

BYLAW 8-2020

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

AS:

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

THEREFORE Council enacts as follows:

1. This bylaw may be cited as the "Town of Bruderheim and Strathcona County Intermunicipal Development Plan".
2. The document entitled "Town of Bruderheim and Strathcona County Intermunicipal Development Plan" attached to this Bylaw as Schedule "A" is hereby adopted as an intermunicipal development plan pursuant to the *Municipal Government Act*, RSA 2000, c M-26, as amended.
3. This bylaw comes into force on March 25, 2020.

Read a first time this 3rd day of March, 2020.

Read a second time this 3rd day of March, 2020.

Read a third time this 3rd day of March, 2020.

Signed this 12th day of March, 2020.

Mayor

Director,
Legislative and Legal Services



TOWN OF BRUDERHEIM AND STRATHCONA COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW 8-2020



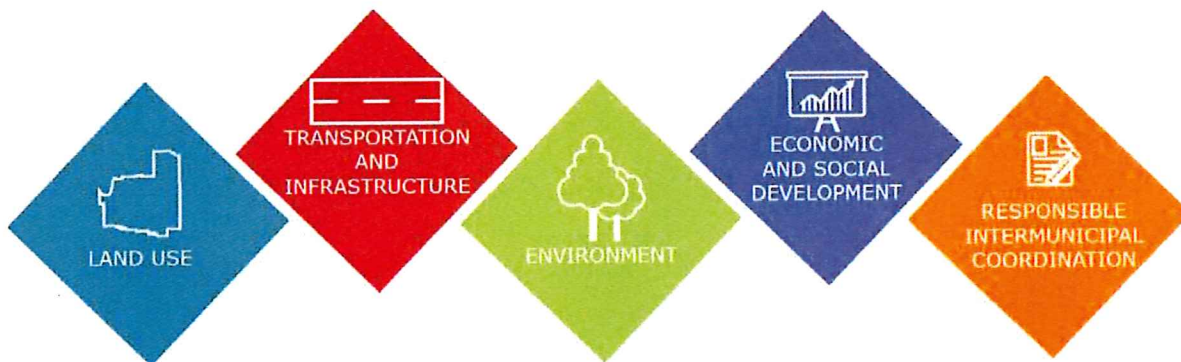
1. Introduction

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

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

2. Purpose

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



3. Plan Area

As identified on Map 1 – IDP Area, the IDP Area extends 800 metres from the Strathcona County and Town of Bruderheim municipal boundary line. The IDP Area covers approximately 618 hectares (1,280 acres) of land. In accordance with the MGA, the boundary line between Strathcona County and the Town of Bruderheim is located on the west side of Range Road 205, and as a result Range Road 205 falls under the jurisdiction of the Town of Bruderheim. Map 2 – Overview Map provides an aerial view of the IDP Area.

4. Public Engagement

The IDP project had one phase of public engagement, which took place between November and December 2019. The public engagement process provided information to the public on the IDP and generated input from residents through an open house, as well as a comment sheet. The open house was held at the Bruderheim Fire Station on November 18, 2019.

The comment sheet gathered input from the public on topics including current and future land use, transportation and infrastructure, the environment, and economic and social development within the IDP Area, as well as responsible intermunicipal coordination between the County and the Town. Full public engagement results can be found in the Town of Bruderheim and Strathcona County Public Engagement Summary (2019).

5. Policy Structure

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

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

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

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

TABLE 1: POLICY TERMS

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



6. Current and Future Land Use

As identified on Map 3 – Current and Future Land Uses, the Strathcona County portion of the IDP Area includes the Heartland Policy Area and the Town of Bruderheim portion of the IDP Area includes the Residential Use Area, the Public Utility Use Area, the Recreation and Open Space Use Area, and the Industrial Use Area. The IDP Area is also located within the Alberta Industrial Heartland.

Agricultural, residential, public utility, recreation and open space, and industrial uses have been identified as being the current and future land uses within the IDP Area.

The County and the Town will maintain autonomy within their current municipal boundaries.



6.1 Heartland Policy Area (Strathcona County)

The intent of this area is to provide a land use transition between heavy industrial land uses and adjacent non-industrial land uses.

