BASIN**

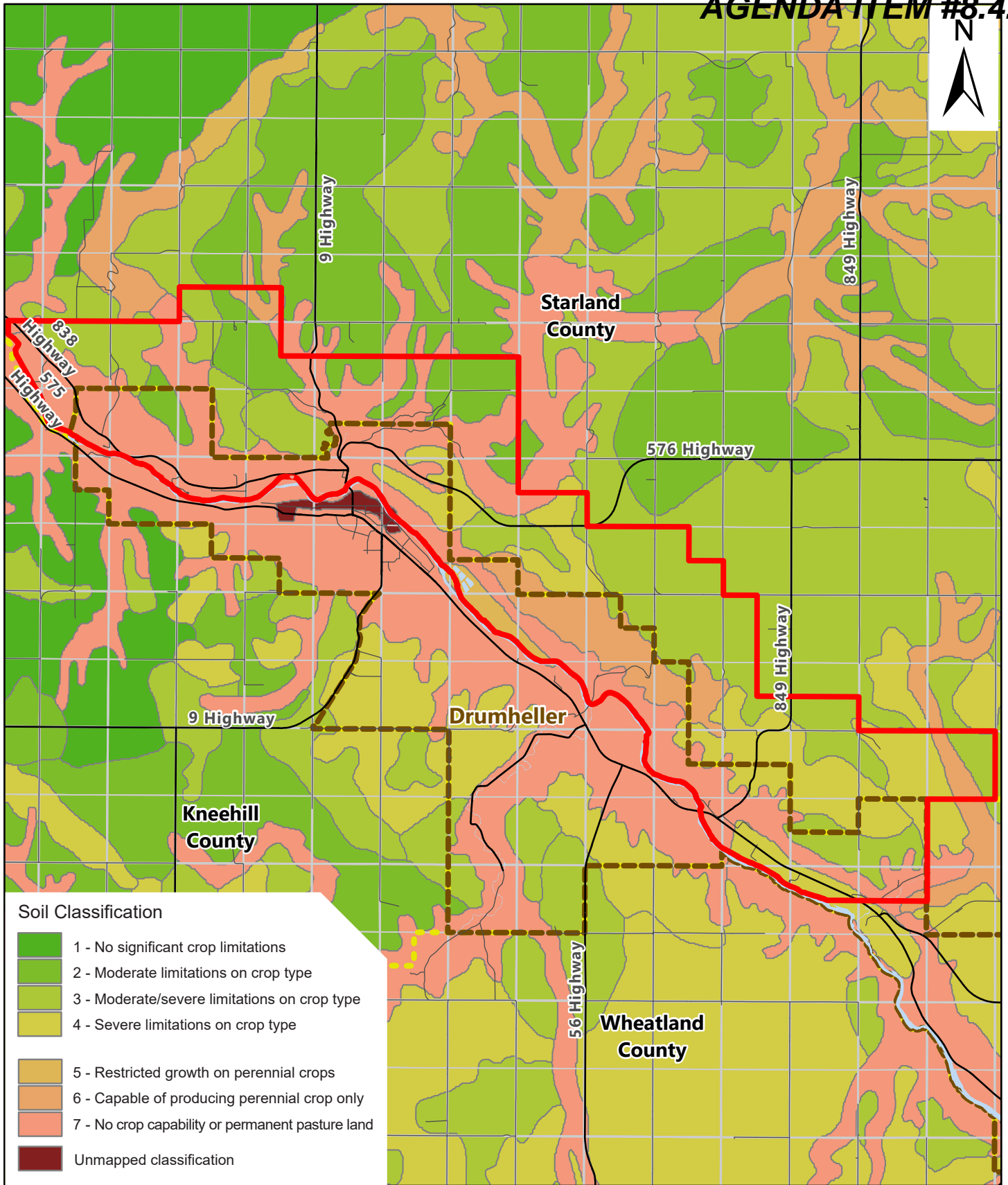
Much of the southern portion of the Plan Area boundary runs along the north bank of the Red Deer River and includes important riparian areas within the Red Deer River Basin. Riparian areas provide a wide range of ecological functions that are vital to a healthy functioning landscape and form part of an extensive drainage basin within every watershed. Additionally, numerous creeks and streams that are tributaries of the Red Deer River have created deep drainage channels in the river valley and run perpendicular to the Red Deer Valley. Both municipalities are committed to protecting and preserving the environmental aspects of this basin.

### **AGRICULTURAL LAND USES**

The agricultural land in the Plan Area consists of a variety of soil classifications that are used for a range of agricultural activities including grazing and crop production (see **Map 2: Soil Classifications**).

### **RESIDENTIAL LAND USES**

Residential land use within the Plan Area is mainly located within the Town of Drumheller just north of the Town's central business area and the junction of Highways 9, 56, 838 and 576. Within the Starland County portion of the Plan Area minimal residential and acreage development has occurred.



**Soil Classification**

- 1 - No significant crop limitations
- 2 - Moderate limitations on crop type
- 3 - Moderate/severe limitations on crop type
- 4 - Severe limitations on crop type
- 5 - Restricted growth on perennial crops
- 6 - Capable of producing perennial crop only
- 7 - No crop capability or permanent pasture land
- Unmapped classification

Data Sources: Altalis, Gov. of Alberta, Gov of Canada, Kneehill County, Town of Drumheller, Bluerock Planning  
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Scale: 1:125,000 Kilometers



- Legend**
- IDP Area
  - Rural Municipality
  - Town Boundary

**Map 2: Soil Classification**  
**Starland County and Town of Drumheller**  
**Intermunicipal Development Plan**



## COMMERCIAL & TOURISM LAND USES

The Plan Area boundary contains Midland Provincial Park, which hosts the world famous Royal Tyrrell Museum. However Provincial Parks are under the jurisdiction of the Province of Alberta and not subject to the policies of this IDP. The Royal Tyrrell Museum is a popular tourist attraction, which also creates broader interest for the landscape of the area. Various other tourist destinations are located along the major highway corridors within the river valley, including Highway 838.

## HISTORIC RESOURCES

The Plan Area and region is a unique landscape that is rich in cultural, archaeological and paleontological history and artifacts (see **Map 3: Historic and Environmental Features**). The area is well-known as a destination for scientists and tourists interested in the science of paleontology and especially dinosaurs with the presence of the Royal Tyrrell Museum.

