

**BYLAW NO. 1139
OF STARLAND COUNTY
IN THE PROVINCE OF ALBERTA, CANADA**

BEING A BYLAW OF
STARLAND COUNTY, IN THE
PROVINCE OF ALBERTA,
FOR THE PURPOSE OF
ADOPTING AN
INTERMUNICIPAL
DEVELOPMENT PLAN WITH
THE VILLAGE OF DELIA.

WHEREAS *Section 631 of the Municipal Government Act* provides for two or more municipalities to jointly prepare an intermunicipal development plan for an area of common interest or concern; and

WHEREAS The Councils of the Village of Delia and Starland County have recognized the need to cooperate in the planning of future land use and development along the shared common municipal boundary;

AND WHEREAS The Council of Starland County, in the Province of Alberta, deems it desirable to establish a Bylaw for the purpose of adopting the Intermunicipal Development Plan of the Village of Delia and Starland County, pursuant to the *Municipal Government Act, being Chapter M-26 of the Statutes of Alberta 2000*, and amendments thereto.

NOW THEREFORE, the Council of Starland County, duly assembled, enacts as follows:

- 1.1 This Bylaw may be cited as the "Delia IDP Bylaw".
- 1.2 The Intermunicipal Development Plan of the Village of Delia and Starland County, attached to this bylaw as Schedule "A", is hereby adopted.
- 1.3 This Bylaw may be amended by Bylaw in accordance with the Municipal Government Act, as amended.
- 1.4 This Bylaw shall come into effect on the date of the third and final reading.

First Reading on motion of Councillor Marshall, this 28th day of August, A.D., 2019.

Second Reading on motion of Councillor Marshall, this 9th, day of October, A.D., 2019.

Third and final reading on motion by Deputy Reeve Sargent, this 9th day of October, A.D., 2019.

Done and finally passed in Council, duly assembled, this 9th day of October, A.D., 2019.



Reeve: Steven Wannstrom



Chief Administrative Officer
Shirley Bremer

INTERMUNICIPAL DEVELOPMENT PLAN Village of Delia / Starland County



August 1, 2019

Village of Delia Bylaw No. 643-2019
Starland County Bylaw No. 1139

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A. INTRODUCTION

- 1) The Village of Delia (Village) and Starland County (County) have agreed to undertake the process for preparing and adopting an Intermunicipal Development Plan (IDP).
- 2) The Village and the County recognize that all municipalities are equals and have the right to growth and development.
- 3) The purpose of the IDP is to accomplish the following within the Plan Area:
 - a) Ensure orderly development, while protecting the area surrounding the Village for future expansion;
 - b) Establish a framework for attracting economic opportunities;
 - c) Improve opportunities to secure a long-term economic base for the region;
 - d) Ensure the municipalities are development ready and future oriented in their efforts to attract economic activity;
 - e) Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of the municipalities; and
 - f) To identify areas for County growth and development.

B. MUNICIPAL PROFILES

Village of Delia

The Village covers an area of approximately 97 hectares (240 acres), with a population of 216 (Federal Census, 2016). Delia is a village located at the base of the Hand Hills, near Highway 9, in the eastern portion of Starland County in central Alberta. Delia is located 30 km east of Morrin and 47 km northeast of Drumheller. The Village has a Kindergarten to Grade 12 School and multiple recreation facilities including an arena, curling rink and ball diamonds. Agriculture is one of the main employers in the region.



Starland County

The County covers an area of approximately 261,148 hectares (645,310 acres), with a population of 2,066 (Federal Census, 2016). The County surrounds the villages of Delia, Morrin and Munson; and the hamlets of Craigmyle, Michichi, Rowley and Rumsey. Starland County partially borders the Town of Drumheller, Kneehill County, Stettler County and Special Areas. The economy of the County is primarily based on agriculture.



C. LEGISLATIVE REQUIREMENTS

- 1) The MGA 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.

D. PLAN AREA

- 1) The Intermunicipal Development Plan Area (the Plan Area) are the lands surrounding the Village of Delia, as shown on Map 1 in Section R.

