



Photo Credit: Canadian Badland LTD.

Foothills County & Vulcan County **Intermunicipal Development Plan**

Foothills County Bylaw No. 04/2021

Vulcan County Bylaw No. 2021-003

Adopted: February 2021



VULCAN COUNTY

Vulcan County - Alberta

BYLAW 2021-003

Bylaw No. 2021-003 of the Vulcan County is for the purpose of adopting the Vulcan County and Foothills County Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcends municipal boundaries.

AND WHEREAS both the Councils of Vulcan County and Foothills County agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, and Chapter M-26 as amended, the Council of Vulcan County duly assembled hereby enacts the following:

1. Council shall adopt the Vulcan County and Foothills County Intermunicipal Development Plan in consultation and as agreed to with Foothills County.
2. This plan, upon adoption, shall be cited as the Vulcan County and Foothills County Intermunicipal Development Plan Bylaw No. 2021-003 and Bylaw No. 04/2021.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a first time this 10 day of February, 2021.



Jason Schneider, Reeve



Nels Petersen, CAO

Received second reading this 10 day of February, 2021



Jason Schneider, Reeve



Nels Petersen, CAO

Presented for unanimous consent of Council to proceed to third reading

this 10 day of February, 2021



Jason Schneider, Reeve




Nels Petersen, CAO

Received third reading and finally passed this 10 day of February, 2021



Jason Schneider, Reeve



Nels Petersen, CAO

BYLAW 04/2021

BEING A BYLAW OF FOOTHILLS COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ADOPTING THE VULCAN COUNTY AND FOOTHILLS COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS pursuant to the provisions of the Municipal Government Act, Section 631, Chapter M-26, Revised Statutes of Alberta 2000, and amendments thereto, two or more councils of municipalities that have common boundaries must adopt an Intermunicipal Development Plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary;


AND WHEREAS both the Councils of Vulcan County and Foothills County agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly and managed growth;

AND WHEREAS each municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.


NOW THEREFORE THE COUNCIL OF THE FOOTHILLS COUNTY ENACTS AS FOLLOWS:

1. Council shall adopt the Vulcan County and Foothills County Intermunicipal Development Plan in consultation and as agreed to with Vulcan County;
2. This plan, upon adoption, shall be cited as the Vulcan County and Foothills County Intermunicipal Development Plan and is attached as Schedule 'A' to this Bylaw;
3. This Bylaw shall have effect on the date of its third reading and upon being signed;
4. Bylaw No. 83/2015 and any amendments thereto are hereby rescinded upon this Bylaw coming into effect.

First Reading: January 27, 2021

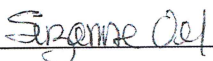


REEVE

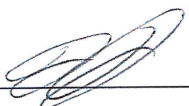


CAO

Second Reading: FEB 17 2021



REEVE



CAO

Third Reading: FEB 17 2021

Suzanne Oel REEVE

[Signature] CAO

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 17th day of FEBRUARY, 2021.

ACKNOWLEDGEMENTS

The following individuals and organizations are thanked for their assistance in the development of one or both of the 2015 and 2019 versions of this document:

Residents and Stakeholders who provided comments

Foothills County and Vulcan County Councillors

Administration Staff from Foothills County and Vulcan County



ORRSC PROJECT TEAM (2015 Plan)

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Rural Multi-jurisdictional Intermunicipal Development Plan Project 2012-2015

In 2012, Vulcan County and seven other rural municipalities initiated a process to create a series of 11 rural-to-rural intermunicipal development plans. The impetus of the project is to improve consultation between rural municipalities in Southern Alberta, who in many cases share expansive borders. Although the border areas are primarily used for agricultural purposes, in many cases significant ecological, mineral and hydrogeological resources exist, as well as important infrastructure including transportation and utilities.

The Rural Multi-jurisdictional Intermunicipal Development Plan Project involved the participation of:

- Cardston County
- County of Newell
- County of Warner No. 5
- Foothills County
- Municipal District of Ranchland No. 66
- Municipal District of Willow Creek No. 26
- Vulcan County
- Wheatland County

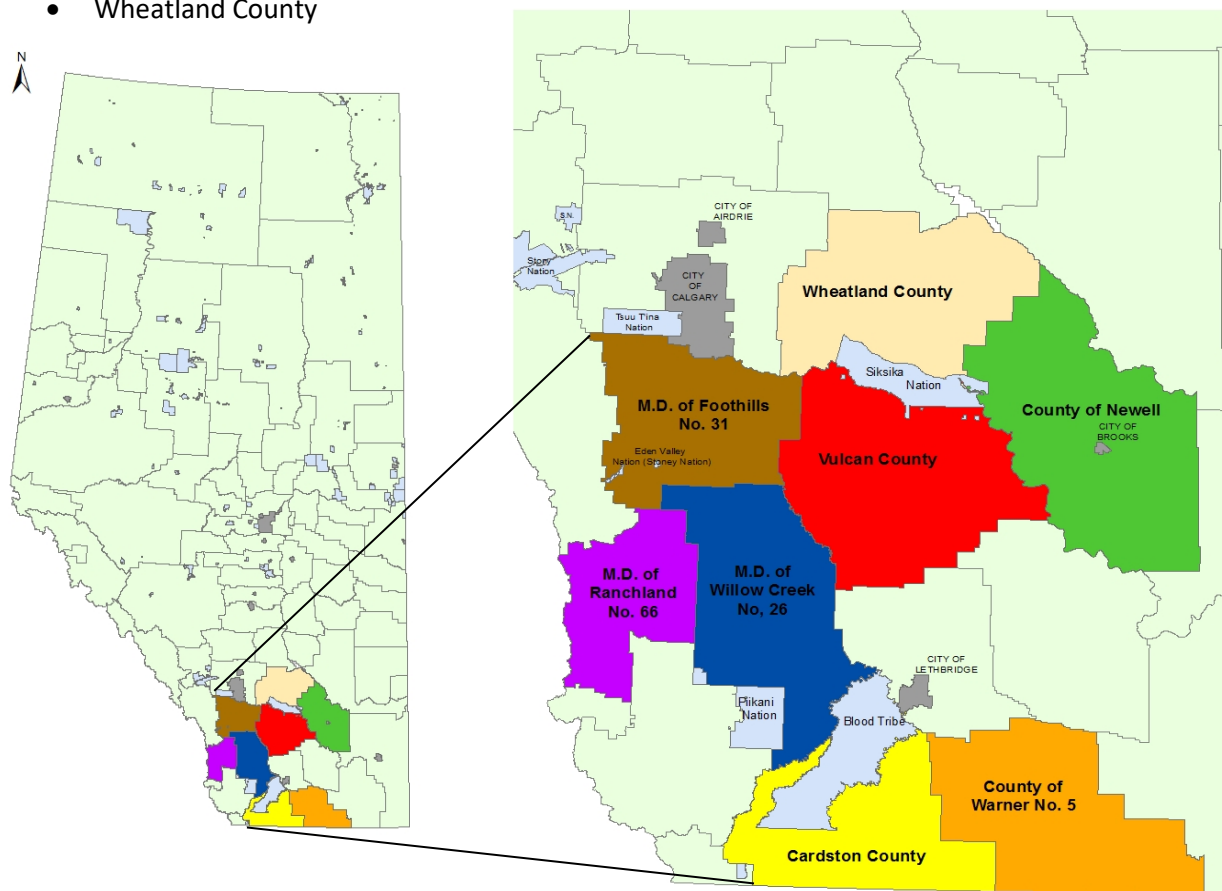


Figure 1: The eight Rural Multi-jurisdictional Development Plan Project participating municipalities

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Foothills County & Vulcan County

Intermunicipal Development Plan

1 | INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Foothills County & Vulcan County 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. The Plan serves as a means for information exchange between the municipalities, in accordance with the *Alberta Land Stewardship Act, Statutes of Alberta 2009, Chapter A-26.8 (ALSA)*, the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended (MGA)* and the *South Saskatchewan Regional Plan (SSRP)*.