The area's rich history also extends to human habitation of the region. This area has been inhabited by Indigenous peoples for thousands of years. The Plan Area is located within Treaty 7, which was signed on by the Government of Canada and five First Nations: the Siksika (Blackfoot), Kainai (Blood), Piikani (Peigan), Stoney-Nakoda, and Tsuut'ina (Sarcee).

## LAND USE DESIGNATIONS (ZONING)

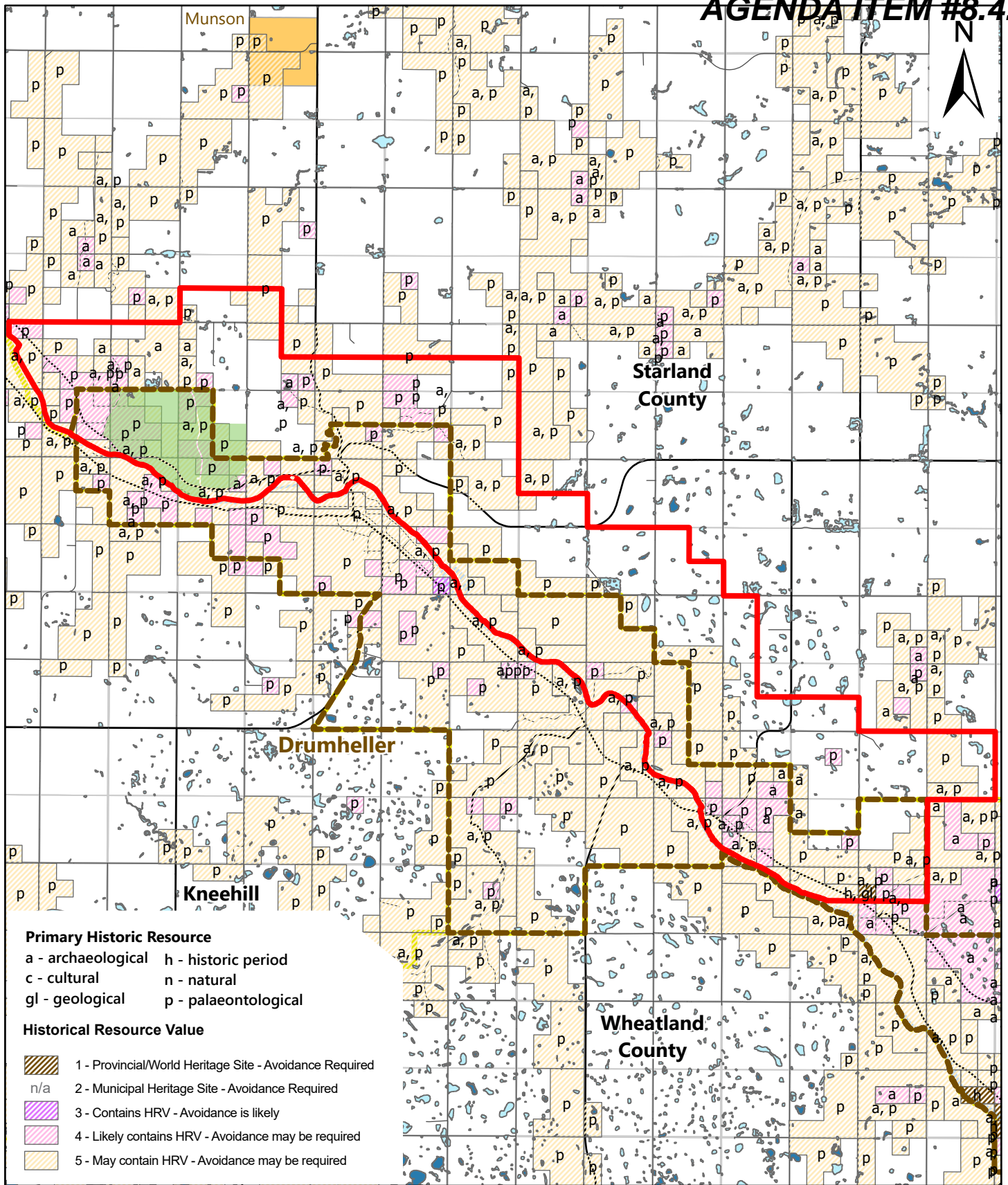
Lands within the Plan Area are predominately designated (zoned) as Agricultural districts in the respective Land Use Bylaws of both municipalities. Other land use designations include airport (in Starland County), urban transition, commercial and residential as shown on **Map 4: Land Use Designations (Zoning)**.

## AIRPORT

The Drumheller Municipal Airport with a 1,068m (3500 ft) runway is located in Starland County and shown on Map 4 as the blue 'Airport District'.

## OIL & GAS FACILITIES

Oil and gas facilities are present throughout the region and also within the Plan Area. **Map 5: Energy Facilities** identifies the existing oil and gas facilities.