This area is envisioned to contain development including light and medium industrial uses, agricultural product processing, agricultural support services, and light industry directly related to agriculture, that are compatible and provide synergistic opportunities with adjacent heavy industrial uses and agricultural operations. A fundamental feature of this area is that land uses do not result in nuisance beyond the Heartland Policy Area.

Goal

Provide a transition between heavy industrial land uses and adjacent non-industrial land uses, while enabling opportunities for uses that support heavy industrial and agricultural operations.

Objectives

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

1. Provides a transition between heavy industrial uses and non-industrial uses and facilitates synergies between land uses; and
2. Minimizes land use conflicts.

Policies

Light/Medium Industrial

1. **Promote** a transition between heavy industrial uses and non-industrial uses and facilitate synergies between land uses by **encouraging** development such as light and medium industrial uses that support heavy industrial and/or agricultural operations.
2. **Promote** minimized land use conflicts by **encouraging** the prevention and mitigation of industrial land use impacts on lands adjacent to the Heartland Policy Area.
3. **Promote** minimized land use conflicts by **encouraging** site specific nuisances (e.g., noise, vibration, smoke, dust, and odour) resulting from a development to be contained entirely within the boundaries of the property on which the development is located.

Agriculture

4. **Promote** a transition between heavy industrial uses and non-industrial uses and facilitate synergies between land uses by **encouraging** agricultural product processing, agricultural support services, and indoor agriculture.
5. **Promote** minimized land use conflicts by **encouraging** the prevention and mitigation of agricultural land use impacts on lands adjacent to the Heartland Policy Area.

6.2 Residential Use Area (Town of Bruderheim)

The intent of this area is to achieve a balance between reducing the residential development footprint of new development within the community while providing opportunities for residential development that supports and preserves the quality of life of the existing community, the physical environment, and areas of historic and cultural significance within the region.

The Town of Bruderheim includes a mix of low, medium, and high density developments.

Goal

Provide opportunities for residential development, while supporting and preserving the existing community.

Objectives

The Town of Bruderheim's objectives are to ensure that the Residential Use Area:

1. Provides a mix of housing; and
2. Provides residential development that is orderly, planned, and efficient.

Policies

1. **Promote** a mix of housing by **encouraging** a wide range of housing types and tenures for all ages, incomes, and abilities.
2. **Promote** residential development that is orderly, planned, and efficient by **encouraging** phasing of development.
3. **Promote** residential development that is orderly, planned, and efficient by **encouraging** appropriate safety measures and setbacks adjacent to rail lines and pipelines.



6.3 Public Utility Use Area (Town of Bruderheim)

The intent of this area is to ensure that the location and scale of public utilities are appropriate in relation to existing and proposed developments. The Public Utility Use Area includes a wastewater treatment facility.

Goal

Provide utility services that are adequately maintained and upgraded.

Objectives

The Town of Bruderheim's objectives are to ensure that the Public Utility Use Area:

1. Maintains and upgrades utility services.

Policies

1. **Promote** the maintenance and upgrading of utility services by **encouraging** monitoring of utility services, population, and changing uses.



6.4 Recreation and Open Space Use Area (Town of Bruderheim)

The intent of this area is recognition that the existing recreational facilities, trails, open spaces, and the conservation of significant environmental features are important to community enjoyment and well-being. The Town of Bruderheim also recognizes that a successful and sustainable future is dependent on the vitality of all interconnected systems.

Significant environmental features include areas with the following characteristics: flood hazard lands (flood plain and flood fringe areas), ravines, areas with steep slopes (>15%), areas subject to erosion/slope instability, wetlands and riparian areas, areas with high water tables, and important wildlife habitat areas.

Goal

Provide opportunities for recreation, parks, and community uses in appropriate locations within the Town of Bruderheim, while conserving significant environmental features.

Objectives

The Town of Bruderheim's objectives are to ensure that the Recreation and Open Space Use Area:

1. Provides accessible recreation, parks, and community uses; and
2. Conserves significant environmental features.

Policies

1. **Promote** accessible recreation, parks, and community uses by **encouraging** interconnected systems that provide access for all residents.
2. **Promote** the conservation of significant environmental features by **encouraging** conservation of the features in their natural state.



6.5 Industrial Use Area (Town of Bruderheim)

The intent of this area is to provide an adequate supply of land for a range of medium and light industrial developments as a priority. Industrial lands are intended to meet the diverse needs of prospective industries and provide employment opportunities within the community.