Municipalities work together to adopt IDPs to:

- Meet the requirements of the Municipal Government Act;
- 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 procedures for dealing with development proposals within a defined planning area; and
- address any other matters relating to development considered necessary by the municipalities.

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.

The Plan contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

1.2 Municipal Profiles

Foothills County

Foothills County covers an area of approximately 367,600 ha (908,359 acres) with a population of approximately 22,766 (Statistics Canada Census Profile 2016). The County surrounds four urban municipalities and contains ten hamlets, as well as the Eden Valley First Nation Reserve. Foothills is also bordered by six rural municipalities, the Tsuu T'ina First Nation Reserve, as well as The City of Calgary.

Foothills is a rural municipality, being rural is why many residents choose to live here. Rural character is highly valued by Foothills residents and while it is not always easy to define, the following qualities taken from the Municipal Development Plan 2010 begin to describe what it means: wide-open spaces, scenic vistas, dark skies, cultural heritage, and the quality of the physical environment. Of course, agriculture also plays an important role in establishing the rural character of Foothills; most of the land base in the County is made up of working farms and ranches.

The main economic driver in the County is Agriculture but there is also significant tourism, oil and gas activity, and some industrial development. The majority of the County's industrial development is being directed to the Highway 2A Industrial Corridor between High River and Okotoks.

Vulcan County

Vulcan County covers an area of approximately 550,000 hectares (1.3 million acres), with a population of 3,984 (Census Canada, 2016). The County surrounds six urban municipalities, contains eight hamlets, and is bordered by six rural municipalities and the Siksika Nation. The economy of Vulcan County has traditionally centered on agriculture, although oil and gas along with renewable energy development, primarily wind farm and solar development, play an important role in the County's economy. The County has a number of recreational residential developments, particularly around McGregor Lake Reservoir and Travers Reservoirs and continues to encourage responsible Reservoir development. Vulcan County also has convenient access to major rail networks, enabling access to both domestic and international routes for shipment of goods.



1.3 Legislative Framework

Municipal Government Act (MGA)

The *MGA* lays out the purpose of municipal governments and dictates how they operate. In recent years it was amended in 2016 by the *Modernized Municipal Government Act* and again in 2019 by the *Red Tape Reduction Implementation Act* in order to enhance cooperation, improve municipal relationships, mitigate conflict between municipalities, and streamline planning processes. While the 2016 amendments made intermunicipal plans mandatory for municipalities that shared a boundary and augmented the requirements that these plans must meet, the 2019 amendment enabled municipalities to be exempt from the requirement to adopt an IDP if they enter into an agreement indicating that they felt an IDP was not necessary.

Relevant sections of *MGA* as amended are as follows:

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).*

An IDP is a planning tool that can provide numerous benefits to both municipalities... by considering existing development conditions and future municipal goals.

Photo Credit: Canadian Badlands LTD.

(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.*

(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,*

And

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,*
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and*
- (iii) provisions relating to the administration of the plan.*

(9) *Despite subsection (8), to the extent that a matter is dealt with in a framework under Part 17.2, the matter does not need to be included in an intermunicipal development plan.*

South Saskatchewan Regional Plan (SSRP)

INTENT

In addition to the *MGA*, all statutory plans in the South Saskatchewan Region (as established in Alberta's Land Use Framework) must comply with the *South Saskatchewan Regional Plan (SSRP)*, which came into effect September 1, 2014. The *SSRP* uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region until 2024.

Alberta's Land Use Framework (LUF) was adopted in 2008, and sets out an approach to manage public and private lands and natural resources to achieve Alberta's long-term economic, environmental and social goals. In 2009, the government adopted the Alberta Land Stewardship Act (ALSA) to enable several of the strategies identified in the LUF to be carried out.

Pursuant to section 15(1) of ALSA, the Regulatory Details of the SSRP are enforceable as law and bind the Crown, decision makers, local governments and all other persons while the remaining portions are statements of policy to inform and are not intended to have binding legal effect. Municipalities in the SSRP region are expected to align all of their plans and policy documents with the direction provided in the Regional Plan as a way to achieve the goals and strategies of the LUF and ALSA.

The amended Vulcan County and Foothills County Intermunicipal Development Plan was developed in consideration of the objectives and strategies in the SSRP and complies with the overall intent of the policies contained in the regional plan. The policies in the SSRP that are most relevant to this IDP are contained in Section 8, which speaks to Community Development.

POLICIES

- 1.3.1 The municipalities will work together to ensure that this Plan aligns with the objectives and strategies of the SSRP.**
- 1.3.2 After the Plan’s adoption, if it is subsequently determined that additional amendments are needed to the Plan to adhere to provincial requirements of the SSRP; both municipalities will review and discuss possible amendments through administration.**

Calgary Metropolitan Region (CMRB)

INTENT

As illustrated in **Map 1 – CMRB Boundary**, Foothills County is a member of the Calgary Metropolitan Region Board (CMRB) while Vulcan County is not. As a member of the CMRB, Foothills County must ensure that all of their statutory plans, including IDPs meet the CMRB requirements even if the other municipality that is party to the IDP is not a member.

At present, the CMRB has an Interim Growth Plan (IGP) and an Interim Regional Evaluation Framework (IREF) in place to provide guidance that enables member municipalities to proceed with planning and development approvals, prior to the adoption of the fulsome Growth and Servicing Plans and Regional Evaluation Framework (REF). As a statutory plan in a member municipality, this IDP is subject to the IGP and the IREF and will be subject to the Growth Plan, Servicing Plan and REF once they are in place.

It is noted that an amendment to an existing IDP, that does not contemplate employment areas or more than 50 additional residences, under Section 4.1 of the IREF, does need to be referred to the Board for approval prior to third readings being granted to the bylaws adopting the plan.

POLICIES

- 1.3.3 Subsequent to the Plan’s adoption, if it is determined that additional amendments are needed to the Plan to address the requirements of the CMRB Growth Plan and Servicing Plan once approved; both municipalities shall review and discuss possible amendments through administration.**

Foothills County - Vulcan County IDP MAP 1 - CMRB BOUNDARY

August 2020



Legend

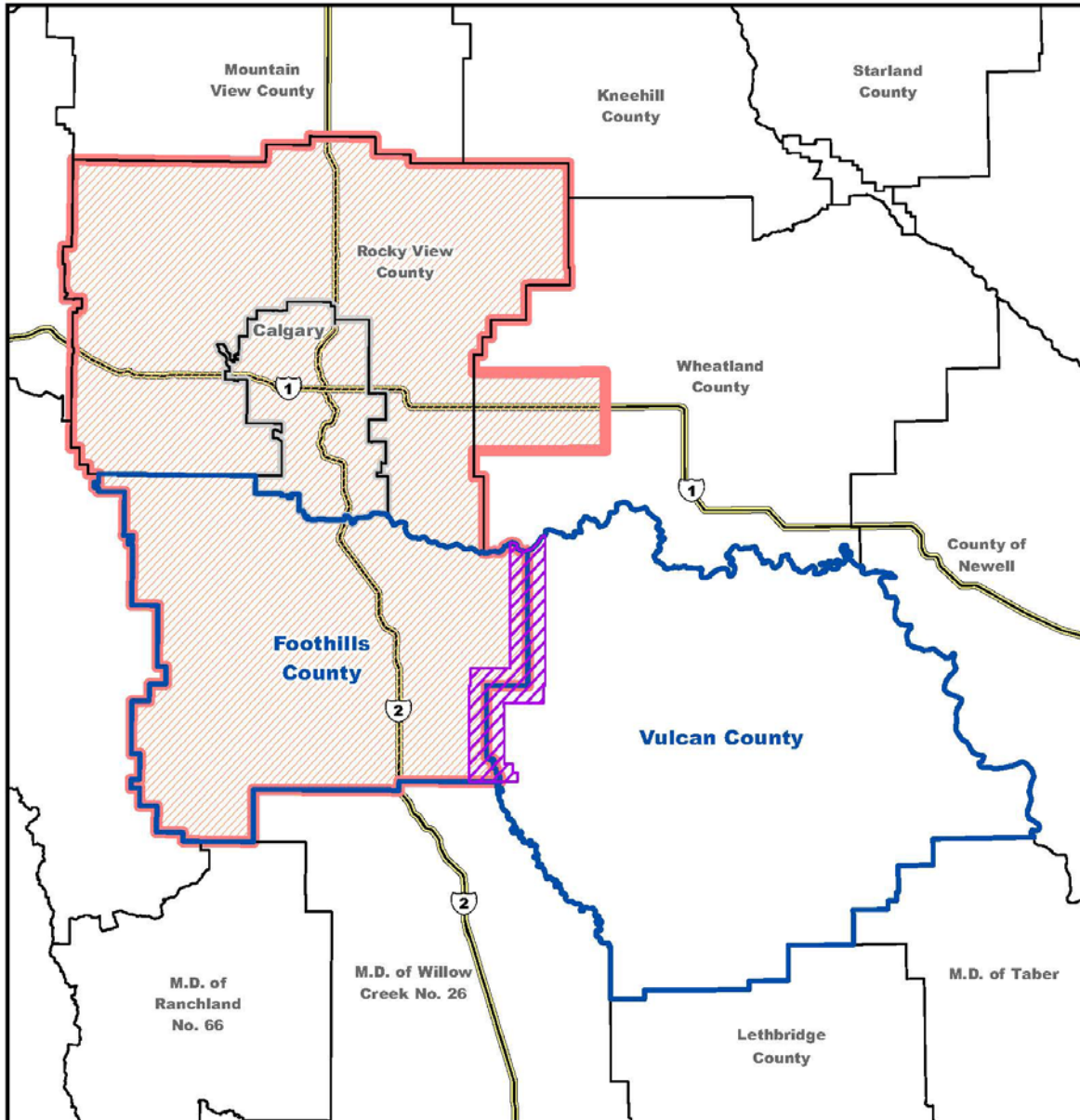
- Foothills County & Vulcan County IDP Plan Area
- CMRB Boundary
- Foothills County & Vulcan County Boundaries