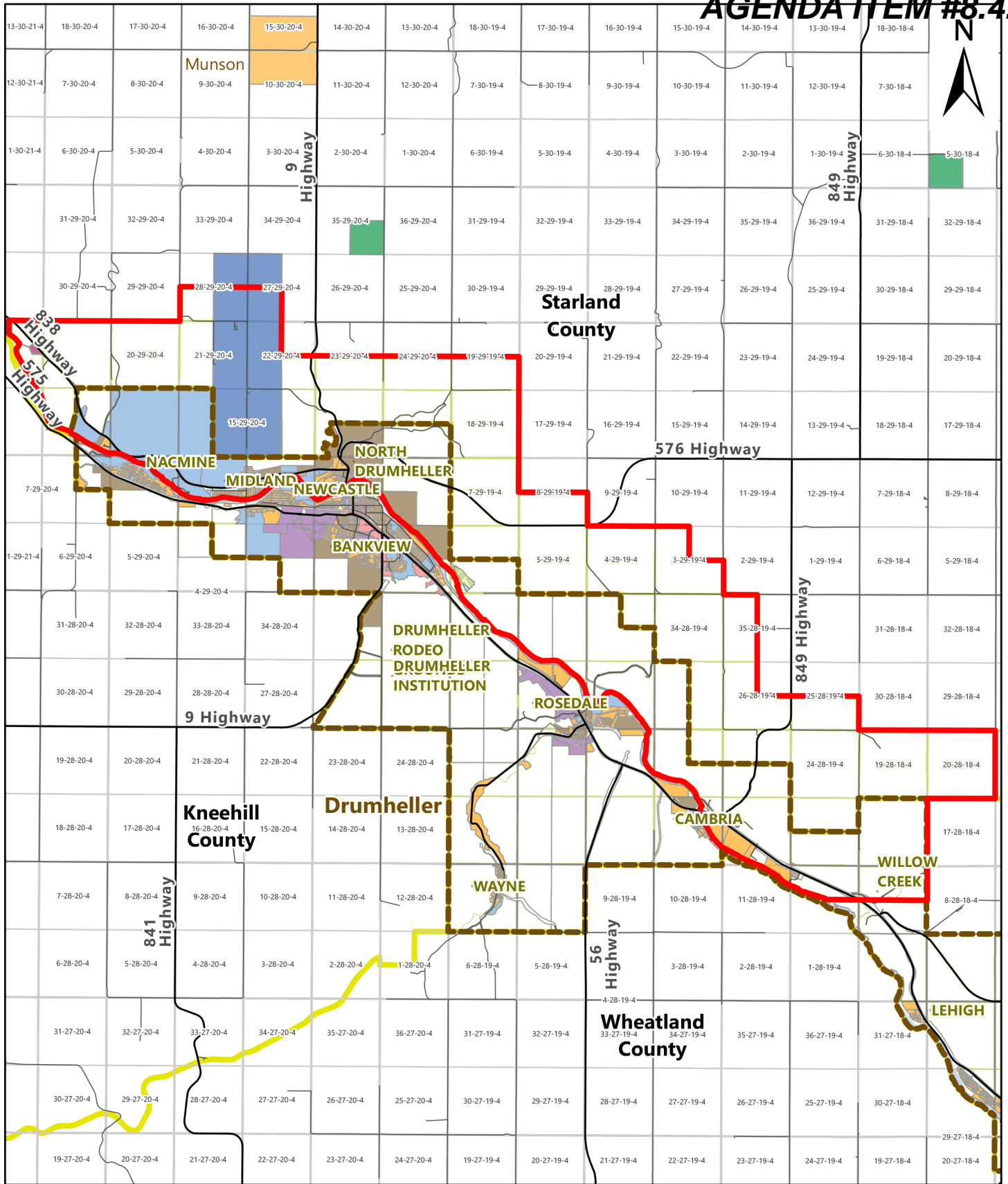
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- Legend**
- IDP Area
  - Town Boundary
  - Rural Municipality
  - Provincial Park
  - Marsh
  - Open Water

**Map 3: Historical & Environmental  
 Starland County and Town of Drumheller  
 Intermunicipal Development Plan**



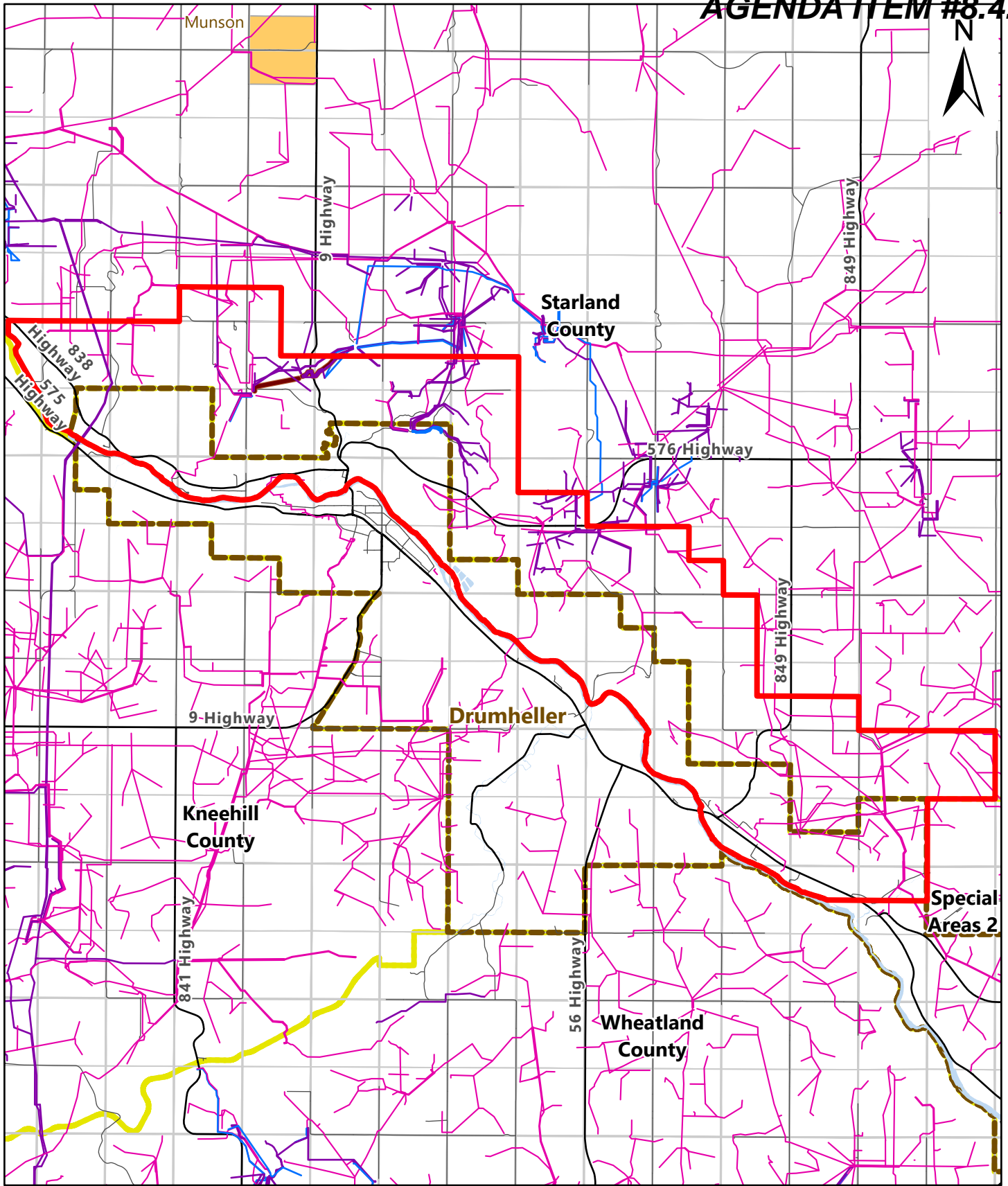
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- Legend**
- IDP Area
  - Commercial
  - Downtown Transition
  - Agriculture Intense
  - Rural Municipality
  - Residential
  - Industrial
  - Commercial Industrial
  - Town Boundary
  - Community Service
  - Urban Transition
  - Agricultural
  - Direct Control