Goal

Provide an adequate supply of industrial land that is compatible with surrounding land uses.

Objectives

The Town of Bruderheim's objectives are to ensure that the Industrial Use Area:

1. Provides an adequate supply of industrial lands; and
2. Minimizes land use conflicts.

Policies

1. **Promote** an adequate supply of industrial lands by **encouraging** land for a range of medium and light industrial developments.
2. **Promote** minimized land use conflicts by **encouraging** compatibility with surrounding uses.



7. Transportation and Infrastructure

As identified on Map 4 – Transportation and Infrastructure, Township Road 560 runs east to west through the Strathcona County portion of the IDP Area and 52 Avenue runs east to west through the Town of Bruderheim portion of the IDP Area, while Range Road 205 runs north to south along the municipal boundary line.

The John S. Batiuk Regional Water Commission (JSBRWC) water pressurized main runs through a portion of the IDP Area. There is also a wastewater treatment facility located within the Town of Bruderheim.

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

Goal

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

Objectives

Strathcona County's and the Town of Bruderheim's transportation and infrastructure objectives are to ensure:

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

Policies

Transportation

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

Infrastructure

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

8. Environment

Environmentally significant areas of provincial significance are located within the Town of Bruderheim, in the northern portion of the IDP Area, as identified on Map 5 - Environmental Features. This environmentally significant area has been identified by the Province of Alberta because of soil and drainage characteristics.

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

The Town of Bruderheim includes two minor water courses that connect to the North Saskatchewan River and provide important habitat and sustenance for local flora and fauna.

Goal

Conserve the natural landscape and environmentally significant areas within the IDP Area.

Objectives

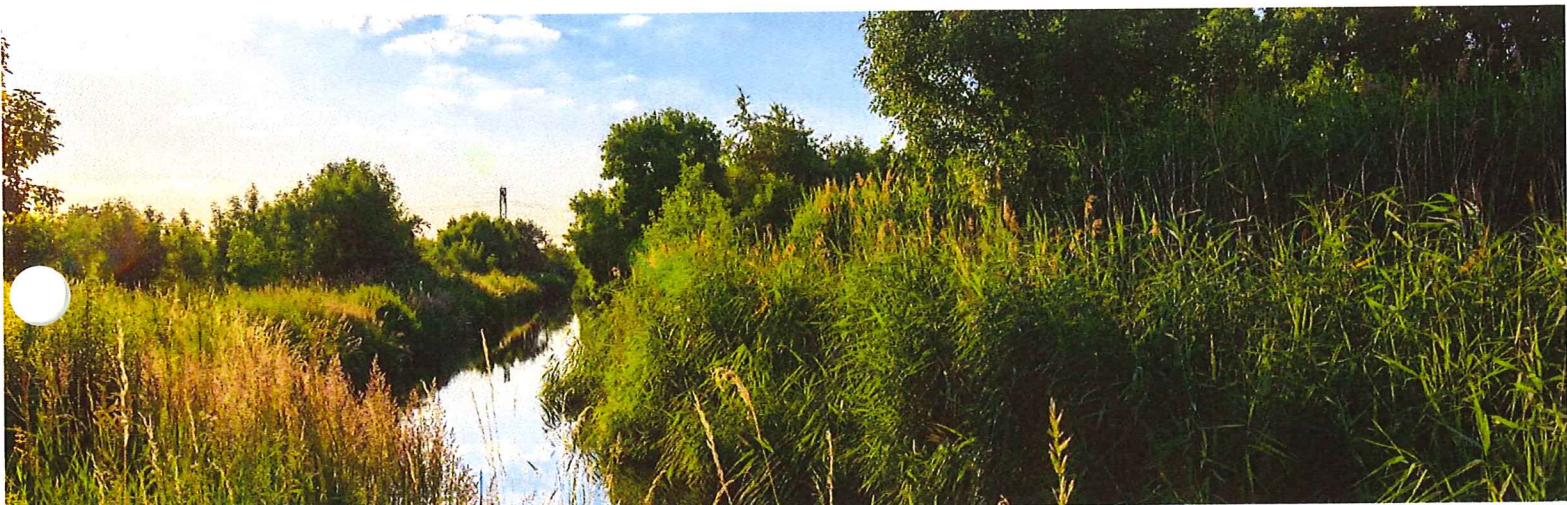
Strathcona County's and the Town of Bruderheim's environmental objectives are to ensure:

1. Conservation of the natural landscape; and
2. Conservation of environmentally significant areas.

Policies

Conservation

1. **Ensure** conservation of the natural landscape by **requiring** that any development is regulated in accordance with municipal policy and provincial legislation, including the Water Act and the Public Lands Act.
2. **Promote** conservation of environmentally significant areas by **encouraging** regard for these sensitive areas when making development decisions.
3. **Promote** conservation of environmentally significant areas by **encouraging** the dedication of reserves in accordance with provincial regulations and subject to environmental studies.