Scale 1: 1,000,000

Data sources:
Foothills County, Vulcan County,
ORRSC, AltaLIS

Vulcan County is not responsible for errors or omissions.



1.4 Plan Preparation Process

The formation of both the original Foothills County and Vulcan County IDP (2015) and the amended (2020) IDP was guided by senior administration and planning staff from both municipalities. With respect to decision making, both parties agreed at the outset of the process that their chosen decision-making model would be based on reaching consensus on the issues discussed.

2015 Plan Preparation Process

A background and study area analysis was undertaken which served as the foundation from which both municipalities could review the existing land use conditions and determine the relevant issues, goals and objectives.

Prior to identifying areas of importance and concern with the municipalities, planners from ORRSC met with each municipality to clarify their municipal perspectives on general issues. Once each municipality's perspectives were identified, a draft document was prepared for review. An outline of the project purpose, process, ideas and concepts was then reviewed with affected landowners, stakeholders and the general public at an Open House.

After the Open House the Review Committee and each municipal Council reviewed the draft; a refined document was then prepared and submitted for the Review Committee's final endorsement. Upon endorsement, the final draft document was then forwarded to each Council for review. As required by the MGA, mandatory public hearings were held by each Council and subsequent to the public hearings, the IDP was adopted by each municipality under separate municipal bylaws.

2019/2020 Plan Amendment Process:

In December of 2019, Vulcan County initiated discussions on an IDP amendment by sending a letter to Foothills County suggesting that a review of the IDP was warranted in order to address new requirements under the MGA. Foothills Council agreed and both municipalities directed their administrations to work together to facilitate a review and amendment of the Plan.

In early 2020, administration prepared a terms of reference for the plan review process as well as a public engagement strategy. Subsequent to approval by both municipal Councils, staff issued announcements that the project was being undertaken and began work on drafting suggested amendments to the plan.

In August 2020 administration completed draft amendments to the plan and in early September they were taken to both Councils for review. At this time direction was sought to undertake an online engagement regarding the draft amendments. This direction was granted, and a public review of the proposed amendments was undertaken. While there was interest in the plan amendment from some area landowners, virtually no concerns were expressed during the public review period. Therefore, in early 2021 both municipalities scheduled public hearings and both Councils passed bylaws adopting the plan.

"The MD of Foothills encompasses a diverse rural landscape in which leadership and planning support a strong agricultural heritage, vibrant communities, a balanced economy and the stewardship of natural capital for future generations."

— Vision Statement, M.D. of Foothills Municipal Development Plan 2010

"Striving towards innovation in agriculture and development while respecting our roots and history."

— Vision Statement, Vulcan County Municipal Website

Photo Credit: Canadian Badlands LTD.

2 | PLAN AREA

2.1 Study Area Analysis

To determine the extent of the 2015 Plan Area, the municipalities began by analyzing a Study Area approximately 7 km (4 miles) on either side of the shared border, with ranges from 3 km to 10 km in some areas. The following key features in the Study Area were examined:

- Land Use
- Transportation Corridors
- Natural Landscape

2.2 Defining the Intermunicipal Development Plan Area

After careful review by administration and planning staff, the municipalities used the Study Area analysis to help define the Intermunicipal Development Plan Area (also referred to as the Plan Area). It was determined that due to the relative consistency of key characteristics within the Study Area that a Plan Area boundary of 3.2 km (2 miles) would not only encompass the natural landscape between the two municipalities, but would make for a consistent Plan Area. For the 2020 review, it was determined that the Plan Area would not change, it consists of approximately 34,344 hectares (84,865 acres) and is illustrated in [Map 2 - Plan Area Location](#) and [Map 3 - Plan Area](#).