**Map 4: Land Use Designations**  
**Starland County and Town of Drumheller**  
**Intermunicipal Development Plan**



Data Sources: Altalis, Gov. of Alberta, Gov of Canada, Kneehill County, Town of Drumheller, Bluerock Planning  
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Scale: 1:125,000 Kilometers

- Legend**
- IDP Area
  - Rural Municipality
  - Town Boundary
  - Village Boundary
  - Gas Pipeline
  - Oil Pipeline
  - Sour Gas Pipeline
  - Water Pipeline

**Map 5: Energy Facilities**  
**Starland County and Town of Drumheller**  
**Intermunicipal Development Plan**

### 2.3 Town of Drumheller Population Analysis

Town of Drumheller amalgamated with the M.D. of Badlands No. 7 in 1998 thereby including additional hamlets and rural areas into its municipal boundaries. This provided the municipality with a healthy land base for any anticipated future growth. Between 1996 and 2011 the municipality grew in population from 7,833 to a high of 8,029 before dropping in 2016 to 7,982 (see **Figure 2**). An IDP provides the opportunity to gain an understanding of any future growth requirements of the urban municipality. The Town of Drumheller’s relatively flat population growth combined with a desktop analysis of vacant lands suggests there is sufficient residential and non-residential land available for the Town. Thus, the need for annexation is not expected in the near future.

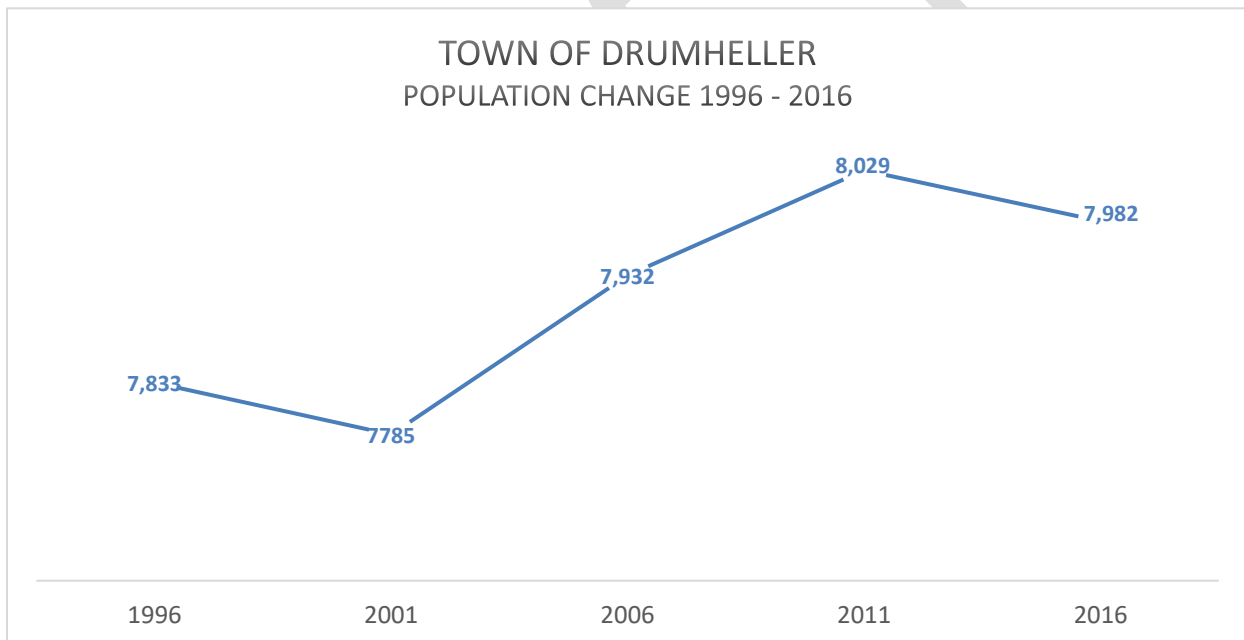


Figure 2: Town of Drumheller Population Change



## **3 | POLICY FRAMEWORK**

IDP policies are important because they guide and direct each municipality in their day-to-day decision-making pertaining to development and land use. An IDP is the highest level statutory plan in a municipality and subsequently decision-making and lower level statutory plans must align with IDP policies. The following policy sections reflect an understanding of the key characteristics of the Plan Area and establish policies that work towards achieving the shared goals of each municipality.

### **3.1 Interpretation**

This IDP uses specific language to ensure clear and concise policies that will guide decision making. Further, it is important to ensure these policies are communicated in the proper context. The following words are to be interpreted throughout the plan as follows:

- Policy 3.1.1**      **Council:** refers to the Town of Drumheller Council and/or Starland County Council.
- Policy 3.1.2**      **Shall, require(d), must, or will:** mean that the policy is mandatory; exceptions would require an amendment to the Plan.
- Policy 3.1.3**      **Should:** always applies to the situation unless it can clearly be identified to the agreement of Council or the Approving Authority that in the given situation, the policy is not reasonable, practical or feasible.
- Policy 3.1.4**      **May:** acknowledges support in principle and indicates that Council or the Approving Authority has the discretion to determine the level of compliance that is required.
- Policy 3.1.5**      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.

**Policy 3.1.6** 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.

**Policy 3.1.7** The geographical or relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.

## **3.2 Land Use**

### **Intent**

It is critical for the IDP to identify the long-term future land use vision for the Plan Area. The vision for the future land use pattern of the Plan Area will guide all subsequent policies and decisions. A common understanding by both municipalities of this land use vision is key for cooperation and a legislative requirement for an IDP.

**Policy 3.2.1** The future vision for the Plan Area is to ensure continuation of the agricultural and rural character of the area while concentrating future urban development within the Town's existing urban areas or Town areas identified for future growth.

**Policy 3.2.2** Future land uses in the Plan Area shall align with the Future Land Use Maps within each municipality's Municipal Development Plan.

