

## **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.

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 16<sup>th</sup> day of March, 2020.

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

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

**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



# INTERMUNICIPAL DEVELOPMENT PLAN

## KNEEHILL COUNTY & TOWN OF DRUMHELLER



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

Adopted March 16, 2020



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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).

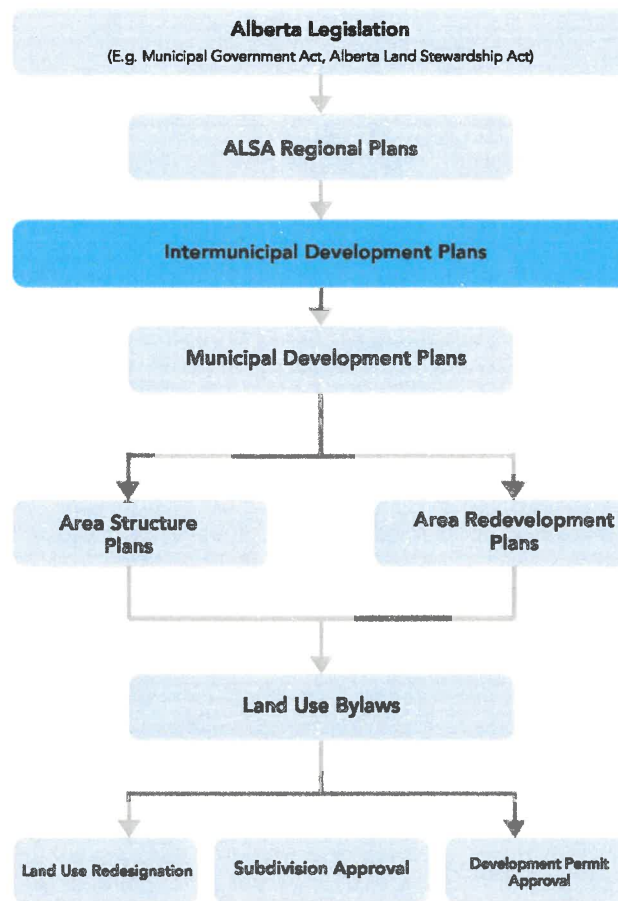


Figure 1:. Planning Hierarchy in Alberta

### 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.*

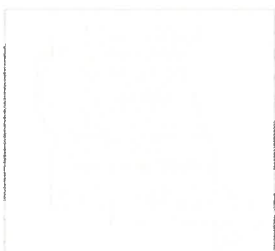
## 1.5 Municipal Profiles

### 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.

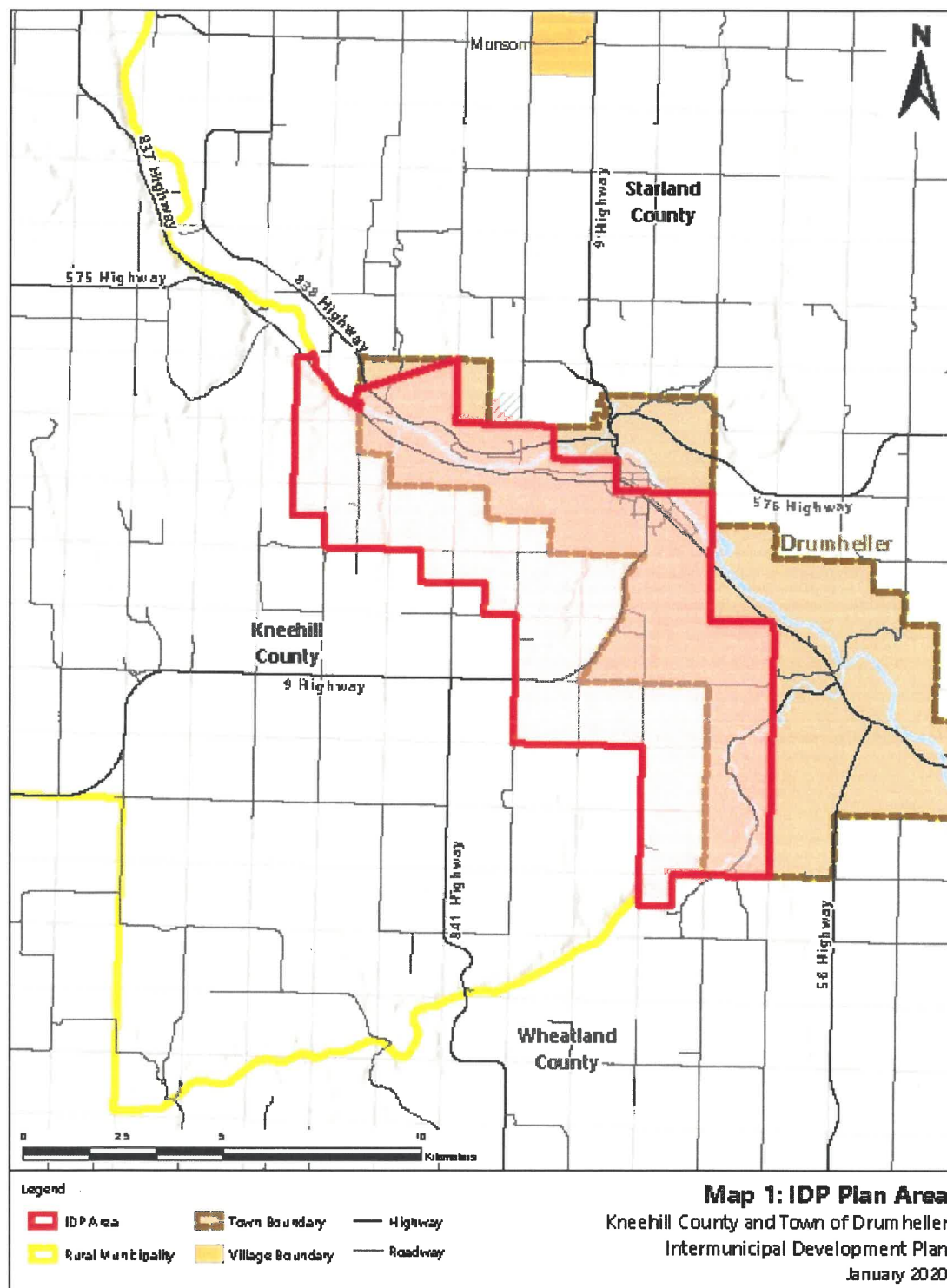
### 2.2 Plan Area Characteristics

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**).