Foothills County - Vulcan County IDP MAP 2 - PLAN LOCATION

August 2020



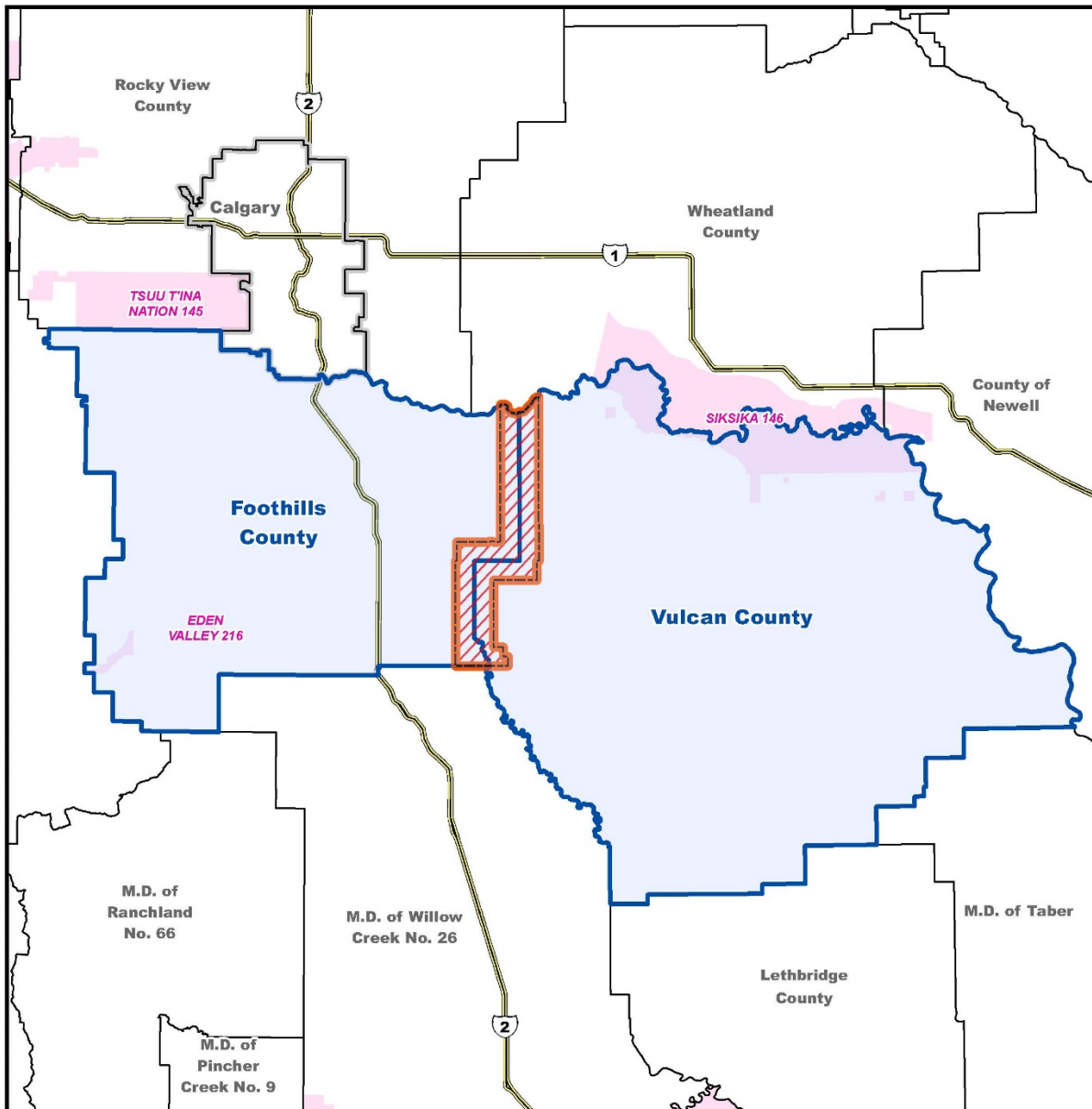
Scale 1: 900,000

Data sources:
Foothills County, Vulcan County,
ORRSC, AltaLIS

Vulcan County is not responsible for errors or omissions.

Legend

- Foothills County & Vulcan County IDP Plan Area
- First Nation Reservations
- Foothills County & Vulcan County Boundaries
- Highways



Foothills County - Vulcan County IDP MAP 3 - PLAN AREA

August 2020



Legend

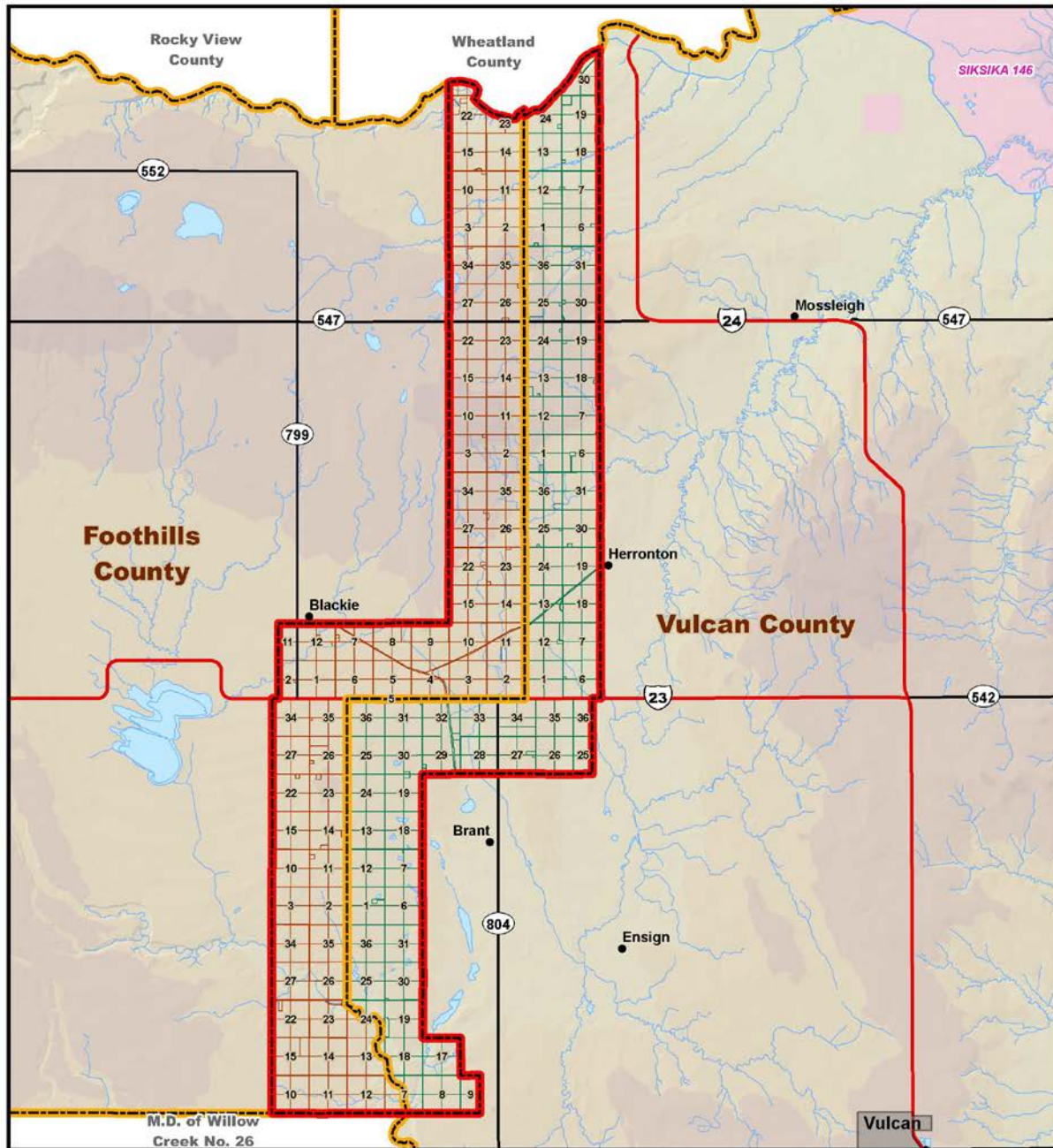
- Foothills County & Vulcan County IDP Plan Area
- Foothills County Parcels
- Foothills County & Vulcan County Boundaries
- Vulcan County Parcels



Scale 1: 220,000

Data sources:
Foothills County, Vulcan County,
ORRSC, AltaLIS

Vulcan County is not responsible for errors or omissions.





3 | INTERMUNICIPAL POLICIES

3.1 General Policies

INTENT

The general policies are not specific to individual sections of the plan and are not intended for specific areas within the Plan Area, but rather pertain to the entire Plan Area. Most of these policies speak to the desire of both municipalities to continue to share information and work collaboratively and cooperatively to achieve efficiencies and ensure mutually beneficial outcomes.

POLICIES

- 3.1.1 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. In all cases, both municipalities would have to agree, enter into discussions and make specific agreements for such.

- 3.1.2 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.**
- 3.1.3 Foothills County and Vulcan County shall strive, to the best of their ability and knowledge, to forward all notices of government projects within the Plan Area to the adjacent municipality.**
- 3.1.4 Both municipalities shall strive to the best of their ability to forward any notices received regarding development approvals from other levels of government or other authorities pertaining to lands within the plan area to the adjacent municipality.**
- 3.1.5 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 lands and bodies of water within the adjacent municipality.**
- 3.1.6 In any area where the plan area for this IDP overlaps with another IDP plan area, the policies from both IDPs will apply.**

3.2 Land Use

As illustrated in [Map 4 - Land Use](#), the majority of the plan area is designated as Agriculture District in Foothills and Rural General in Vulcan County.

In Foothills County there are a number of Country Residential parcels in the plan area, the majority of which are first parcels out from previously un-subdivided quarter sections. In the southern portion of the plan area in Foothills County there is also a quarter section designated as municipal reserve. This parcel was severely impacted by flooding on the Little Bow in 2013 and was subsequently purchased by the County under the Government of Alberta's Flood Reduction and Erosion Control (FREC) program. It will continue to be utilized for Agriculture under a Municipal Reserve license. There is also a confined feeding operation in the southern portion of the plan area.

In Vulcan County, the vast majority of the lands in the plan area are designated as Rural General. First parcels out from previously un-subdivided quarter sections generally retain the Rural General designation. There are a couple of Single Lot Country Residential parcels and a portion of a quarter south of Highway 23 that is designated as Grouped Country Residential. There is some gravel extraction activity in the northern part of the plan area. Finally, in the northernmost tip of the plan area along the Bow River, there is a parcel that is designated as Rural Recreational.