**Policy 3.2.3** Acknowledging that the Plan Area is a gateway to the Royal Tyrrell Museum and adjacent notable tourism and natural areas, both municipalities shall strive to make land use decisions that continue to support tourism in the Plan Area.

**Policy 3.2.4** Fragmentation of agricultural land and premature conversion to non-agricultural uses should be limited.

**Policy 3.2.5** Land use within the Plan Area shall align with any statutory planning documents or Land Use Bylaw from either municipality.

**Policy 3.2.6** The municipalities shall strive to engage in open communication when considering land use decisions in the Plan Area and should discuss any proposed Statutory Plans, Land Use Bylaw updates, or amendments that may impact the Plan Area.

**Policy 3.2.7** Both municipalities shall endeavor to cooperate in planning and land use decisions adjacent to the Drumheller Municipal Airport located in the Plan Area.

### **3.3 Growth Management & Annexation**

#### **Intent**

An IDP provides the opportunity to identify any lands that may be required for municipal expansion through annexation to ensure that municipalities have an adequate land supply to support future growth. However, through the population and vacant land analysis it was identified that the Town currently contains an adequate land supply to meet short and medium-term future development demands.

**Policy 3.3.1** Should the Town require additional lands the annexation process may be initiated by the Town in accordance with the requirements of the *Municipal Government Act*.

**Policy 3.3.2** The Town of Drumheller shall consult with Starland County and its residents prior to initiating an annexation application to the province.

**Policy 3.3.3** The Town of Drumheller and Starland County will endeavor to reach an agreement on an annexation prior to submitting an annexation to the Municipal Government Board.

### **3.4 Agriculture**

#### **Intent**

Agricultural land represents the largest land use in the Plan Area, consisting predominately of activities associated with extensive agriculture. Extensive agriculture and uncultivated natural areas shall continue to be the primary uses of land in the Plan Area.

**Policy 3.4.1** In making land use decisions within the Plan Area, both municipalities shall respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.



**Policy 3.4.2** Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.

## Confined Feeding Operations

**Policy 3.4.3** It is recognized that approval of Confined Feeding Operations (CFOs) ultimately lies with the Natural Resources Conservation Board (NRCB). Prior to approvals being given within the Plan Area, both municipalities shall request that the staff of the NRCB review local plans and policies and consider these in their decision making.

## 3.5 Tourism and Recreation

### Intent

To ensure tourism and recreational related development continues to provide economic benefit to both municipalities and occurs in a harmonious manner with the natural landscape. To create opportunities for joint cooperation between the two municipalities and the Province of Alberta.

**Policy 3.5.1** Both municipalities should consult with each other, the Province of Alberta, and other agencies and stakeholders to development cooperative management plans which integrate tourism, economic development, land use, development and recreational activities.

**Policy 3.5.2** Starland County acknowledges the Town of Drumheller's Tourism Corridor Bylaw and its linkage to a healthy tourism economy that benefits the entire region. While the bylaw does not affect lands in Starland County, the County will encourage residents and landowners within the vicinity of the Tourism Corridor Bylaw to maintain their properties to a high standard and to minimize unsightly properties that may deter tourism.

**Policy 3.5.3** Both municipalities recognize that authentic rural living and agricultural production along tourism corridors is supported and encouraged. These rural activities require operations and aesthetics not familiar to all tourists (e.g. manure spreading, slow moving vehicles on roads) and are supported by both municipalities to ensure the continued rural character of the area.

**Policy 3.5.4** Either municipality when making land use decisions or providing referral comments to the other municipality may wish to consider the preservation of

view corridors / viewsapes that are important to the tourism industry and/or local character of the area.

### **3.6 Servicing and Infrastructure**

#### **Intent**

Proper servicing of development is critical for the continued health and safety of residents. Coordination of the delivery of infrastructure and services between both municipalities can lead to greater efficiency and cost savings.

**Policy 3.6.1** Both municipalities are strongly encouraged to identify and implement cost effective ways of delivering shared services that benefit both municipalities and their residents.

**Policy 3.6.2** Where possible local infrastructure and development should connect to regional services.

**Policy 3.6.3** Where servicing a development is more feasible from the services and infrastructure of the other municipality the development levies or equivalent contributions shall be collected from the benefiting development to ensure the cost of services do not negatively impact existing residents of the municipality where the services are being provided.

**Policy 3.6.4** Both municipalities will discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are mutually beneficial.

### **3.7 Natural Environment & Historic Resources**

#### **Intent**

The lands within the IDP Plan Area contain important Environmentally Significant Areas (ESAs) such as native grasslands, riparian areas and drainage courses in addition to essential wildlife, bird and fish habitat. Additionally, lands within the IDP Plan Area may contain important Historical Resources, including archaeological, cultural, or palaeological artifacts. Policies within this IDP should ensure that development occurs in a manner that does not negatively impact important historical resources and natural landscapes.

**Natural Environment**

**Policy 3.7.1** Both municipalities shall endeavor to conserve and protect ESAs as defined in each municipality's Land Use Bylaw and other significant natural areas and resources.

**Policy 3.7.2** When making land use decisions each municipality will:

- a) Utilize and incorporate measures where possible to minimize potential impacts on the Red Deer River, Rosebud River, and any other important water resources;
- b) Determine appropriate land use patterns in the vicinity of significant water resources and other water features including wetlands;
- c) Determine appropriate land use patterns adjacent to Provincial Parks and Protected Areas;
- d) Establish appropriate setbacks to maintain water quality, floodwater conveyance and storage, bank stability and habitat.

**Policy 3.7.3** Where development is proposed near natural features or lands deemed to be environmentally sensitive or significant, the approving municipality, at their sole discretion, may require an Environmental / Biophysical Impact Assessment (EIA/BIA) to be completed by a qualified professional to determine the potential impacts from development and how those impacts will be minimized.

**Policy 3.7.4** Both municipalities should consider the provincial *Wetland Policy* and *Stepping back from the Water-A Beneficial Management Practices Guide For New Development* when making land use decisions with the goal of sustaining the environment and economic benefits.

**Policy 3.7.5** Areas identified as environmentally sensitive or environmentally significant should be protected through Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other appropriate methods as determined by the municipality and its applicable statutory plans and Land Use Bylaw regulations.

**Policy 3.7.6** Either municipality shall refer any new environmental or biophysical study or report in support of a planning or development application pertaining to lands within the Plan Area to the other municipality.