9. Economic and Social Development

The IDP Area is intended to support the diversification of the economy through light and medium industrial developments within the Strathcona County portion of the IDP Area, and a portion of the Town of Bruderheim IDP Area. The Town of Bruderheim portion of the IDP Area is also intended to support opportunities for recreation and tourism within the Recreation and Open Space Use Area.

Recreation and tourism developments shall be located in areas and under circumstances where it does not adversely affect the community or the natural environment.

Goal

Diversify the economy and provide employment opportunities within the IDP Area and provide opportunities for recreation and tourism within the Recreation and Open Space Use Area.

Objectives

Strathcona County's and the Town of Bruderheim's objectives are to ensure:

1. Opportunities for recreation and tourism within the Recreation and Open Space Use Area; and
2. A strong, diversified and sustainable economy.

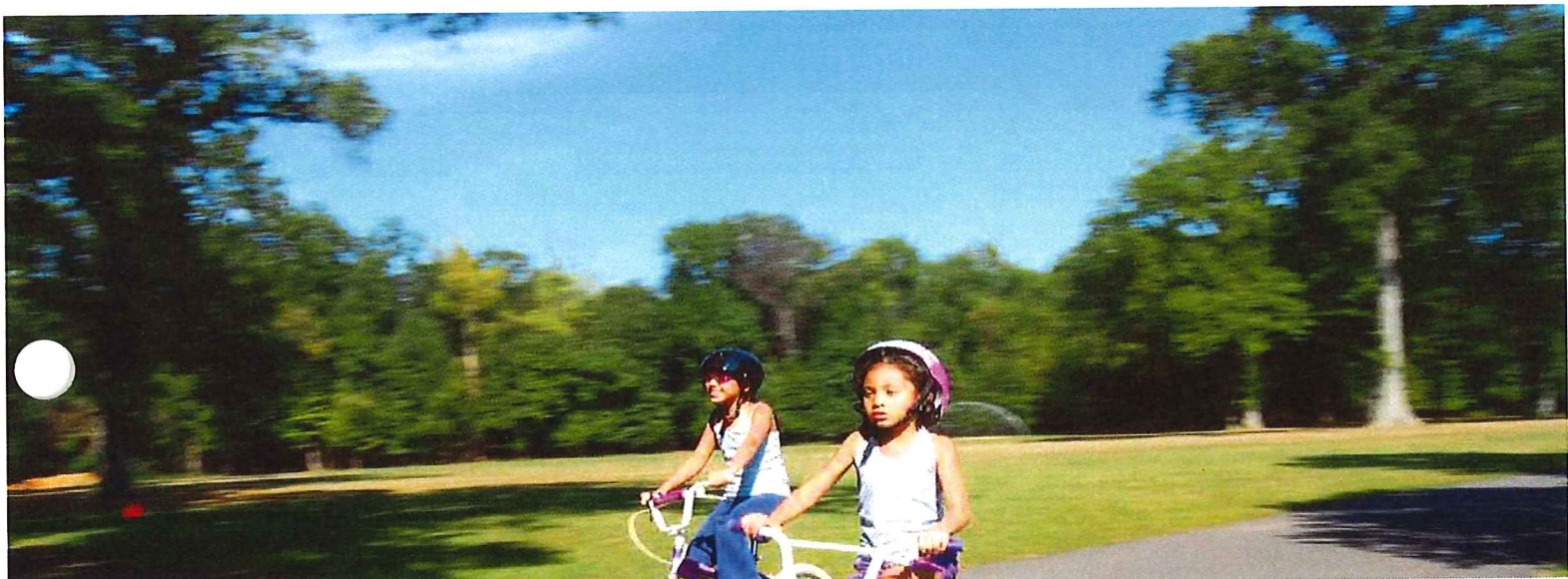
Policies

Recreation and Tourism

1. **Promote** opportunities for recreation and tourism within the Recreation and Open Space Use Area by **encouraging** recreation and tourism where it does not adversely impact the community or the natural environment.
2. **Promote** a strong, diversified and sustainable economy by **encouraging** recreation and tourism to be located outside of the Heartland Policy Area.