Foothills County - Vulcan County IDP MAP 4 - LAND USE

August 2020



Legend

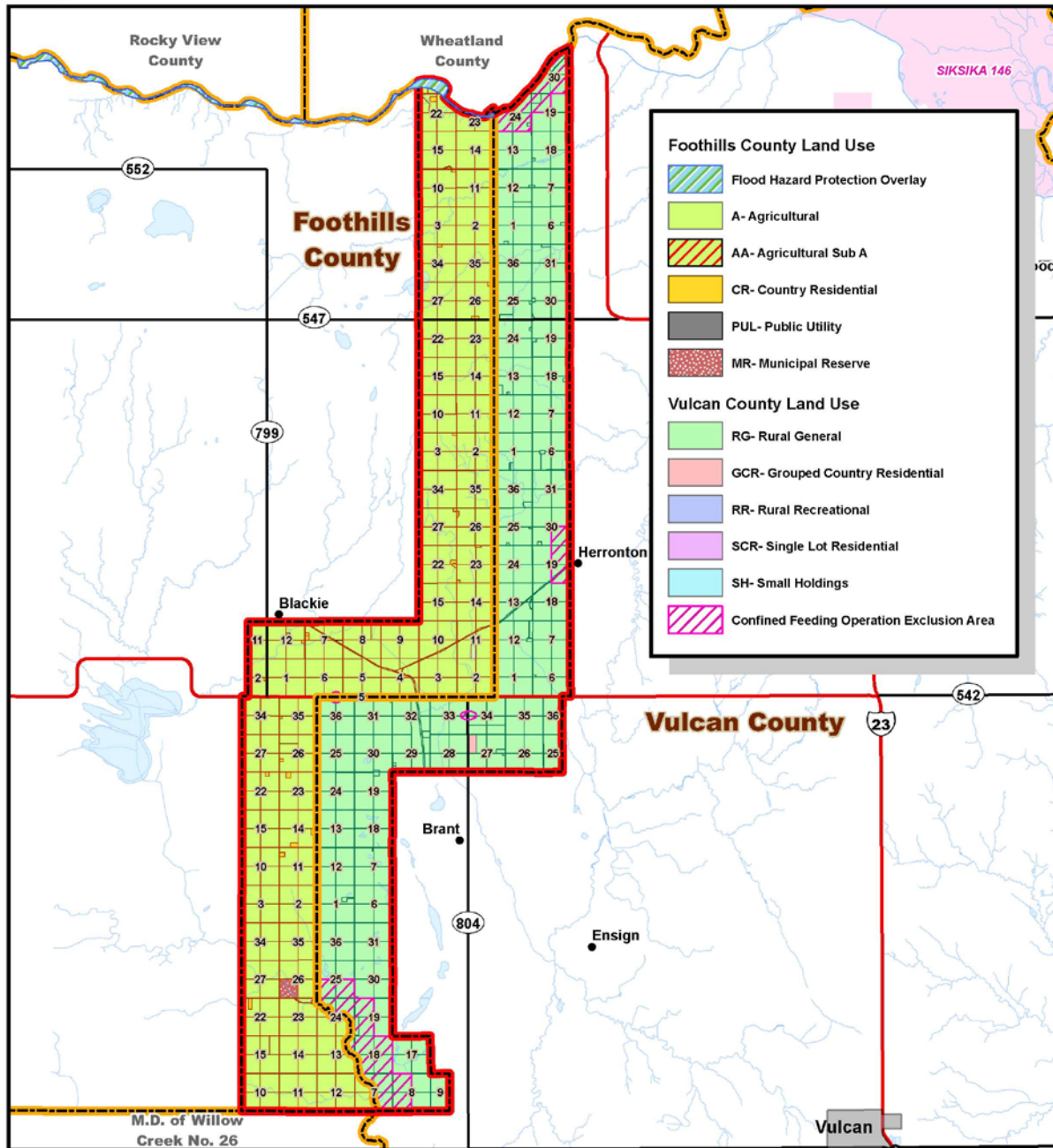
- Foothills County & Vulcan County IDP Plan Area
- Foothills County & Vulcan County Boundaries
- Foothills County Parcels
- Vulcan County Parcels



Scale 1: 220,000

Data sources:
Foothills County, Vulcan County,
ORRSC, AltaLIS

Vulcan County is not responsible for errors or omissions.



General Land Use

INTENT

As outlined above, agriculture is the predominant land use in the Plan Area with some residential uses and resource extraction and this is expected to continue into the future. Applications for other uses will be considered in accordance with each municipality’s Municipal Development plan and planning framework, while recognizing that impacts may occur on lands in the neighbouring jurisdiction.

POLICIES

- 3.2.1 The municipalities, as per this Plan, shall strive to engage in effective dialogue when considering land use changes in the Plan Area, while still maintaining complete jurisdiction on lands within their own boundaries.**

Agriculture

INTENT

It is recognized that the agriculture industry is an important part of our history and culture and creates economic benefit and employment opportunities in both municipalities. Agriculture is currently the predominant land use in the Plan Area and there is presently no expectation that this will change in the foreseeable future.

POLICIES

- 3.2.2 Agriculture will continue to be the predominant land use in the Plan Area. The impact on agricultural uses shall be a consideration when determining the suitability of non-agricultural land uses in the Plan Area.**

Resource Extraction & Energy Development

INTENT

Vulcan County and Foothills County recognize the importance of resource extraction and energy development to the local economy and to the construction and maintenance of transportation routes and other infrastructure. However, it is also acknowledged that resource extraction operations may have impacts on surrounding lands. These impacts should be mitigated through careful siting, and the use of operational best practices.

POLICIES

- 3.2.3 If either municipality is in receipt of a notice of application for a new or expanded gravel extraction operation within the Plan Area, they shall forward a copy of the notice to the other municipality.**
- 3.2.4 Each municipality shall notify the adjacent municipality of any resource development proposal that will require access from a road under the adjacent**

municipality's control or management. Administration from both municipalities are encouraged to dialogue regarding the potential impacts the proposed development may have on the affected municipality's roads prior to the acceptance of the application as complete.

- 3.2.5** An agreement may be required regarding the construction, repair, and maintenance of any municipal roads which may be impacted by resource development, when the development requires access to come from the adjacent municipality's road.

Renewable Energy Development

INTENT

Vulcan County and Foothills County recognize the role that renewable energy development could play in supporting the local and regional economy. It is also recognized that the approval of renewable energy developments may create off-site impacts and there is a need to ensure the compatibility of land uses across municipal boundaries.

POLICIES

- 3.2.6** The municipalities may support the location of renewable energy developments within the Plan Area:
- a) where compatible with existing land uses on both sides of the municipal boundary, and
 - b) in consideration of comments from the adjacent municipality.
- 3.2.7** Either municipality shall refer to the other municipality any land use or development permit application for a renewable energy development within the Plan Area including but not limited to:
- wind farms,
 - hydroelectric development,
 - solar power, or
 - other related and similar developments, in accordance with the intermunicipal referral policies in Section 4.1.

Confined Feeding Operations (CFOs)

INTENT

Both municipalities recognize the Natural Resources Conservation Board has jurisdiction over the approvals, regulations, and enforcement of confined feed operations (CFOs). However, the municipalities acknowledge Vulcan County's CFO exclusion zone and their attempt to mitigate potential nuisances and conflicts pertaining to current and future CFO development within their jurisdiction. Both municipalities also recognize that it is beneficial to ensure that information regarding applications for new or expanded CFOs in one municipality is shared with the adjacent municipality.