**Policy 3.7.7** Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the Plan Area.

## Red Deer River Basin

**Policy 3.7.8** Subdivision and Development in or adjacent to the Red Deer River valley including the Rosebud River shall take into consideration slope stability and soil characteristics in order to minimize negative impacts. Within floodplains, development should be regulated to protect the natural area and to minimize potential flood damage.

**Policy 3.7.9** All land uses and developments proposed along the top or within the river valley in both municipalities shall be evaluated to ensure preservation of important viewscales, water quality and protection of any ESAs.

**Policy 3.7.10** Development in identified flood fringe and floodways as per provincial mapping (if completed) shall comply with provincial regulations and legislation. Where land use development is to occur in flood prone areas not identified on provincial maps as either flood fringe or floodway, appropriate regulations shall be implemented to ensure no negative impacts on the land and neighbouring municipality.

## Historic Resources

**Policy 3.7.11** Where development is proposed on lands that may contain a Historical Resource Value (HRV), a Historical Resource Impact Assessment (HRIA) may be required to be completed by the developer to the satisfaction of the municipality and Alberta Culture and Tourism. The Developer must comply with *the Historical Resources Act* and Alberta Culture and Tourism.

**Policy 3.7.12** Both municipalities should identify properties with significant historic resources within the Plan Area to ensure conservation and maintenance.

## 3.8 Resource Extraction & Renewable Energy Development

### Intent

Resource extraction and renewable energy development are important to the local economy. Further, it is important that resource extraction and renewable energy development operations occur in a manner that is compatible with adjacent land uses and minimizes offsite impacts to ensure sustainable economic, environmental and social outcomes.

- Policy 3.8.1** Decisions regarding natural resource extraction or renewable energy shall take into consideration impacts on existing land use, residents, landowners, and future land use in both municipalities.
- Policy 3.8.2** Each municipality must be notified of any resource extraction or renewable energy development proposal in the other municipality that will result in access being required from a road under its control or management.
- Policy 3.8.3** Either municipality may require an agreement regarding the construction, repair, or maintenance of any municipal roads which may be impacted by a resource extraction or renewable energy-development, where the development requires access through the other municipality's road network.
- Policy 3.8.4** The municipalities shall consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded resource extraction activities including pits, or other extractive activities, where they maintain jurisdiction.
- Policy 3.8.5** If either municipality receives a notification from a provincial agency, board or department pertaining to a proposed or approved natural resource or renewable energy development within the Plan Area, the municipality should forward it to the other municipality.

### **3.9 Transportation**

#### **Intent**

Efficient and functional transportation networks are critical to long-range growth and development within the Plan Area. Further, the communication and coordination between both municipalities as well as provincial transportation jurisdictions are necessary to ensure efficiency and functionality.

- Policy 3.9.1** Both municipalities shall jointly consult with Alberta Transportation to coordinate planning and development along major roadways and provincial highways/jurisdictions within the Plan Area.
- Policy 3.9.2** Road closures that may affect both municipalities shall be jointly coordinated by following the agreed upon referral process.
- Policy 3.9.3** Both municipalities are encouraged to share information regarding appropriate practices for road design, maintenance, classification, permitting and road bans to promote an efficient and cost-effective regional transportation network.

**Policy 3.9.4** Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality must give its response in writing in a timely manner in accordance with the IDP referral process. If comments are not received within the notification period, it will be determined the municipality has no concerns.

**Policy 3.9.5** Either municipality may require a developer to enter into a Road Use Management Agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its control or jurisdiction.

### **3.10 Telecommunication Towers & Utilities**

#### **Intent**

It is recognized that the jurisdiction for telecommunication towers and utility approvals is outside of the control of municipalities. However, as the demand for this infrastructure grows there is potential for these developments to have land use impacts. The following policies seek to guide both municipalities when providing comments to applicants or relevant agencies in regard to applications for telecommunication infrastructure within the Plan Area.

**Policy 3.10.1** When providing comments for a new, expanded or retrofitted telecommunications tower, both municipalities shall request telecommunications companies to co-locate within the Plan Area where technically feasible.

**Policy 3.10.2** When providing comments to provincial and federal departments regarding utility development within the Plan Area, both municipalities shall request that consideration be given to the establishment of utility corridors with multiple users.



## 4 | IDP IMPLEMENTATION & ADMINISTRATION

Continuous collaboration and communication between both municipalities is essential for effective coordination of land use planning at a regional level and the successful implementation and administration of the IDP. The following policies are established with the goal of ensuring effective and clear processes for communication and collaboration are established between the municipalities.

### 4.1 Circulation and Referral Process

#### Intent

To establish a clear process for referring subdivision and development applications, statutory and non-statutory planning documents and amendments, and land use related studies and achieving a coordinated approach to planning and development within the Plan Area.

#### Policy 4.1.1

The following shall be referred by each municipality prior to a public hearing, meeting or decision:

- i. A proposed Municipal Development Plan (MDP);
- ii. A proposed Area Structure Plan (ASP) or Area Redevelopment Plan (ARP) within the Plan Area; or a proposed ASP or ARP that may have an impact on the Plan Area;
- iii. A proposed new Land Use Bylaw (LUB);
- iv. An amendment to a statutory planning document or Land Use Bylaw within the Plan Area or which may affect the Plan Area;
- v. A proposed *multi lot* subdivision within the Plan Area;
- vi. A development application for a *Discretionary Use* within the Plan Area;
- vii. A road closure within the Plan Area;

**Policy 4.1.2** Applications received from the Natural Resources Conservation Board (NRCB) for Confined Feeding Operation approvals located within the plan area shall be referred by each municipality.

**Policy 4.1.3** Either municipality may refer any other application, statutory plan, policy, report or land use matter not specified in *Policy 4.1.1* to the other municipality if the municipality is of the opinion that the adjacent municipality may have an interest in the matter and wish to comment.

**Policy 4.1.4** If either municipality is in receipt of a notice of application for a new or expanded pit / natural resource extraction operation within the Plan Area, they shall forward a copy of the notice and/or application to the other municipality.

**Policy 4.1.5** Where there is an application for a new, expanded or retrofitted telecommunications tower within the Plan Area, the municipality receiving the application shall notify the other municipality to seek their comments.