Economy

3. **Promote** a strong, diversified and sustainable economy by **encouraging** a diversity of light and medium industrial uses and employment opportunities.



10. Responsible Intermunicipal Coordination

Strathcona County and the Town of Bruderheim will facilitate responsible intermunicipal coordination by implementing appropriate risk management protocols, coordinating the development of intermunicipal programs, implementing and administering the IDP, and referring applications and notices to one another.

Goal

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

Objectives

Strathcona County's and the Town of Bruderheim's objectives are to ensure:

1. The implementation of appropriate risk management protocols;
2. The coordination of intermunicipal programs;
3. Implementation and administration of the IDP; and
4. Referrals and notices between the County and the Town;

Policies

Risk Management

1. **Ensure** the implementation of appropriate risk management protocols by **requiring** policy and regulation to address risk management.

Intermunicipal Programs

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



Implementation and Administration

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

Referrals and Notices

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



11. Dispute Resolution

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

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

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



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

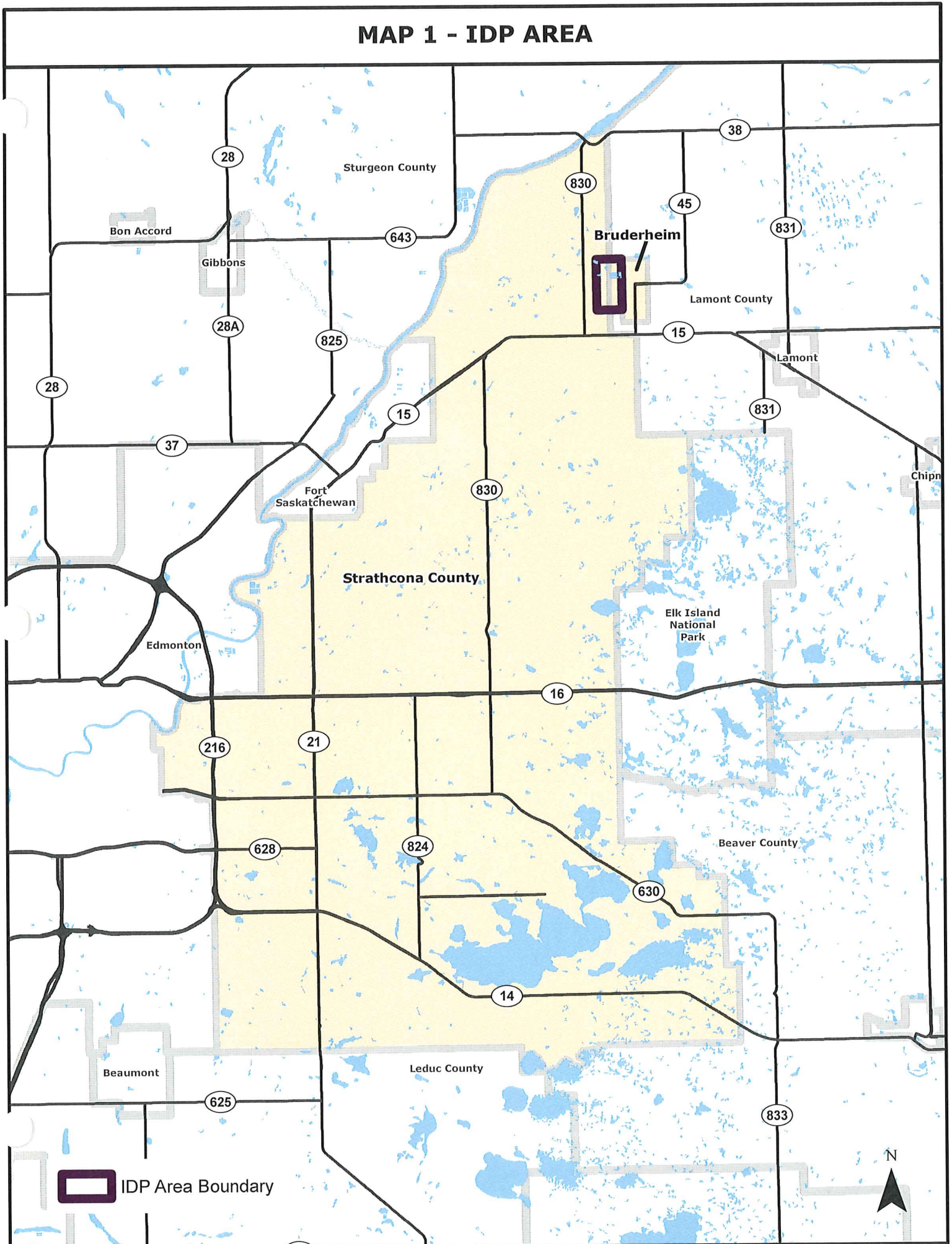


Section 12

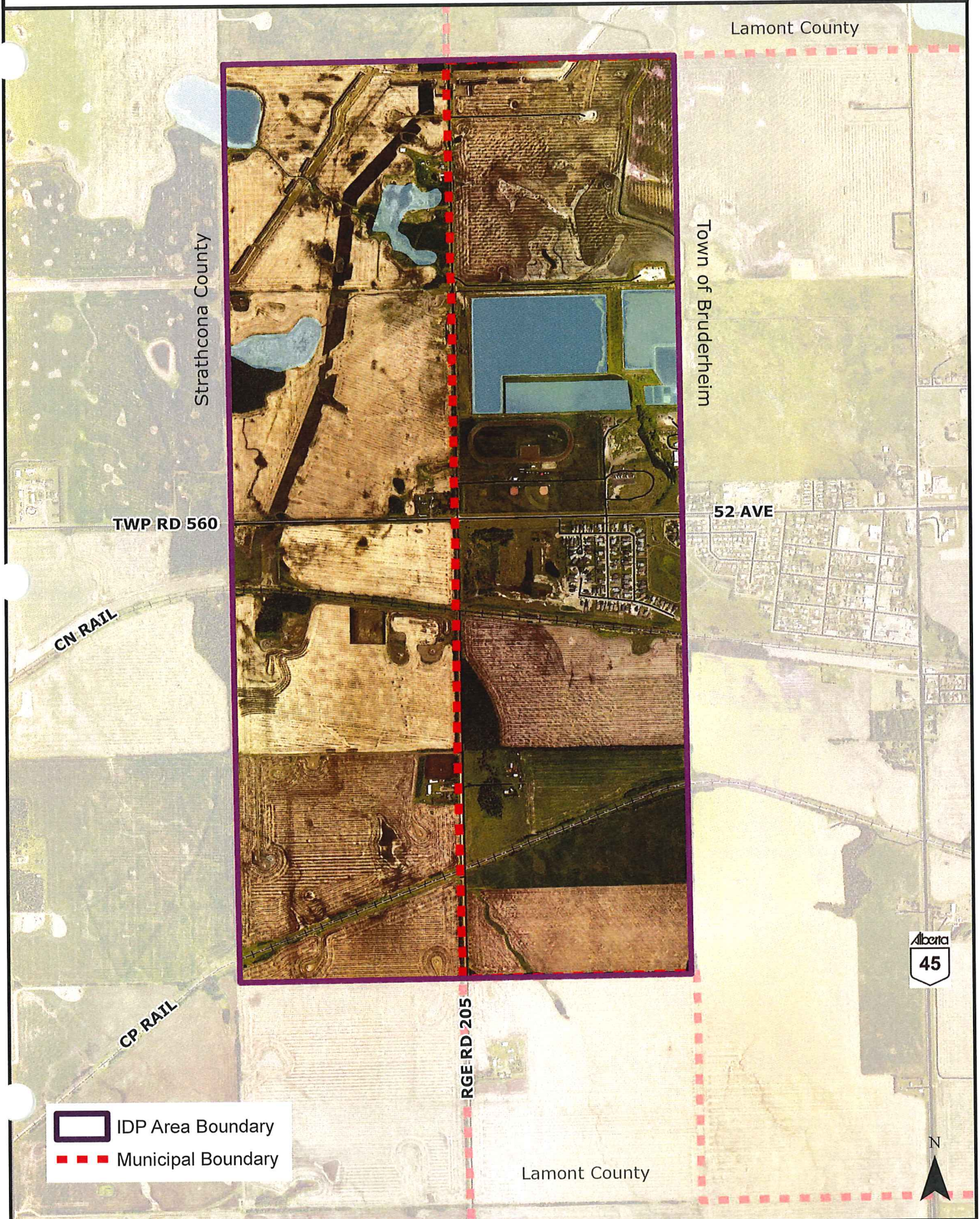
MAPS



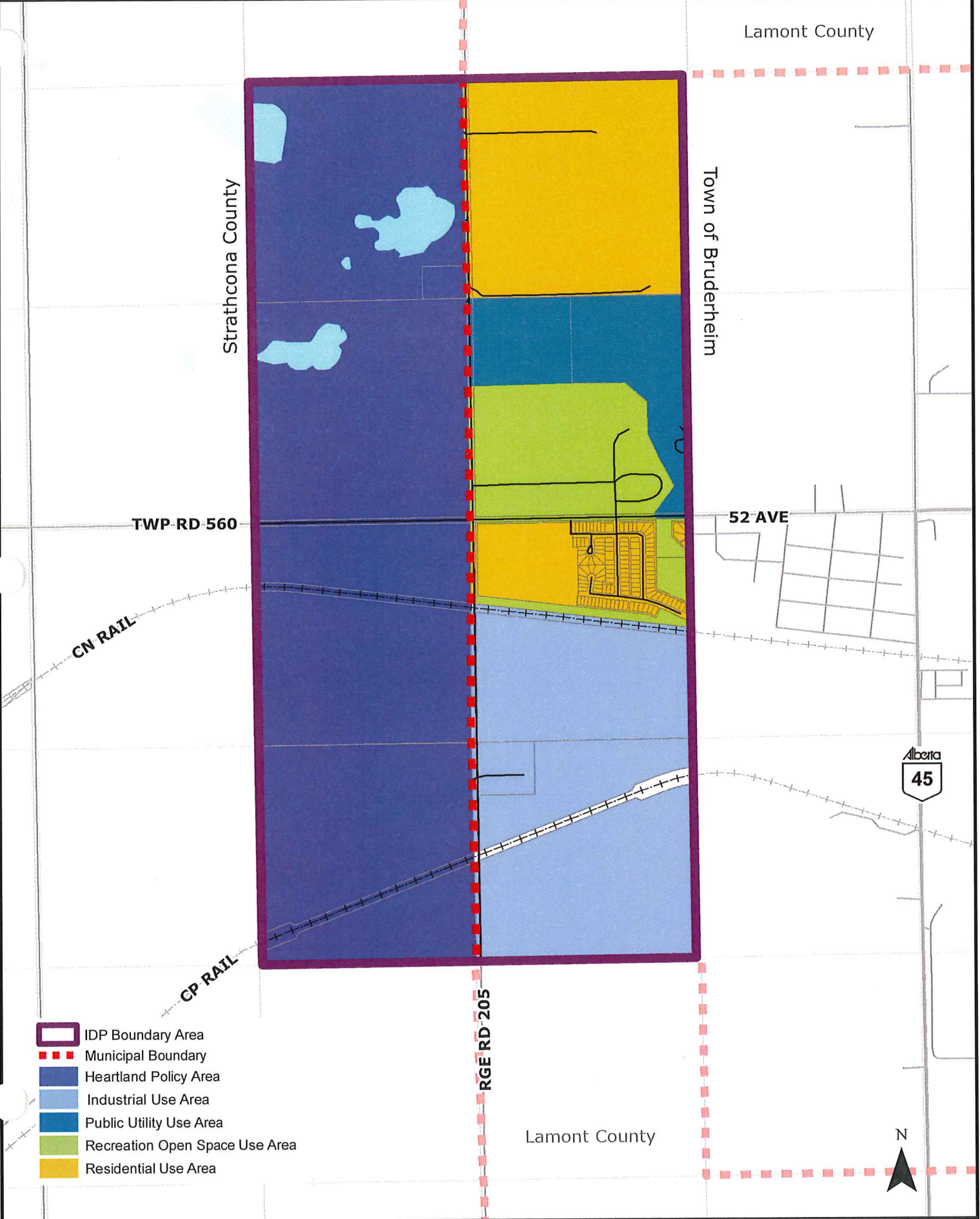
MAP 1 - IDP AREA



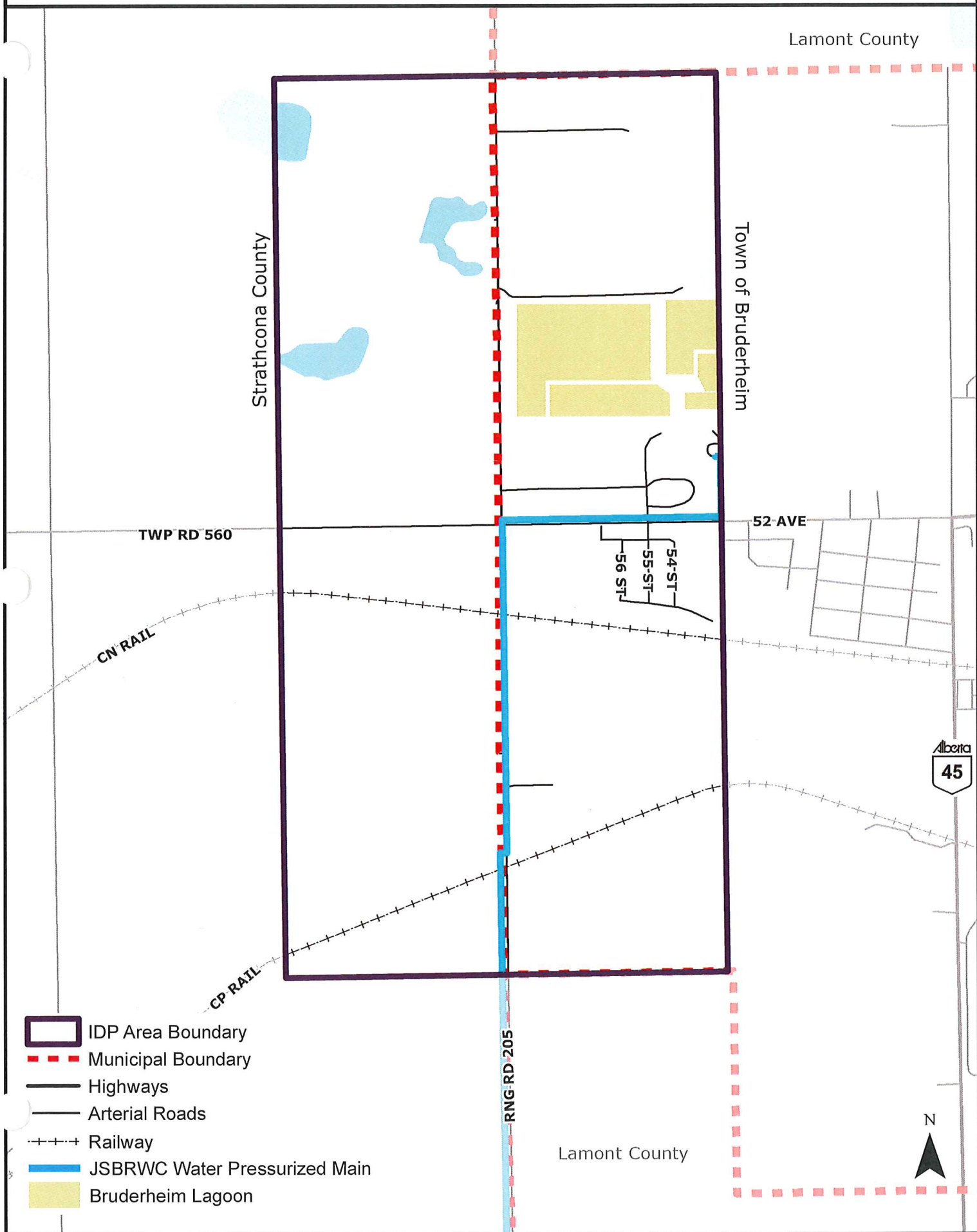
MAP 2 - OVERVIEW MAP



MAP 3 - CURRENT AND FUTURE LAND USES



MAP 4 - TRANSPORTATION AND INFRASTRUCTURE



MAP 5 - ENVIRONMENTAL FEATURES