POLICIES

- 3.2.8 Existing CFOs located within the Plan Area will be allowed to continue to operate and expand under acceptable operating practices and within the requirements of the *Agricultural Operation Practices Act* and Regulations.**
- 3.2.9 In Vulcan County, new CFOs are not permitted to be established within the CFO Exclusion Area as illustrated in the Vulcan County Municipal Development Plan, Bylaw 2012-003, Appendix B.**
- 3.2.10 If either Foothills County or Vulcan County are in receipt of an application for new or expanded CFOs within the Plan Area, they shall forward a copy of the application to the other municipality.**
- 3.2.11 Should amendments be proposed to the Vulcan County CFO exclusion areas, Vulcan County will circulate the proposal to Foothills County prior to the amendment and in accordance with the timelines established in this plan.**

3.3 Future Development

INTENT

It is anticipated that land uses similar to those that currently exist will continue in the plan area. If however, a proposal for a large or intense development that is not consistent with current use were to come forward in either municipality, it is expected that discussion and collaboration between the municipalities will occur. Depending on the scope and scale of the proposal, it may be advantageous to engage the partner municipality prior to formal circulation to flag any potential areas of conflict.

POLICIES

- 3.3.1 Future land use amendments in the plan area will require referral to the adjacent municipality as per Policy 4.1.14 in the referrals section.**
- 3.3.2 Applications for development for uses other than agricultural, residential, resource extraction or renewable energy generation or that propose a significant change in the intensity of use will require consultation between the municipalities and may require a plan amendment at the discretion of both municipalities.**

3.4 Transportation

As Illustrated in [Map 5 – Road System](#), portions of provincial highways 23, 547, 799 and 804 travel through the plan area. There is also a system of municipal roads that cross the boundary between the two municipalities and range roads 261 and 271 run along portions of the municipal boundary within Vulcan County. Currently there are no maintenance agreements regarding roads between the two municipalities.

INTENT

The municipalities agree that it is desirable and mutually beneficial to coordinate on planning for transportation with the goal of supporting the safe and efficient movement of people and goods within both municipalities.

POLICIES

- 3.4.1 **Each municipality is responsible for the maintenance and construction of transportation infrastructure located within their jurisdiction. However, the municipalities may choose to enter into cost sharing or maintenance agreements where infrastructure benefits both Counties or where efficiencies may be created.**
- 3.4.2 **Both municipalities recognize the importance of maintaining a coordinated system of haul routes and non-banned roads across the intermunicipal boundary and agree to consult with each other on any proposal to designate a road as a haul route or non-banned road within the Plan Area.**
- 3.4.3 **Applications for haul routes that affect the adjacent municipality shall be referred to that municipality for comment, and decisions regarding the approval must be made in consideration of comments received.**
- 3.4.4 **Each municipality shall notify the adjacent municipality of any subdivision or development proposal in their jurisdiction that will result in either access being required from, or a significant impact being created on, a road under the neighbouring municipality's control or management.**
- 3.4.5 **When the construction of new municipal roads is proposed within the Plan Area, the municipality initiating the development will notify the other, prior to construction commencing, to provide an opportunity for comment on the potential impacts the new road may have on the existing road network, infrastructure and land use.**
- 3.4.6 **The municipalities should endeavor to foster continued dialogue with Alberta Transportation regarding provincial highways in the Plan Area, including any planned changes to the highways that may impact either municipality.**

Foothills County - Vulcan County IDP MAP 5 - MUNICIPAL ROAD SYSTEM

August 2020



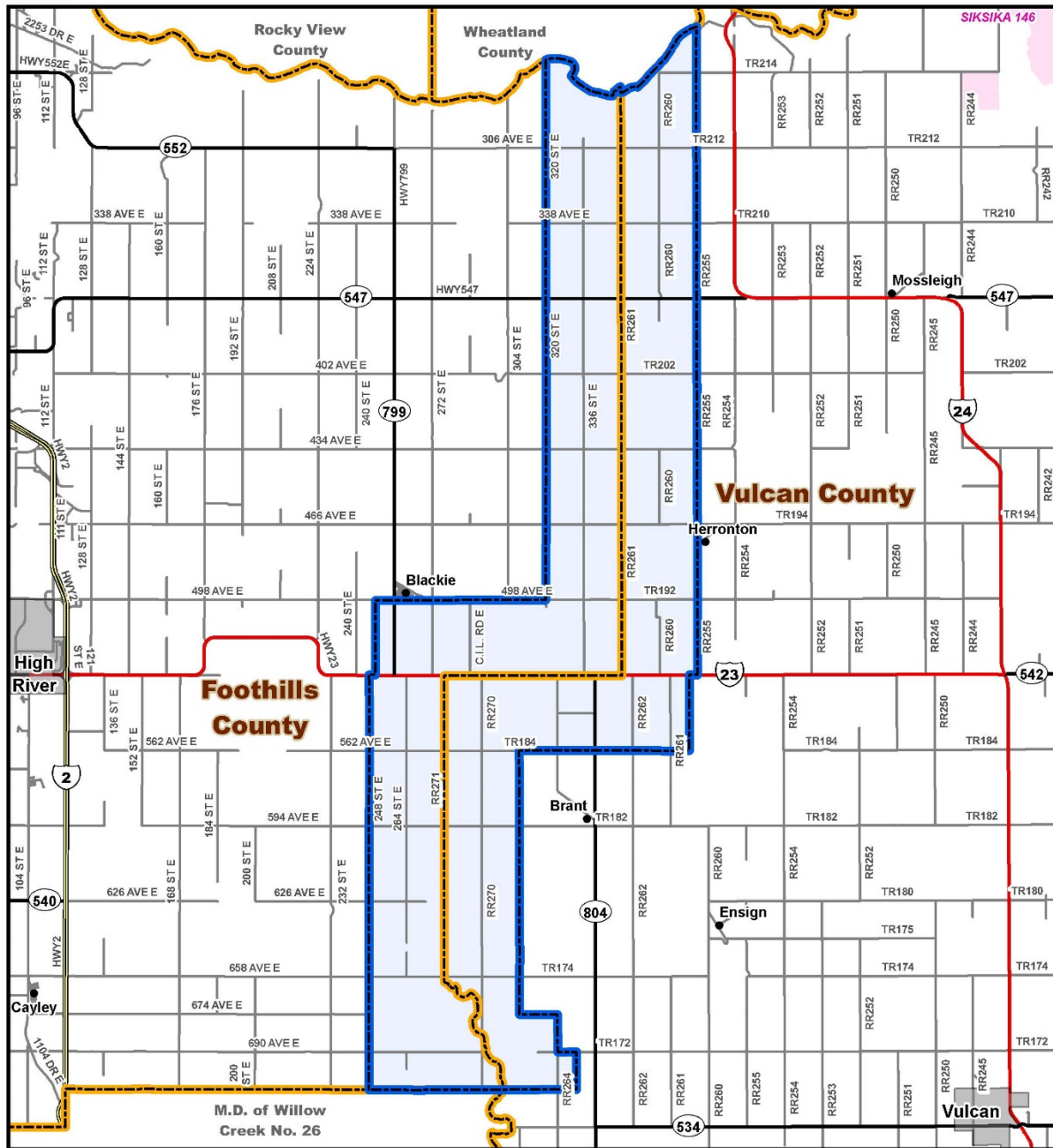
Legend

- Foothills County & Vulcan County IDP Plan Area
- Foothills County & Vulcan County Boundaries
- Rural Roads



Scale 1: 220,000
Data sources:
Foothills County, Vulcan County,
ORRSC, AltaLIS

Vulcan County is not responsible for errors or omissions.



3.5 Natural Environment

INTENT

Both municipalities recognize the connection between the natural environment and quality of life and the importance of striving to protect, preserve and enhance natural systems and environmentally significant areas, while supporting appropriate development. Much of the plan area is cultivated land and there is limited natural vegetation other than along or adjacent to waterbodies.

Natural waterbodies may provide wildlife habitat, aesthetic value, recreation opportunities and ecosystem services. There are a number of waterbodies within or adjacent to the plan area:

- The Bow River flows from west to east along the northern boundary of the plan area;
- The Little Bow River flows in a southeasterly direction along the municipal boundary in the southernmost part of the plan area;
- Frank Lake is just outside of the plan area boundary in Foothills County; and
- There are un-named drainage courses and wetlands of various sizes and categories throughout the plan area.