**Timelines**

**Policy 4.1.6** From the date that a municipality receives a referral, the municipality will have the following timelines to review and provide comments:

- i. 10 calendar days for development applications;
- ii. 20 calendar days for subdivision applications and all other intermunicipal referrals.

**Policy 4.1.7** A municipality that has received a referral may request an extension of the initial review period. If an extension of the review period is granted, it shall be communicated in writing.

**Policy 4.1.8** If the municipality receiving the referral has not replied within the stipulated timeline, it will be determined that the municipality has no comments or concerns regarding the referral.

**Policy 4.1.9** Should any concerns arise through the referral process that cannot be resolved between the two administrations, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.



## **4.2 Reviewing, Repealing and Amending the Plan**

Regular review of the IDP is important to ensure that the principles and policies remain current and are responsive to local change. For this IDP to remain relevant and function effectively, amendments to the Plan may be necessary from time to time. The following policies outline the process for reviewing, amending and repealing the Plan.

**Policy 4.2.1** The IDP should be reviewed every 4 years from the date the Plan was adopted by both Municipalities. The review shall be completed in conjunction with administration from both Municipalities and may include support from any agency designated as either municipality's planning authority

**Policy 4.2.2** When a new MDP for either municipality is adopted, a review of the IDP should be undertaken to ensure consistency with the MDP policies.

**Policy 4.2.3** The Plan may be amended as needed and mutually agreed upon by both municipalities. Any amendments to the plan must be adopted by both Councils.

**Policy 4.2.4** Should any disagreements arise with an amendment to the Plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

**Policy 4.2.5** Proposed amendments to this Plan by parties other than the Town of Drumheller or Starland County shall be accompanied by the following:

- a) An application to amend Starland County's IDP bylaw submitted to the municipality along with the applicable fee for processing amendments to a statutory document; and
- b) An application to amend the Town of Drumheller IDP bylaw submitted to the Town or their designated planning authority along with the applicable fee for processing amendments to a statutory document.

### **Repealing the Plan**

In the event that one or both municipalities deem the IDP no longer relevant, the bylaws adopting the IDP will need to be repealed by both municipalities. However, an IDP is a mandatory requirement under the MGA unless the municipalities mutually agree that an IDP is not required (MGA s. 631 as amended January 1, 2020).

**Policy 4.2.6** The Plan shall only be repealed if mutually agreed upon by both municipalities.

**Policy 4.2.7** Should only one municipality wish to repeal the Plan, 60 days' notice will need to be given to the other municipality stating the intent and reasons for repealing

the Plan. Both Councils must pass the bylaw repealing the Plan and either adopt a new IDP or mutually agree that an IDP is not required for the repeal to take effect.

**Policy 4.2.8** Should only one municipality wish to repeal the plan, the dispute resolution process (Section 4.3 of this bylaw) shall be initiated.

### **4.3 IDP Committee**

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

**Policy 4.3.1** For the purposes of administering and monitoring the IDP, the Town of Drumheller and Starland County shall establish an Intermunicipal Development Plan Committee (“the Committee”) comprised of an even number of members of Council from both the Town of Drumheller and Starland County. Each municipality may appoint an alternate Committee member in the event a regular member cannot attend a scheduled meeting. Alternate Committee members shall have standing.

**Policy 4.3.2** The term of appointment for Committee members should be as determined by each municipality. Following each election, Members of the Committee shall be appointed by respective Councils at their Organizational Meeting. If a Council wishes to appoint a new member to the Committee (include the alternate) they must do so by motion of Council at a regular Council meeting. The municipalities shall notify one another upon appointing members and alternate members to the Committee.

**Policy 4.3.3** The Committee will meet on an as-needed basis to discuss and provide recommendations to their respective Councils on matters or issues of mutual interest and cooperation such as:

- (i) Strategic growth plans in relation to the IDP, MDPs, Area Structure Plans, etc.;
- (ii) Regional and intermunicipal transportation issues including proposed infrastructure, major truck routes as well as potential or existing utility corridors;

- (iii) Intermunicipal communications including current referral processes; and
- (iv) Any other topic that may be of mutual interest (i.e. regional planning initiatives).

**Policy 4.3.4** Notwithstanding Policy 4.2.3, the Committee shall meet every four years, commencing no later than 2023, in order to review the IDP.

**Policy 4.3.5** A municipality may call a meeting of the Committee at any time with no less than five (5) days notice of the meeting being given to all members of the Committee and support personnel stating the date, time, purpose, and place of the proposed meeting. The five (5) days notice may be waived with three-quarters of the Committee members' agreement noted.

**Policy 4.3.6** The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.

**Policy 4.3.7** At least one (1) member of each municipality's administrative staff should attend each meeting in the capacity of the technical, non-voting advisor.

**Policy 4.3.6** Both Councils agree the Committee is not a decision-making body and that the Committee shall issue a written response in the form of comments and/or recommendations to the appropriate and relevant decision-making body within ten (10) business days from the Committee meeting date.

**Policy 4.3.6** Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution Process in *Section 4.4* of this IDP should be followed.

#### **4.4 Dispute Resolution Process**

Adopting a dispute resolution process is an MGA requirement under Part 17 pertaining to an IDP. The intent of a dispute resolution process is to resolve, or attempt to resolve, any conflicts between municipalities early in the process and avoid protracted, lengthy and costly disputes. By following the process identified in this IDP disputes can be avoided, or where they do occur, shortened and resolved through facilitated mediation (see *Figure 3*). The IDP dispute resolution process provides the two municipalities the opportunity to come to a resolution at the municipal level. If a resolution cannot be achieved, the matter could be resolved through arbitration and/or brought before the Municipal Government Board.

- Policy 4.4.1** Both municipalities shall be responsible for documenting and maintaining records of all meetings and exchanges throughout the dispute resolution process.
- Policy 4.4.2** Administration from each municipality shall ensure the facts of the issue have been thoroughly investigated and information is made available and transparent to both parties.
- Policy 4.4.3** Costs incurred through the dispute resolution process shall be shared equally by both municipalities.
- Policy 4.4.4** Notifying and engaging any affected parties or members of the public will be at the discretion of each municipality. Each municipality shall ensure they are meeting requirements and processes outlined in the MGA or relevant public participation policies for each municipality for notifying and engaging members of the public or affected parties.
- Policy 4.4.5** Should mediation be required through the dispute resolution process; the powers and responsibilities of the mediator will be limited to providing recommendations to both municipalities.
- Policy 4.4.6** Should arbitration be required through the dispute resolution process; every order of an arbitrator is final and binding on all parties.
- Policy 4.4.7** The municipalities are encouraged to attempt to resolve disputes prior to submission of a Section 690 appeal to the Municipal Government Board. However, in the case of a dispute that cannot be resolved involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, an appeal may be filed without prejudice, within 30 days of adoption to the *Municipal Government Board (MGB)*, in accordance with *Section 690 (1) of the MGA* so the provincial statutory right and timeframe to appeal is not lost.
- Policy 4.4.8** An appeal may be withdrawn if an agreement is reached between the two municipalities prior to the *Municipal Government Board* meeting.