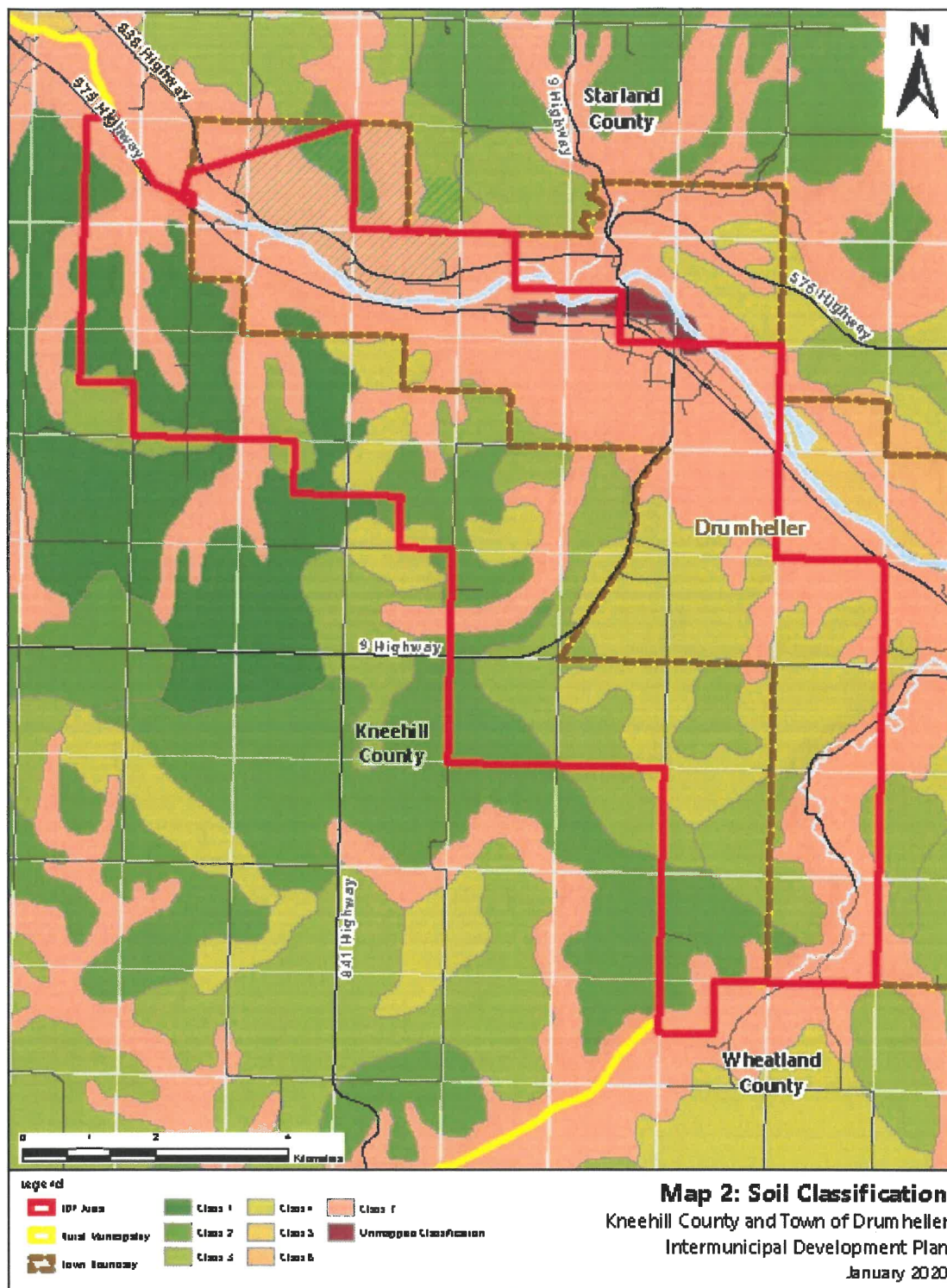
## **RESIDENTIAL LAND USES**

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.

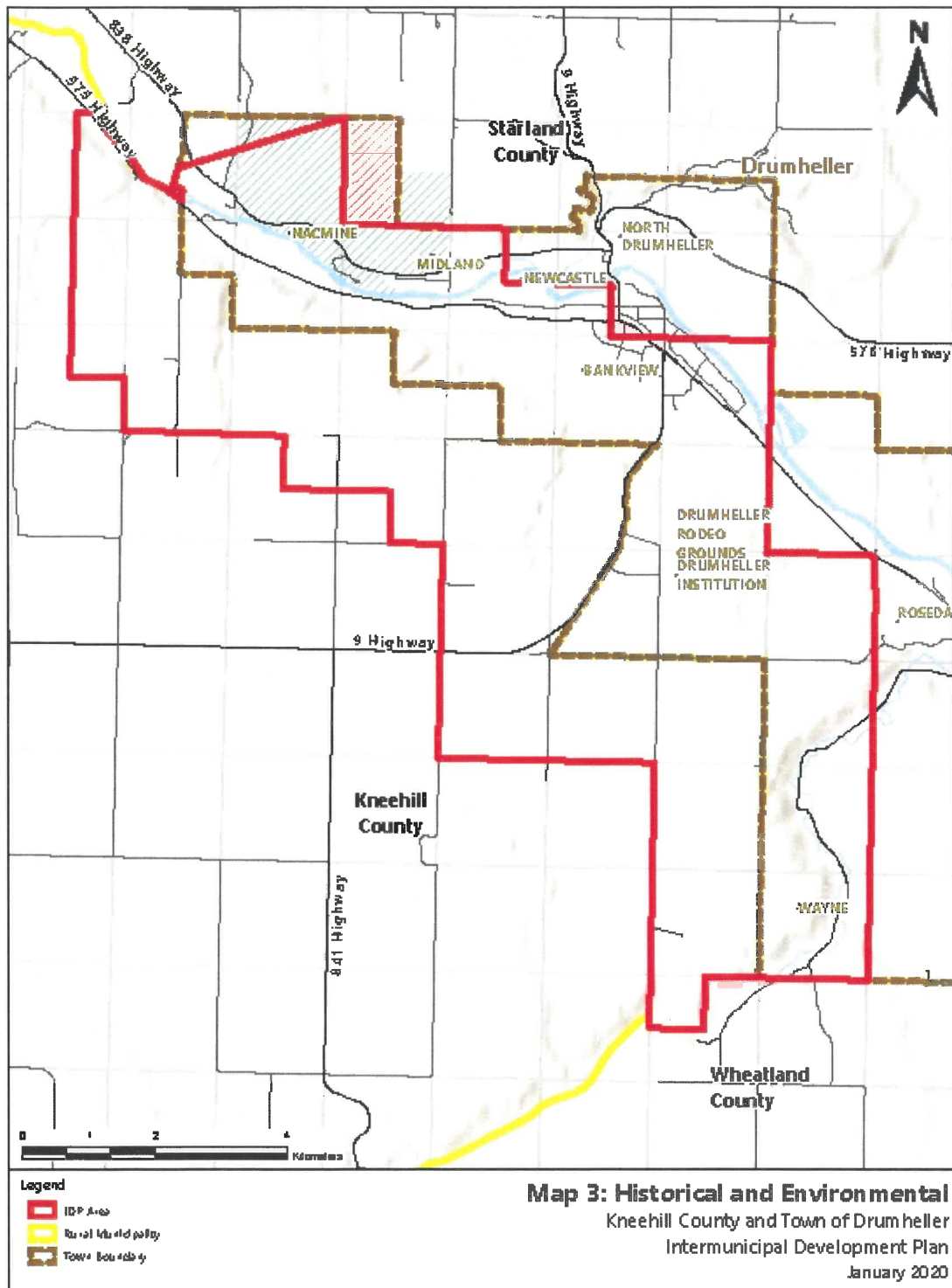
The area's rich history also extends to human habitation of the region. This area has been inhabited by Indigenous peoples for thousands of years. The Plan Area is located within Treaty 7, which was signed on by the Government of Canada and five First Nations: the Siksika (Blackfoot), Kainai (Blood),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

## LAND USE DESIGNATIONS (ZONING)

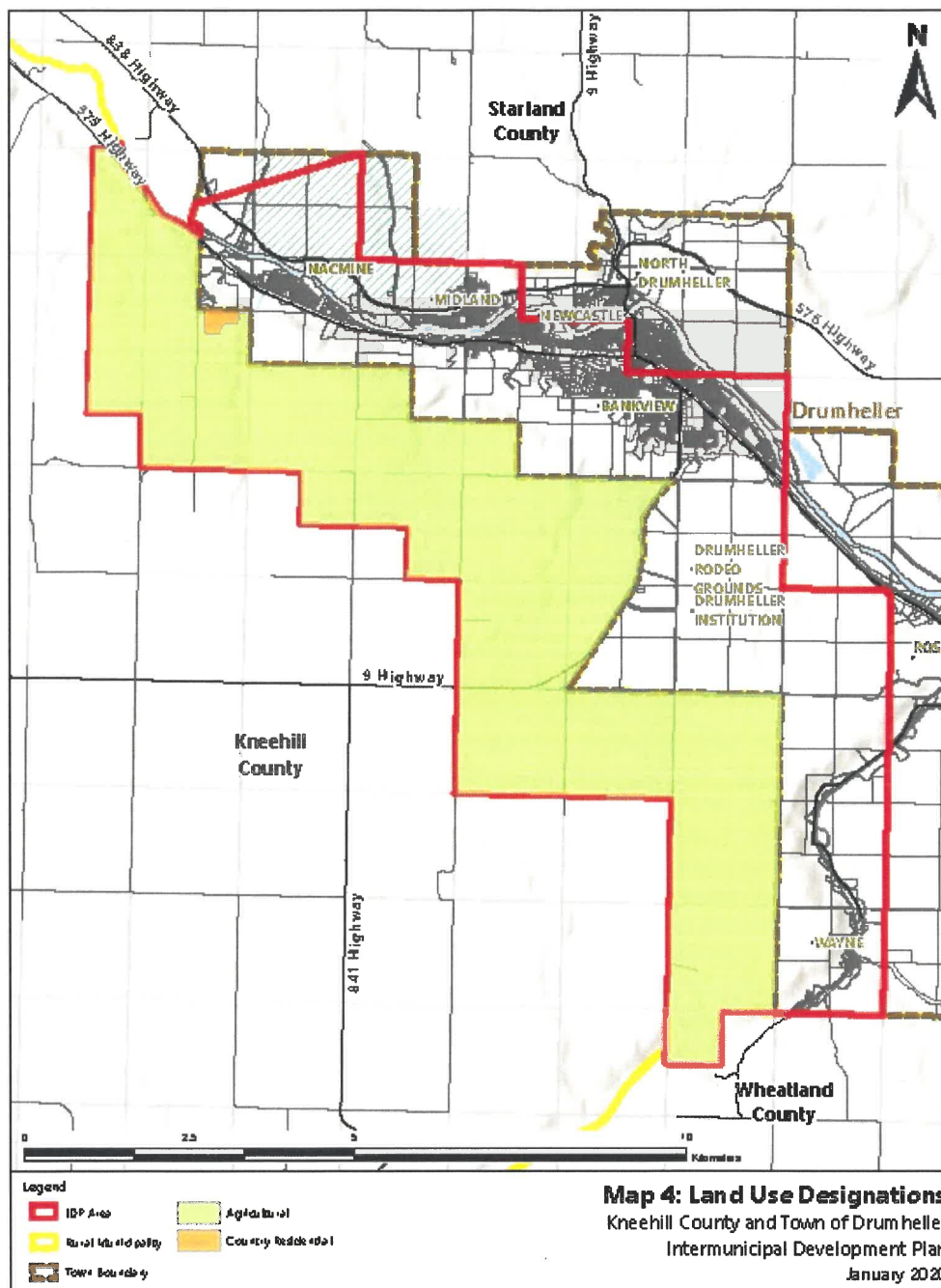
Lands within the Plan Area are predominately designated (zoned) as Agricultural districts in the respective Land Use Bylaws of both municipalities. Other land use designations include institutional, industrial and residential as shown on **Map 4: Land Use Designations (Zoning)**.

