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## Statutory Plans

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### Procedures

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#### 1. Statutes and Regulations

- a. It is the responsibility of the applicant to ensure that a proposal for a statutory plan or statutory plan amendment complies with all applicable federal and provincial statutes and regulations, in addition to County policies, standards, procedures, directives and requirements.

#### 2. A Statutory Plan is Required

- a. As indicated in the *Municipal Government Act* (MGA);
- b. As indicated in the Edmonton Metropolitan Region Growth Plan (EMRGP);
- c. As indicated in the Municipal Development Plan (MDP);
- d. As indicated in an adopted Area Concept Plan (ACP); or
- e. As determined by the Director for any proposed rezoning, subdivision, or development where:
  - i. it is necessary due to the scale, intensity, potential impacts on servicing capacity or infrastructure; or
  - ii. it is necessary due to the need to co-ordinate planning with adjacent lands.
- f. If the applicant believes the requirement for a statutory plan or statutory plan amendment is not warranted for their specific proposal:
  - i. they can make a written request to waive the requirement for a statutory plan or statutory plan amendment to the Director;
  - ii. the Director shall determine whether a particular circumstance warrants the recommendation of a waiver to County Council; and
  - iii. the Director may present the written request to waive the requirement for a statutory plan or statutory plan amendment to County Council.

#### 3. Statutory Plan Application Submission

- a. A proposed statutory plan or proposed statutory plan amendment application submission shall include the submission materials and follow the process as outlined in the Statutory Plans Terms of Reference; and
- b. A pre-application meeting shall be held prior to submission of a Public Engagement Plan (PEP), a proposed statutory plan application submission, or a proposed statutory plan amendment application submission as outlined in the Statutory Plans Terms of Reference.

#### **4. Public Engagement Plan (PEP)**

- a. A Public Engagement Plan (PEP) is required for a proposed ASP, ARP, or a proposed amendment to a statutory plan;
- b. The PEP process shall be followed as outlined in the Statutory Plan Terms of Reference; and
- c. PEP submission materials shall be provided as outlined in the Statutory Plan Terms of Reference.

#### **5. Circulation and Notification**

- a. Administration shall notify the Applicant in writing or by e-mail, within 5 working days of submission that an application is complete or incomplete;
- b. Complete application submissions shall be determined as outlined in the Statutory Plan Terms of Reference; and
- c. Circulation and notification shall include the submission materials and follow the process as outlined in the Statutory Plans Terms of Reference.

#### **6. External Consultation and Referrals**

- a. A new Municipal Development Plan shall be referred as part of the circulation to all adjacent municipalities.
- b. Any new statutory plan or statutory plan amendment shall be referred as part of the circulation to all municipalities within 1.6 kilometres of the plan area, or further, as determined by the Director.
- c. Any statutory plan amendments shall be referred as part of the circulation to all federal and provincial government and resource agencies within 1.6 kilometres of the plan area, or further, as determined by the Director.
- d. The County shall submit Regional Evaluation Framework (REF) Applications to the Edmonton Metropolitan Region Board, where applicable, following Council's first reading of the proposed bylaw and before third reading.

#### **7. Inactive Application**

- a. If there has been no progression of an application submission to conclusion for at least six (6) consecutive months, a file closure letter may be sent to the applicant any time after the six (6) months advising that an application will be closed. File closure will be at the discretion of the Director.

#### **8. Re-Application**

- a. Where a Bylaw to adopt a proposed statutory plan or proposed statutory plan amendment has been defeated by Council, an application submission that is in the opinion of the Director the same, or substantially the same, shall not be accepted for consideration until after one (1) year of the date on which the Bylaw was defeated; or
- b. An application submission may be accepted for consideration within one (1) year of the date on which the original Bylaw was defeated if:
  - i. the issues that were of concern have been addressed to the satisfaction of the Director; or
  - ii. the Director determines that the application submission is substantially different from the one that was defeated.

## **9. Other Planning Applications**

- a. An application for a proposed Land Use Bylaw amendment may be applied for and considered concurrently with a proposed statutory plan or statutory plan amendment; however, the proposed Land Use Bylaw amendment shall not be considered by County Council prior to consideration of the proposed statutory plan or statutory plan amendment, and third reading of the proposed Land Use Bylaw amendment shall not be given prior to third reading of the proposed statutory plan or statutory plan amendment.

## **Definitions**

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Area Concept Plan (ACP) – means a term used by Strathcona County for a larger area of land than an Area Structure Plan and is adopted as an Area Structure Plan in accordance with the *Municipal Government Act*. Area Structure Plans which fall within an Area Concept Plan are subordinate to that Area Concept Plan.

Area Redevelopment Plan (ARP) – means the definition given by the *Municipal Government Act*, summarized as a statutory plan adopted by a municipality by bylaw to provide a framework for the future redevelopment of a defined area of land.

Area Structure Plan (ASP) – means the definition given by the *Municipal Government Act*. Area Structure Plans which fall within an Area Concept Plan are subordinate to the Area Concept Plan.

Director – means the Director of the Planning & Development Services Department.

Edmonton Metropolitan Region Board – means the regional growth management board that consists of representatives from 13 municipalities mandated by the Province to implement the region's 30-year Growth Plan and to create a regional metro servicing plan.

Edmonton Metropolitan Region Growth Plan (EMRGP) – means an integrated growth management plan for the Edmonton Metropolitan Region, including any amendments to that plan, approved under section 708.1 of the *Municipal Government Act*.

Public Engagement Plan (PEP) – means the document which describes the strategy for public engagement and outlines the opportunities for landowners, residents and stakeholders to review and make suggestions and representations on a proposed plan or amendment.

Pre-Application Meeting – means the required meeting between County staff and an applicant and their representatives prior to making an application submission for a proposed statutory plan, statutory plan amendment or Public Engagement Plan.

Statutory Plan – means anything defined as a statutory plan by the *Municipal Government Act*, and includes an Intermunicipal Development Plan, a Municipal Development Plan, an Area Structure Plan and an Area Redevelopment Plan adopted by a municipality. For Strathcona County, this also includes an Area Concept Plan.

**Procedure Record**

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**Date of Approval:**

**Policy No:** A Procedure to the Land Use Bylaw  
and Municipal Development Plan

**Next Review Date:**

**Last Review Date:**

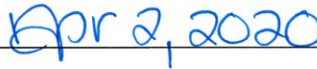
**Administrative Review:** Planning and Development Services

**Approved by:**



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Linette Capcara  
Acting Director  
Planning and Development Services



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Date