### **Dispute Resolution Process**

- Policy 4.4.9** When the administration of a municipality identifies a potential issue, either party may give written notice to the other identifying the areas of conflict, initiating the dispute resolution process.

- Policy 4.4.10** Within 15 days of receiving written notice of an identified conflict, a meeting shall be convened between the respective administrations directly involved in the matter to attempt to come to a solution. This will generally include a member of planning staff and the CAOs of each municipality. If a solution to the disagreement is reached, then staff from each municipality shall take the necessary steps to implement the solution.
- Policy 4.4.11** If the Administrations are unable to resolve the disagreement, a meeting of the IDP Committee shall be convened between to discuss possible resolutions and attempt to reach consensus on the issue. If a proposed solution or agreement is reached each municipality shall take the necessary steps to implement the solution or agreement.
- Policy 4.4.12** If the IDP Committee is unable to resolve the disagreement, a Joint Council meeting shall be convened between to discuss possible resolutions and attempt to reach consensus on the issue.
- Policy 4.4.13** Should the Councils be unable to resolve the matter within 30 days of the Joint Council meeting, a formal mediation process to facilitate resolution of the issue shall be initiated. The facilitated mediation process will involve a mediator mutually agreed upon by both municipalities.
- Policy 4.4.14** If the dispute resolution process is not completed within one year from the date the notice of the dispute is given, either municipality may request the Minister to appoint an arbitrator pursuant to the regulations outlined in the *Municipal Government Act*.



*Figure 3: Dispute Resolution Process*

## 5 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, M26 with amendments.

**Agricultural Operation:** If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and can include, but is not limited to:

- a) the cultivation of land;
- b) the raising of livestock, including game-production animals within the meaning of the "Livestock Industry Diversification Act" and poultry;
- c) the raising of fur-bearing animals, pheasants or fish;
- d) the production of agricultural field crops;
- e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- f) the production of eggs and milk;
- g) the production of honey (apiaries);
- h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- i) the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- j) the collection, transportation, storage, application, use transfer and disposal of manure;
- k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**Alberta Land Stewardship Act (ALSA):** The Alberta Land Stewardship Act Statutes of Alberta, 2009 Chapter A-26.8, as amended.

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

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

**Confined Feeding Operations (CFO):** An activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operation Practices Act (AOPA), Revised Statutes of Alberta 2000, Chapter A-7, as amended from time to time, but does not include residences, seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

**Conservation Easement:** A voluntary agreement between a landowner and a conservation organization or government agency. The intent of the Conservation Easement is to protect the ecological, scenic, and or agricultural values of the land. The agreement is placed on title, and the landowner continues using the land subject to the specific restrictions in the easement.

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

**Council(s):** The Council of Starland County and the Town of Drumheller in the Province of Alberta.

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

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

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

**Extensive Agriculture:** means systems of tillage and grazing on large areas of land by the raising of crops or the rearing of livestock but does not include confined feeding or intensive livestock operations and may be either separately or in conjunction with one another and includes buildings and other structures incidental to the operation but does not include residential buildings.



**Environmentally Significant Areas (ESA):** Means an area defined as an Environmentally Significant Area within the applicable Land Use Bylaw of the approving municipality.

**Environmental Site Assessment (ESA – Phase I or II):** An investigation in relation to land to determine the environmental condition of property. It includes a Phase 1 environmental site assessment, a Phase 2 environmental site assessment and confirmatory investigation.

**Historical Resource Value (HRV):** Lands that contain or are believed to contain “historic resources” as defined in the *Historical Resources Act*, including primarily archeological and paleontological sites, Aboriginal traditional use sites of a historic resource nature, and historic structures.

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

**Multi-lot Subdivision:** A subdivision of land that will create two (2) or more *new* lots.

**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.

**Municipalities (the Municipalities):** The municipalities of Starland County and Town of Drumheller.

**Natural Resource Conservation Board (NRCB):** The Natural Resources Conservation Board is responsible for reviews of proposed major natural resource projects, and for the regulation of confined feeding operations in Alberta.

**Permitted Use:** The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Plan:** The Town of Drumheller and Starland County Intermunicipal Development Plan.

**Plan Area:** The lands defined in this document on Map 1: Plan Area noted as “Plan Area”.

**Pit(s):** means any opening in, excavation in or working of the surface or subsurface made for the purpose of removing sand, gravel, clay or marl and includes any associated infrastructure, but does not include a mine or quarry. Alberta Environment and Parks categorizes and regulates pits as follows:

Large (Class I) Pits – Class I pits are 5 hectares or more in area

Small (Class II) Pits – Class II pits are less than 5 hectares in size on private land

**Provincial Highway:** A road development as such by Ministerial Order pursuant to the Highway Development and Protection Act, Alberta Regulation 326/2009.

**Renewable Energy Development or Renewable Energy Industry:** Industry that uses some form of alternative energy either as the source of its operation or the result of its operation, such as, but not limited to, wind energy conversion systems, solar energy systems, hydroelectric dams among others.

**Resource extraction:** Use of lands that are governed by the location of a natural resource such as, but not limited to, sand and gravel, oil and gas, or logging which involves the extraction or onsite processing and/or storage of a natural resource

**Soil Classifications:** The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 – Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

Class 4 – Soils in this class have severe limitations that restrict the range of crops or require special conservation practices.

Class 5 – Soils in this class have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible.

Class 6 – Soils in this class are capable only of producing perennial forage crops, and improvement practices are not feasible.

Class 7 – Soils in this class have no capacity for arable culture or permanent pasture land

**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 Starland County means Starland County Subdivision and Development Authority, and within the boundary of the Town of Drumheller means the Town of Drumheller Subdivision and Development Authority.

**Telecommunications Tower:** means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals.