



BIG LAKES COUNTY BYLAW NO. 10-2019

A BYLAW OF BIG LAKES COUNTY IN THE PROVINCE OF ALBERTA, TO ADOPT AN INTERMUNICIPAL DEVELOPMENT PLAN WITH THE MUNICIPAL DISTRICT OF GREENVIEW

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000 - Chapter M-26, as amended (the "Act"), authorizes a council of a municipality to enact an Intermunicipal Development Plan to guide future development within the municipality and surrounding municipalities.

NOW THEREFORE Council of Big Lakes County in the Province of Alberta does hereby adopt the Municipal District of Greenview and Big Lakes County Intermunicipal Development Plan that is attached as Schedule A and forms part of this Bylaw.

1. This Bylaw may be cited as the "Greenview Intermunicipal Development Plan Adopting Bylaw."
2. This Bylaw shall come into effect upon the date of its third and final reading by Council.

Read a first time this 22nd day of May, 2019

Read a second time this 26th day of June, 2019

Read a third time and finally passed this 26th day of June, 2019



Reeve



Chief Administrative Officer

July 4, 2019

Date of Final Signature



BYLAW No. 19-823

OF THE MUNICIPAL DISTRICT OF GREENVIEW No. 16

A Bylaw of the Municipal District of Greenview No. 16, in the Province of Alberta, for adopting Bylaw No. 19-823, being the Big Lakes County and Municipal District of Greenview No. 16 Intermunicipal Development Plan for the Municipal District of Greenview No. 16

PURSUANT TO Section 692 of the Municipal Government Act, being Chapter M-26, R.S.A. 2000, as Amended, the Council of the Municipal District of Greenview No. 16, duly assembled, enacts as follows:

1. This Bylaw may be cited as the "Big Lakes County and Municipal District of Greenview No. 16 Intermunicipal Development Plan, Bylaw No. 19-823".
2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Big Lakes County and Municipal District of Greenview No. 16 Intermunicipal Development Plan for the Municipal District of Greenview No. 16:
 - a) Schedule "A" (Intermunicipal Development Plan Text and Maps)
3. The "Big Lakes County and Municipal District of Greenview No. 16 Intermunicipal Development Plan, Bylaw No. 19-823". This Bylaw shall come into force and effect upon the date of final passing.

Read a first time this 10 day of June, A.D., 2019.

Read a second time this 24 day of June, A.D., 2019.

Read a third time and passed this 24 day of June, A.D., 2019.


REEVE


CHIEF ADMINISTRATIVE OFFICER

Schedule "A"

*Big Lakes County and Municipal District of Greenview
Intermunicipal Development Plan*



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1.0 INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Municipal District of Greenview and Big Lakes County's Intermunicipal Development Plan (also known as the IDP or the Plan) is to foster an inter-jurisdictional approach to address planning issues on lands that connect these municipalities. This Plan has been developed in accordance with the *Municipal Government Act* and both municipalities agree that the Intermunicipal Development Plan will continue our cooperative working relationship and address intermunicipal issues that may arise in the Plan area.

The purpose of the IDP is to:

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

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

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

By adopting of Plan, both municipal councils solidify a commitment to using a collaborative approach within the Plan area, by establishing a framework for ongoing collaboration and communication.

2.0 MUNICIPAL PROFILES

Municipal District of Greenview

Located in Alberta's northwest, Greenview is a vast and diverse area of fertile farmland, winding rivers, mixed wood forests, and spectacular peaks of the Rockies.

The Municipal District of Greenview covers 32,915 square kilometres, making it the third largest municipality in Alberta. Its boundaries encompass six hamlets, DeBolt, Grovedale, Landry Heights, Ridgevalley, Little Smoky and Grande Cache. The recent amalgamation of Grande Cache into its corporate boundaries increased Greenview's population to 9,615. Neighbouring communities include the Towns of Valleyview and Fox Creek along with the indigenous communities of Sturgeon Lake and the Alexander Cree First Nations.

Greenview offers an array of rivers, lakes, mountain peaks of the majestic Rocky Mountains, and prairie meadows. Untamed wilderness promises an abundance of outdoor activities. Modern, indoor recreation facilities provide sport and recreation activities year-round. Major water bodies include portion of Snipe, Sturgeon, Musreau and Swan Lakes as well as the Athabasca, Wapiti, Simonette, Smoky, and Little Smoky River valleys.

Greenview's location is strategic as major highway corridors north will pass through Greenview and bound beyond our borders. There is a wide diversity of resources from oil and gas to lumber and mining and agriculture. Rapid development in these resource sectors has resulted in Greenview's being host to a strong and diverse economic base.

Big Lakes County

Big Lakes County is a welcoming and thriving community. Situated just a few hours north of Alberta's major cities, county residents enjoy the freedom of the great outdoors. With a service area population of 17,440, Big Lakes expands over 13,942 square kilometers and neighbours the Town of High Prairie, Town of Swan Hills, East Prairie Métis Settlement, Gift Lake Métis Settlement, Peavine Métis Settlement, Driftpile Cree Nation, Kapawe'no First Nation, Pakashan First Nation, Sucker Creek First Nation and Swan River First Nation. The county contains five hamlets (Kinuso, Joussard, Enilda, Faust, and Grouard) and its official population is presently 4,103.

Residents are proud of the county's beautiful lakes, forests and rolling countryside. The natural landscape of the region includes boreal forest and open plains. A large portion of land within county boundaries is Crown land (1,011,750 hectares), with the majority of developed urban areas located around the perimeter of Lesser Slave Lake. Lesser Slave Lake is the largest lake in the county and serves as the focal point for settlement and tourism activity. Other major lakes include Winagami, Utikuma and Snipe Lake. Major rivers include West Prairie River, East Prairie River, Driftpile River, Swan River and Heart River. Agricultural land cover includes 66,775.5 hectares with some being provincial and/or protected lands.

The county has an abundance of natural resources – agriculture, forestry and oil and gas that continues to expand and strengthen its economy, and a diverse and talented workforce that has helped to expand opportunities in Big Lakes.

3.0 LEGISLATIVE REQUIREMENTS

The *Municipal Government Act* identifies the following as matters to be addressed for lands within the boundary of the IDP:

- Future land use;
- Proposals for and the manner of future development;
- Conflict resolution procedures;
- Procedures to amend or repeal the Plan; and
- Provisions relating to the administration of the Plan.

4.0 PLAN AREA

4.1 Plan Area

This Plan includes the lands around Snipe Lake, as well as 1.6 kilometers on either side of the municipal boundaries. The Plan is prepared in accordance with the *Municipal Government Act* to identify an area of mutual interest due to having a shared border and to ensure the adjacent municipalities work together to enhance mutual cooperation and collaboration. The IDP is prepared to provide context on how to promote cooperation between Big Lakes County and Municipal District of Greenview within a specific area. The IDP boundary is illustrated on Maps 1 and 2 (refer to maps on pages 17 and 18). The selected IDP boundary encompasses the entire area surrounding Snipe Lake.

It is necessary to ensure that development around Snipe Lake is carried out in a sensitive manner to protect the area for future generations. Input from other stakeholders and from the neighbouring municipality is important when considering future development activity.

The following key features in the plan area and identified on Map 3 were identified as follows:

- Agricultural
- Residential
- Recreational
- Public Facilities
- Transportation Infrastructure
- Watersheds

4.2 Existing Characteristics of the Plan Area

Key existing characteristics of the Plan Area include:

- a) Agricultural Development:
 - i. There is a mix of agricultural operations including grazing and dry land farming.
 - ii. The majority of the land within the Plan Area is designated for agricultural use.
- b) Residential Development:
 - i. The majority of residential development within the Plan Area is comprised of residential farm housing serviced by individual septic and household water supply via on-site water wells, dugouts or a possible cisterns.
- c) Recreational Development:
 - i. Snipe Lake attracts a number of anglers from far and wide.
 - ii. The campground located on the north shore of Snipe Lake attracts recreational users by providing unserviced stalls for summer camping.
- d) Public Facilities:
 - i. The Sunset House Water Fill Station is located in close proximity to the Community Hall located on NE 36-70-20-W5.
 - ii. The Sunset House Cemetery is located on NE 1-71-20-W5.
 - iii. The Sweathouse Transfer Station is located on SW 4-70-19-W5 and the Sunset House Transfer Station is located on NE 23-70-21-W5.
- e) Transportation Infrastructure:
 - a. Provincial highways 49 and 2A accessing onto provincial highways 669 and 747, provide the main connectors between the two municipalities, with the majority of the traffic between the two municipalities travelling on these highways. There are numerous township roads that connect the two municipalities and several range roads along the boundary, with Township Road 710 as the major connector.
- f) Watersheds:
 - i. The County of Big Lakes is located within Upper Athabasca Watershed, while Greenview is located within the Upper Peace Region Watershed.

5.0 PLAN ADMINISTRATION AND IMPLEMENTATION

5.1 Intermunicipal Referral Process

The purpose of this section of the Plan is to establish a clear and consistent referral process whereby each municipality is able to provide comments on proposed changes to statutory and non-statutory plans as well as proposed subdivision and development applications within the Plan Area.

POLICIES

General

- 5.1.1 The municipalities, as per this Plan, shall strive to engage in effective dialogue when considering land use within the Plan Area, while still maintaining complete jurisdiction on lands within their own boundaries.
- 5.1.2 The municipalities may collaborate and investigate methods of giving support to projects that may mutually benefit or enhance the quality of life of residents from both municipalities. This could be in the form of in-kind donations, materials, municipal letters of support, unified government lobbying, application for grants, or other more permanent arrangements if both municipalities agree and enter into discussions and make specific agreements for such.
- 5.1.3 Both municipalities agree to jointly discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are of mutual benefit.
- 5.1.4 Greenview and Big Lakes County shall endeavor to the best of their ability and knowledge, to refer all notices of government projects within the Plan Area to the adjacent municipality.
- 5.1.5 Both municipalities are encouraged to share with the adjacent municipality, the results of all publicly available technical analyses required by a Subdivision and Development Authority as part of an application, where there is the potential for impacts on land, water and air within the adjacent municipality.
- 5.1.6 Where an intermunicipal referral is required by the *MGA* or the policies contained in this Plan, both municipalities agree to share mailing addresses and property ownership information for circulation purposes with the adjacent municipality, and where applicable, the municipality's processing agency.
- 5.1.7 Administrative staff or representatives for Greenview and Big Lakes County are encouraged to circulate a formal referral and discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments, which may impact the Plan Area.

- 5.1.8 Administrative staff or representatives for Greenview and Big Lakes County are encouraged to discuss, with one another, forthcoming subdivision and development applications that may impact lands within the Plan Area.
- 5.1.9 If either municipality is in receipt of a referral, prior to the holding of a mandatory public hearing, the receiving municipality may present their comments and concerns at or prior to the other municipality's public hearing.

Municipal Development Plans

- 5.1.10 A newly proposed Greenview Municipal Development Plan or amendment shall be referred to Big Lakes County for comment prior to a public hearing.
- 5.1.11 A newly proposed Big Lakes County Municipal Development Plan or amendment shall be referred to Greenview for comment prior to a public hearing.

Other Statutory Plans and Non-Statutory Plans

- 5.1.12 A newly proposed Greenview statutory plan or non-statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to Big Lakes County for comment prior to a public hearing.
- 5.1.13 A newly proposed Big Lakes County statutory plan or non-statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to Greenview for comment prior to a public hearing.

Land Use Bylaws

- 5.1.14 All Land Use Bylaw amendments in Greenview that affect lands in the Plan Area shall be referred to Big Lakes County for comment prior to a public hearing.
- 5.1.15 All Land Use Bylaw amendments in Big Lakes County that affect lands in the Plan Area shall be referred to Greenview for comment prior to a public hearing.
- 5.1.16 All re-designation applications within the Plan Area shall be referred to the other for comment prior to a public hearing.
- 5.1.17 A newly proposed Land Use Bylaw from either municipality shall be referred to the other for comment prior to a public hearing.

Subdivision and Development

- 5.1.18 All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.
- 5.1.19 Greenview shall refer all discretionary use applications within the Plan Area to Big Lakes County for comment prior to a decision being rendered.

- 5.1.20 Big Lakes County shall refer all discretionary use applications within the Plan Area to Greenview for comment prior to a decision being rendered.

Response Timelines

- 5.1.21 The responding municipality shall, from the date of notification, either by postal mail or electronic mail, have the following timelines to review and provide comment on intermunicipal referrals:
- a) 15 calendar days for all development applications;
 - b) 19 calendar days for subdivision applications; and
 - c) 30 calendar days for all other intermunicipal referrals.
- 5.1.22 In the event that either municipality does not reply within, or request an extension by the response time for intermunicipal referrals stipulated in this Section, it is presumed that the responding municipality has no comment or objection to the referred planning application or matter.

Consideration of Responses

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

5.2 Plan Amendment

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

POLICIES

Addressing Municipal Amendments and Plan Validity

- 5.2.1 This Plan comes into effect on the date it is adopted by Greenview and Big Lakes County and remains in effect until:
- a) either Council rescinds the Plan by bylaw after giving six (6) months’ notice to the other municipality; or
 - b) mutual agreement of both municipalities to rescind the bylaw.

- 5.2.2 Amendments shall be adopted by both councils using the procedures outlined in the *MGA*. No amendment shall come into force until such time as both municipalities adopt separate amending bylaws.
- 5.2.3 Amendments to this Plan by parties other than Greenview or Big Lakes County shall be accompanied by an application for amendment submitted to the municipality in which the application originates, along with the applicable fee for processing amendments to a statutory document.
- 5.2.4 Both Greenview and Big Lakes County agree to share the amendment fee to assist in costs associated with processing amendments to a statutory document.
- 5.2.5 Administrative staff should annually review the policies of the Plan and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective councils for amendment to the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.
- 5.2.6 A formal review of the Plan should occur within 10 years from the date the IDP is adopted by both municipalities.

6.0 DISPUTE RESOLUTION

6.1 General Dispute Process

The policies of this Plan are designed to be general in nature, ensuring that both Greenview and Big Lakes County maintain jurisdiction over the decisions made within their borders. It is anticipated that by following the process below, any disputes or conflicts that may arise can first be avoided, and where necessary, settled at the local level. Only in those circumstances where a resolution cannot be achieved locally would the dispute be referred to outside parties.

POLICIES

General Agreement

The municipalities agree that:

- 6.1.1 It is important to avoid dispute by ensuring that the Plan is adhered to as adopted, including full circulation of any permit or application that may affect the municipality or as required in the Plan and prompt enforcement of the Plan policies.
- 6.1.2 Prior to meeting, each municipality through its administration, will ensure the facts of the issue have been investigated and clarified and information is made available to both parties. Staff meetings are encouraged to discuss possible solutions.
- 6.1.3 The municipalities' administration should discuss the issue or dispute with the intent to seek resolution on the issue.

Dispute Resolution

In the case of a dispute, the following process will be followed to arrive at a solution:

- 6.1.4 When a potential intermunicipal issue comes to the attention of either municipality relating to a technical or procedural matter, such as inadequate notification or prescribed timelines, misinterpretation of Plan policies or a clerical error regarding the policies of this Plan, either municipality's Land Use Bylaw, or any other plan affecting lands within the Plan area, will be directed to the administrators of each municipality. The administrators will review the technical or procedural matter and if both administrators are in agreement, take action to rectify the matter.
- 6.1.5 Should either municipality identify an issue related to this Plan that may result in a dispute that cannot be administratively resolved or any other issue that may result in a dispute, the municipality should contact the other and request that a meeting be scheduled with equal representation of councillors or staff in addition to the administration staff chosen in policy 6.1.4 to discuss the issue. The representatives will review the issue and attempt to resolve the matter by seeking resolution on the issue.
- 6.1.6 Should the council members and administrative staff be unable to resolve the matter, facilitated mediation shall be initiated if agreed to by both municipalities.

Filing an Intermunicipal Dispute under the Municipal Government Act

- 6.1.7 In the case of a dispute involving the adoption of a statutory plan, land use bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the MGA so that the provincial statutory right and timeframe to file an appeal is not lost.

- 6.1.8 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 30-day appeal filing process as outlined in the *MGA*.

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

7.0 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, M-26* with amendments.

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 *MGA* for the purpose of providing a framework for subsequent subdivision and development of an area of land within 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.

Council: The Council of Municipal District of Greenview and the Council of Big Lakes County in the Province of Alberta.

County: Big Lakes County.

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

- 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.

Greenview: Municipal District of Greenview.

Intermunicipal Border: The shared border between the Municipal District of Greenview and Big Lakes County.

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.

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

Mediation: The non-adversarial intervention between conflicting parties to promote settlement, compromise and understanding. It is an informal, confidential and structured process to resolve disputes before they escalate to heightened hostilities such as litigation.

Municipalities (the Municipalities): The municipalities of the Municipal District of Greenview and Big Lakes County.

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

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

Non-Statutory Plan: A municipal planning document, conceptual design scheme or conceptual plan that is endorsed or approved by resolution of council, typically to guide future land use, development or subdivision of a specified area within a municipality, but does not include a municipal development plan, area structure plan or area re-development plan adopted under the *Municipal Government Act*.

Plan: The Municipal District of Greenview and Big Lakes County Intermunicipal Development Plan.

Plan Area: The lands defined in this document to which the policies of this document pertain.

Shall: An operative word that means the action is mandatory.

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

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

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

Subdivision and Development Authority: Within the boundary of the Municipal District of Greenview means the Municipal District of Greenview Subdivision and Development Authority. Within the boundary of Big Lakes County means the Big Lakes County Subdivision and Development Authority.

Study Area: The area identified by both municipalities that encompasses areas of importance and concern and has been identified as an area where additional study took place in order to

help define the parameters of the Plan Area.

Upper Peace and Upper Athabasca Regional Plans: The regional plans and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*. (Greenview would be included in the Upper Peace Regional Plan and Big Lakes County is included in the Upper Athabasca Regional Plan).