## 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.



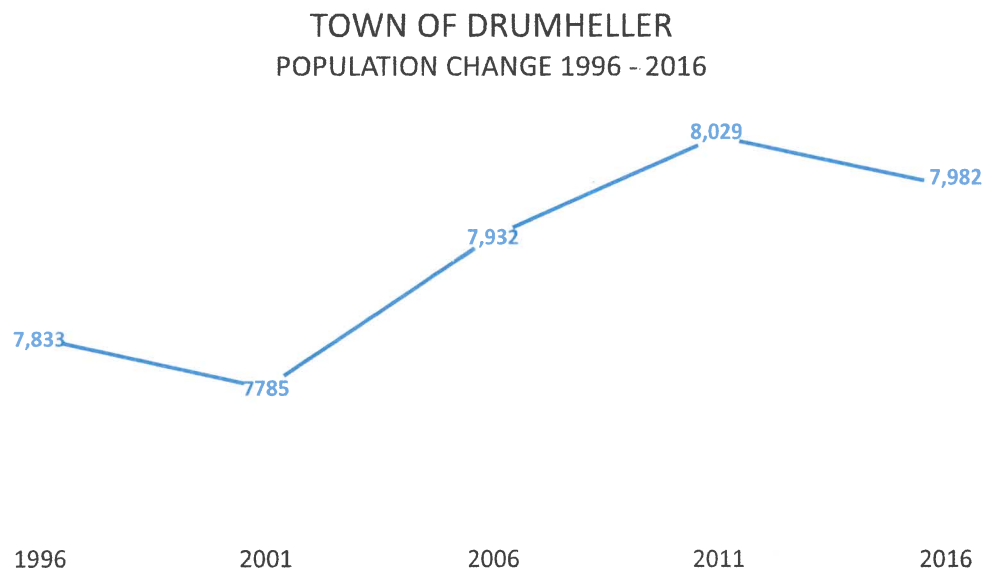
Map 3: Historical and Environmental



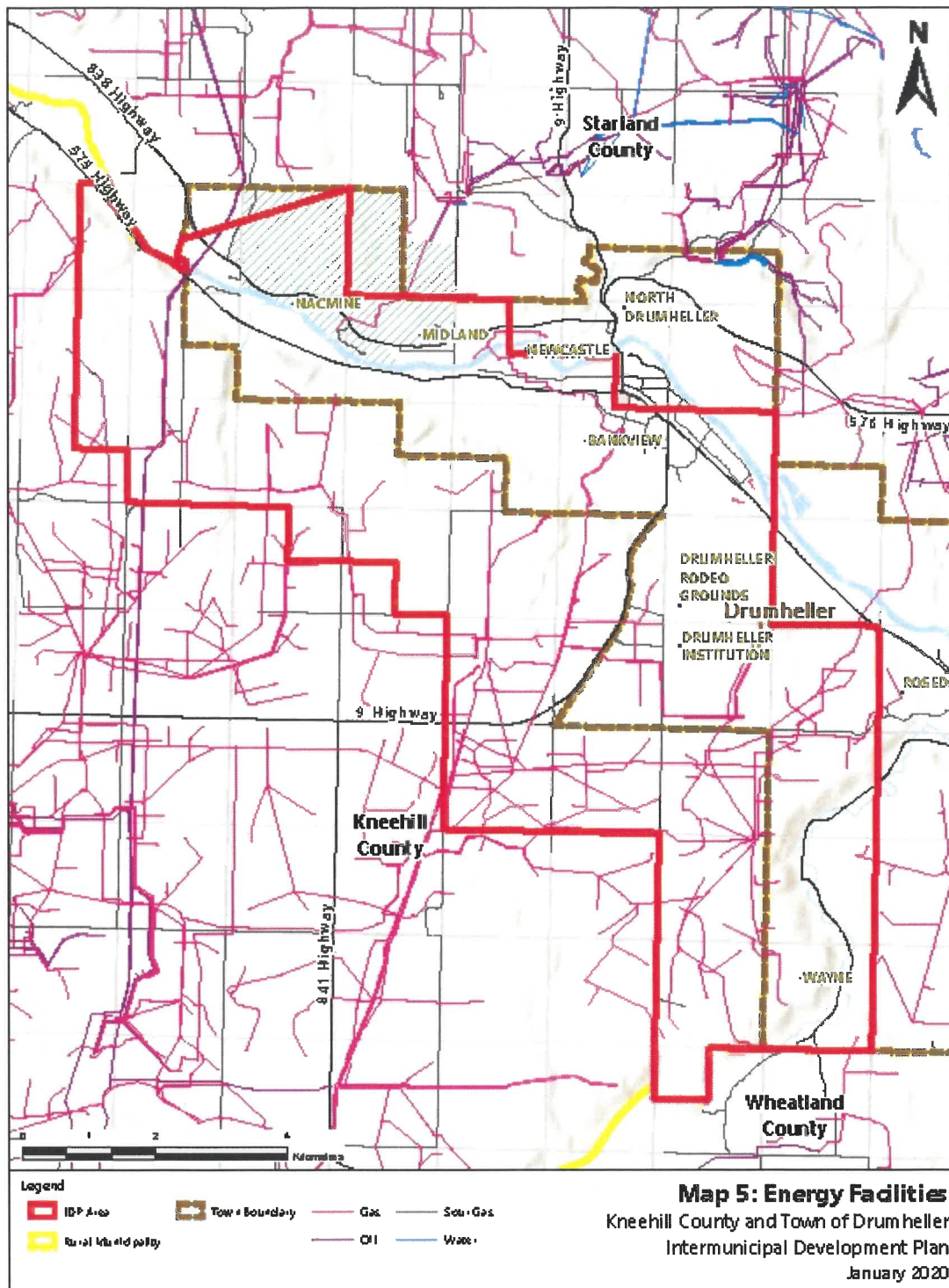
Map 4: Land Use Designations (Zoning)

## 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.

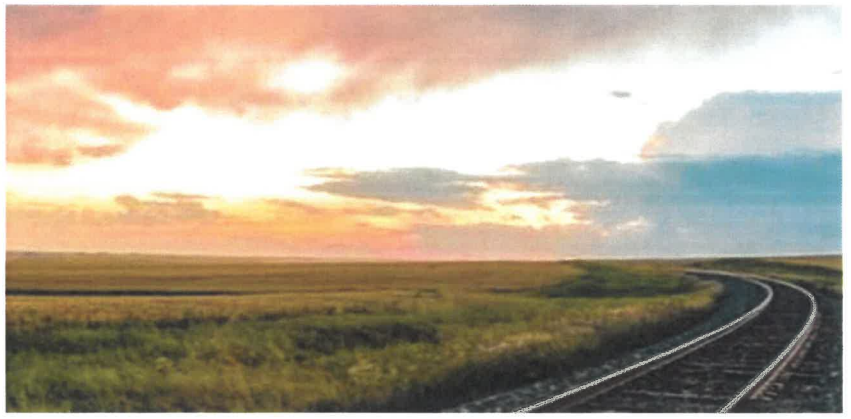


*Figure 1: Town of Drumheller Population Change*



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:

- |                     |  |
|---------------------|--|
| <b>Policy 3.1.1</b> | <b>Council:</b> refers to the Town of Drumheller Council and/or Kneehill County Council.   |
| <b>Policy 3.1.2</b> | <b>Shall, require(d), must, or will:</b> mean that the policy is mandatory; exceptions would require an amendment to the Plan.   |
| <b>Policy 3.1.3</b> | <b>Should:</b> 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.  |
| <b>Policy 3.1.4</b> | <b>May:</b> acknowledges support in principle and indicates that Council or the Approving Authority has the discretion to determine the level of compliance that is required.  |
| <b>Policy 3.1.5</b> | 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 develop 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.



<b>Policy 3.9.1</b>	Both municipalities shall jointly consult with Alberta Transportation to coordinate planning and development along major roadways and provincial highways/jurisdictions within the Plan Area.
<b>Policy 3.9.2</b>	Road closures that may affect both municipalities shall be jointly coordinated by following the agreed upon referral process.
<b>Policy 3.9.3</b>	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.
<b>Policy 3.9.4</b>	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.
<b>Policy 3.9.5</b>	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.

<b>Policy 3.10.1</b>	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.
<b>Policy 3.10.2</b>	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 scheduled 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	<p>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:</p> <ul style="list-style-type: none"> <li>(i) Strategic growth plans in relation to the IDP, MDPs, Area Structure Plans, etc.;</li> <li>(ii) Regional and intermunicipal transportation issues including proposed infrastructure, major truck routes as well as potential or existing utility corridors;</li> <li>(iii) Intermunicipal communications including current referral processes; and</li> <li>(iv) Any other topic that may be of mutual interest (i.e. regional planning initiatives).</li> </ul>
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*.

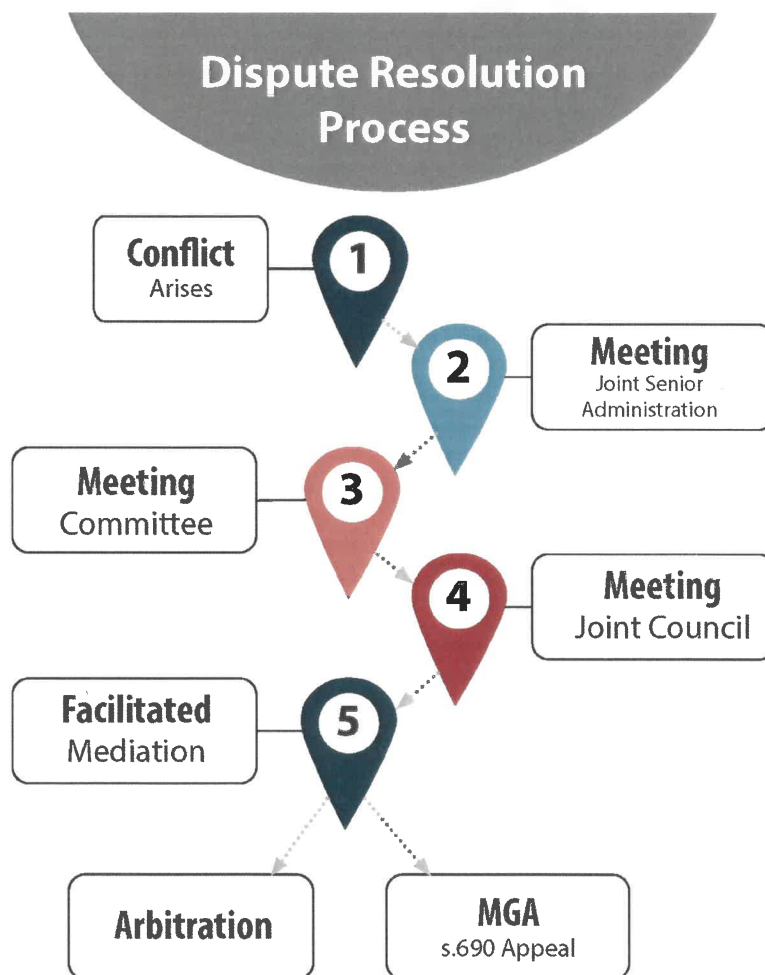


Figure 2: Dispute Resolution Process

## 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.