POLICIES

- 3.5.1 On lands identified on Alberta Culture and Tourism's Listing of Historic Resources as having a Historic Resource Value (HRV) a historical resource impact assessment (HRIA) may be required by the municipality as part of an approval process for development in an effort to uphold and respect culturally important areas in each municipality.**
- 3.5.2 Both municipalities should consider the provincial Wetland Policy when making land use decisions in the plan area with the goal of sustaining the environmental benefits provided by wetlands.**
- 3.5.3 The use of Environmental Reserves, Environmental Reserve Easements, Conservation Easements, or other similar tools in the plan area is encouraged to protect or preserve areas as appropriate.**
- 3.5.4 Development on slopes and river valleys within natural areas is generally discouraged. However, it may be supported if it is done in accordance with the respective municipality's statutory plans, applicable bylaws, and other municipal policies and regulations.**
- 3.5.5 When evaluating applications for Subdivision and Development in or adjacent to river valleys the municipality with jurisdiction shall take into consideration slope stability, soil characteristics and flood hazard mapping where available in order to minimize negative environmental impacts and potential property damage.**

3.6 Water Quality and Flood Protection

INTENT

Because of the cumulative impacts that nearby development can have on the Bow and Little Bow Rivers and their tributaries, it is important that both Counties consider the impact of development on water quality. Further, protective measures should be taken to ensure proposed developments are not located within flood-prone areas in either County, as identified by the Provincial Flood Hazard Mapping (as available / amended).

POLICIES

3.6.1 When making land use decisions in the plan area, each municipality will:

- a) determine appropriate land use patterns in the vicinity of significant water resources and other water features;
- b) utilize and incorporate measures which minimize possible impacts on significant water resources;
- c) establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability and habitat.

3.6.2 Where land use and development is to occur in flood prone areas, appropriate regulations shall be implemented to ensure no negative impacts on the neighboring Municipality.

3.6.3 Development proposed in proximity to the Bow and Little Bow Rivers and their tributaries shall be carefully evaluated for any impacts on water quality.

3.6.4 Where new development is proposed in proximity to the Bow and Little Bow Rivers and their tributaries, stormwater management shall be considered where necessary to reduce runoff and mitigate impacts on water quality.

3.6.5 Each municipality shall respect the boundaries and limitations of the Provincial flood mapping (as amended) when considering development on or near the identified flood prone areas.

3.7 Coordination of Intermunicipal Programs

Coordination of intermunicipal programs is addressed in the Foothills County and Vulcan County Intermunicipal Collaboration Framework (ICF) as may be amended from time to time, the initial ICF was approved by Foothills County and Vulcan County in the spring of 2020.

ICFs are a new legislated requirement that was mandated with the approval of the Modernized Municipal Government Act in 2016. All municipalities that share a common boundary must create an ICF. Municipalities that are members of the same growth management board are required to create a framework with each other only in respect of the matters that are not addressed in the board's growth plan or the servicing plan. ICFs and IDPs can work together to provide the appropriate mechanisms to address different types of issues and different levels of cooperation between municipal neighbours.

Through the IDP or ICF, or by other means 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.

4 | PLAN ADMINISTRATION & IMPLEMENTATION

4.1 Intermunicipal Referral Process

INTENT

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

- 4.1.1 Foothills County and Vulcan 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.**
- 4.1.2 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.**
- 4.1.3 Where an intermunicipal referral is required by the MGA or the policies contained in this Plan, both municipalities agree to share mailing address and property ownership information for circulation purposes with adjacent municipality, and where applicable, the municipality's processing agency.**
- 4.1.4 Administrative staff or representatives for Foothills County and Vulcan County are encouraged to discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments, which may impact the Plan Area.**
- 4.1.5 Administrative staff or representatives for Foothills County and Vulcan County are encouraged to discuss, with one another, forthcoming subdivision and development applications that may impact lands within the Plan Area.**
- 4.1.6 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.**

Statutory Plans

- 4.1.7** A newly proposed Foothills County statutory plan or plan amendment affecting lands in the Plan Area shall be referred to Vulcan County for comment prior to a public hearing.
- 4.1.8** A newly proposed Vulcan County statutory plans or plan amendments affecting lands in the Plan Area shall be referred to Foothills County for comment prior to a public hearing.

Non-Statutory Plans

- 4.1.9** A newly proposed Foothills County non-statutory plan or plan amendment affecting lands in the Plan Area shall be referred to Vulcan County for comment prior to a public hearing.
- 4.1.10** A newly proposed Vulcan County non-statutory plan or plan amendment affecting lands in the Plan Area shall be referred to the Foothills County for comment prior to a public hearing.

Land Use Bylaws

- 4.1.11** A newly proposed Land Use Bylaw from either municipality shall be referred to the other for comment prior to a public hearing.
- 4.1.12** All Land Use Bylaw amendments in the Foothills County that affect lands in the Plan Area, shall be referred to Vulcan County for comment prior to a public hearing.
- 4.1.13** All Land Use Bylaw amendments in Vulcan County that affect lands in the Plan Area, shall be referred to Foothills County for comment prior to a public hearing.
- 4.1.14** All redesignation applications within the Plan Area shall be referred to the adjacent municipality for comment prior to a public hearing.

Subdivision and Development

- 4.1.15** All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.
- 4.1.16** Foothills County shall refer all discretionary use development permit applications within the Plan Area to Vulcan County for comment prior to a decision being rendered.
- 4.1.17** Vulcan County shall refer all discretionary use development permit applications within the Plan Area, to Foothills County for comment prior to a decision being rendered.

Response Timelines

- 4.1.18** 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.
- 4.1.19** In the event that either municipality does not reply within, or request an extension to, 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

4.1.20 Comments from the responding municipality regarding proposed Municipal Development Plans, other statutory or non-statutory plans, and Land Use Bylaws, or amendments to any of those documents, shall be included in any reports provided to the approving authority and considered by the municipality in which the application is being proposed, prior to a decision being rendered.

4.1.21 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.

4.2 Plan Validity and Amendment Policies

INTENT

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

POLICIES

4.2.1 This Plan comes into effect on the date it is adopted by the Foothills County and Vulcan County and remains in effect until:

- a) mutual agreement of both municipalities to rescind the bylaws adopting the plan; or
- b) either Council rescinds the Plan by bylaw after giving six (6) months' notice to the other municipality stating the intent and reasons for repealing the plan.

4.2.2 Should only one municipality wish to amend the Plan, the dispute resolution process in Section 5 shall be initiated.

4.2.3 Amendments to this plan shall only be initiated by Vulcan County or Foothills County.

4.2.4 Amendments to the plan come into effect once 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.

4.2.5 Should information regarding flood mitigation, including flood mapping or other flood related studies, become available that may have impact on lands within the Plan Area, and both municipalities subsequently determine that additional amendments are needed, both municipalities shall review and discuss possible amendments through administration.

- 4.2.6 After the Plan’s adoption, if it is subsequently determined that additional amendments are needed to the Plan, both municipalities will review and discuss possible amendments through administration.
- 4.2.7 Administrative staff should review the policies of the Plan annually and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective Councils for amendment to the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.
- 4.2.8 A formal review of the Plan should occur within 10 years from the date the IDP is adopted by both municipalities.

5 | DISPUTE RESOLUTION

5.1 General Dispute Process

INTENT

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

POLICIES

General Agreement

The municipalities agree that:

- 5.1.1 To avoid disputes, it is important that the Plan is adhered to as adopted, including full circulation of any plan or application as required in the Plan, and prompt enforcement of the Plan policies.
- 5.1.2 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.
- 5.1.3 The municipalities’ administrations should discuss the issue or dispute in good faith with the intent to seek resolution on the issue.

Dispute Resolution

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

- 5.1.4 When a potential intermunicipal issue comes to the attention of either municipality relating to a technical or procedural matter, such as inadequate notification or prescribed timelines, misinterpretation of Plan policies, or a clerical error regarding the policies of this Plan, either municipality’s Land Use Bylaw, or any other plan

affecting lands in the Plan area, it will be directed to the administrators of each municipality. The administrators will review the technical or procedural matter and if both administrators are in agreement, take action to rectify the matter.

- 5.1.5 Should either municipality identify an issue related to this Plan that may result in a dispute that cannot be administratively resolved or any other issue that may result in a dispute, the municipality should contact the other and request that a meeting be scheduled with equal representation of councillors or staff in addition to the administration staff chosen in policy 5.1.4 to discuss the issue. The representatives will review the issue and attempt to resolve the matter by seeking consensus on the issue.
- 5.1.6 Should the Council members and administrative staff be unable to resolve the matter, facilitated mediation shall be initiated subject to agreement by both municipalities.

Filing an Intermunicipal Dispute under the Municipal Government Act

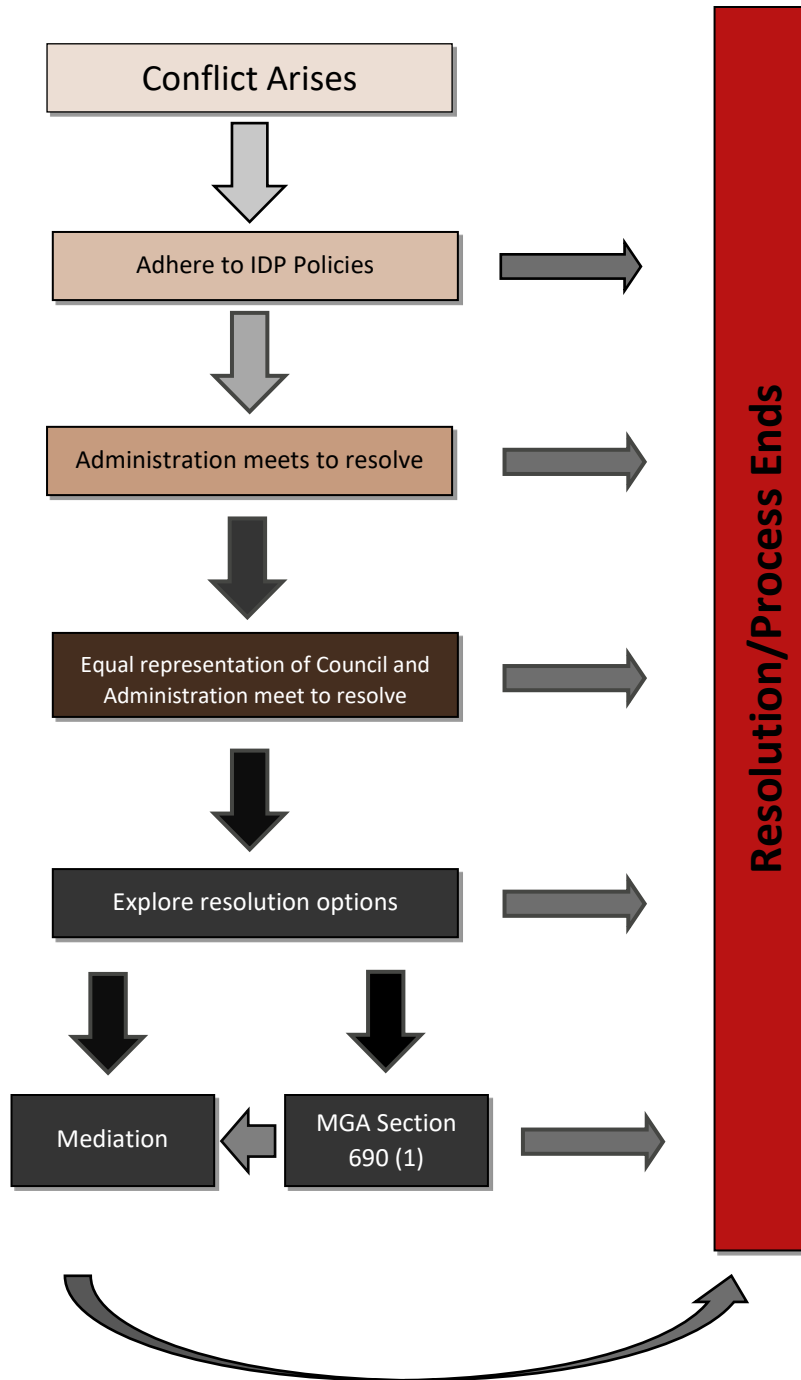
- 5.1.7 In the case of a dispute involving the adoption of a statutory plan, land use bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *MGA* so that the provincial statutory right and timeframe to file an appeal is not lost.
- 5.1.8 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.



Dispute Resolution Flow Chart

The dispute resolution flow chart presented here is for demonstration purposes only and shall not limit the ability of either municipality to explore other methods of resolution or to choose one method in place of another.



6 | INTERPRETATION OF LANGUAGE

6.1 Interpretation

INTENT

To ensure the policies and language within this Plan are communicated in the proper context so as to ensure the intent of the Plan is as clear and concise as possible.

POLICIES

- 6.1.1 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.
- 6.1.2 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.
- 6.1.3 In this document the operative terms **Shall**, **Should** and **May** are used for consistency and clarity. The interpretation of these terms is as follows:
 - **Shall** is an operative word that means the action is mandatory.
 - **Should** is an operative word that means that in order to achieve the Plan's objectives, it is strongly advised that the action be taken.
 - **May** is an operative word that means that there is a choice, with no particular direction or guidance intended.

APPENDIX A | DEFINITIONS

APPENDIX A | DEFINITIONS

Adjacent Land(s): Land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway or similar feature and any other land identified in a land use bylaw as adjacent for the purpose of notifications under the *Municipal Government Act, Revised 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 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.

Calgary Metropolitan Region Board: a board established under the Calgary Metropolitan Region Board Regulation (AR 190/2017) mandated with promoting the long-term sustainability of the Calgary Metropolitan Region, ensuring environmentally responsible land-use planning and coordinating regional infrastructure investment.

Calgary Metropolitan Region Growth Plan: an integrated growth management plan for the Calgary Metropolitan Region, including any amendments to that plan, approved by the Minister under section 708.1 of the Act.

Calgary Metropolitan Region Interim Growth Plan: an interim growth management plan for the Calgary Metropolitan Region, approved by the Minister under section 708.1 of the Act, intended to be in effect until such time as a fulsome Growth Plan is developed and approved.

Council: The Council of the Foothills County and the Council of Vulcan County in the Province of Alberta.

County: The Municipality of Vulcan County and/or Foothills County.

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

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

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

Intermunicipal Border: The shared border between Foothills County and Vulcan 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.

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 Foothills County and Vulcan 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 redevelopment plan adopted under the *Municipal Government Act*.

Plan: The Foothills County and Vulcan County Intermunicipal Development Plan.

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

South Saskatchewan Regional Plan (SSRP): The regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*.

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

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

Subdivision and Development Authority: Within the boundary Foothills County means the Foothills County Subdivision and Development Authority, and within the boundary of Vulcan County means the Vulcan County Subdivision and Development Authority.

Study Area: The area identified by both municipalities that encompasses areas of importance and concern and has been identified has an area where additional study took place in order to help define the parameters of the Plan Area.

APPENDIX B | DATA SOURCES

APPENDIX B | DATA SOURCES

The following is a list of data used to generate the Maps used in this Plan:

AltaLIS, “Alberta Road Network”. Retrieved from www.altalis.com. June 2019.

AltaLIS, “Municipal Districts and Counties Dataset”. Retrieved from www.altalis.com. December 2018.

AltaLIS, “Hydrography Dataset”. Retrieved from www.altalis.com. December 1996.

AltaLIS “Indian Reserves Dataset”. Retrieved from www.altalis.com. May 2016.

AltaLIS “ATS V4.1 Polygons”. Retrieved from www.altalis.com. November 2017.

AltaLIS “Title Parcels”. Retrieved from www.altalis.com. August 2020.

Challenger, “SAP 2018 Vulcan County 0.25m Ortho Photography UTM 12”. Digital Imagery Ortho-rectified by Challenger Geomatics Ltd. December 2018.

Calgary Metropolitan Region Board “CMRB boundary” Created and Maintained by CMRB. 2019.

Oldman River Regional Services Commission - ORRSC, “Plan_Area_Boundary_Jan2015.shp” Created and maintained by ORRSC. January 2015.

Oldman River Regional Services Commission - ORRSC, “VulcanCounty_LUD_polygon.shp” Created and maintained by ORRSC. April 2019.