E. GOALS

- 1) The following are goals that have been identified by the Village and the County for the Plan Area. Some of the goals are of an on-going nature while some may be more time specific.
 - a) Identification of the Referral Area. This is the area in the County, within one mile of the Village, where the County will refer proposed municipal development plan amendments, land use bylaw amendments, discretionary development permits and subdivisions to the Village for review and comment.
 - b) Development of land use policies to provide for and in support of economic development that will benefit the two municipalities economically and socially.
 - c) Development of land use polices to protect prime agricultural lands from premature designation, subdivision and non-farm development.
 - d) Development of a plan for the provision of utility corridors within the Plan Area to provide for future growth and development of the IDP area, and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the region.
 - e) Effective coordination of transportation systems and protection of required land for future road and trail network developments.
 - f) Development of land use policies to ensure that future sites for schools and recreation areas are protected.
 - g) Identification and protection of physical features and environmentally sensitive areas.
 - h) Effective referral mechanisms and dispute resolution mechanisms.
 - i) Plan administration and implementation.

F. REFERRAL AREA

- 1) The Referral Area is those lands within the County identified as the Referral Area on Map 1 Plan Area Boundaries & Referral Area. These lands are intended to be developed in a manner that is compatible with the growth of the Village, while still permitting agricultural and residential development in the County.
- 2) All subdivision applications, Municipal Development Plan amendments, Land Use Bylaw amendments, Area Structure Plans, and development permits for discretionary uses within the Referral Area will be referred to the Village for comment. All development permit applications approved by the County Development Authority shall be in accordance with the provisions of this Plan. Any disputes shall be dealt with through the procedure outlined within Section Q of this document.
- 3) Development standards will be applied by the County that will ensure that orderly development of the Referral Area can occur.
- 4) Farmstead subdivisions will be permitted within the Referral Area pursuant to the County's Municipal Development Plan. An Area Structure Plan will be required for any multi-lot subdivisions in the Referral Area. Multi-lot subdivisions shall be considered to be any subdivision which will create five or more country residential parcels on a quarter section, excluding quarter sections containing both a farmstead/undeveloped country residential site and fragmented parcel.

G. LAND USE POLICIES

- 1) The Village of Delia and Starland County agree that the long term land use planning concept for the Plan Area is consistent with the future land use designations depicted on Map 2. For up-to-date Land Use Designations please see the Starland County Land Use Bylaw.
 - a) The predominate land use shall remain agricultural as permitted by Starland County's Land Use Bylaw.
 - b) First Parcel out farmstead / residential development may be allowed throughout the Plan Area in accordance with the requirements of the County's Municipal Development Plan and Land Use Bylaw.
 - a) No amendments to this IDP are required by for land use bylaw amendments or first parcel out farmstead/residential developments which meet the criteria of Section G(1)(a) and Section G(1)(b), that both municipalities agree are consistent with the provisions contained within the IDP, as amended from time to time.
- 2) All development permit applications approved by the County's Development Authority shall be in accordance with the Starland County Municipal Development Plan and Starland County Land Use Bylaw. Any disputes shall be dealt with through the procedure outlined within Section Q of this document.

- 3) The following land use provisions will apply to all new development within the Referral Area:
 - a) In considering subdivision and development proposals in the Referral Area, the County Subdivision Authority and Development Authority will ensure the proposed subdivision and/or development conforms to the intent of the Map 2 Future Land Use Concept and the land use policies contained herein.
 - b) In considering subdivision and development permit applications in the Referral Area, the County Subdivision Authority and Development Authority will ensure the proposed development is compatible with adjacent uses.
- 4) The Village and County 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 a mutual benefit.
- 5) Both municipalities shall strive, to the best of their ability and knowledge, to refer all notices of government projects within the Plan Area to the other municipality.
- 6) Within the Plan Area, both municipalities are encouraged to share with the other the results of all publicly available technical analysis, submitted as part of development applications.
- 7) Both municipalities agree that development of lands that are within the Plan Area may contain a historically significant site. Should an area be deemed to have some historical significance, the developer may be required to conduct a Historical Resource Impact Assessment (HRIA) and should contact the appropriate Provincial Government Department regarding the development.
- 8) No new or expanding Confined Feeding Operations within the Plan Area requiring registrations or approvals, or manure storage facilities requiring authorization under the Agricultural Operations Practices Act shall be permitted within the Referral Area in accordance with Starland County's Municipal Development Plan and Land Use Bylaw.
- 9) Multi-lot subdivisions located within 1.6km of the centre line of a provincial highway must be developed in accordance with Section 14, 15 and 16 of the Subdivision and Development Regulations. As such, Area Structure Plans may be required by Alberta Transportation for multi-lot subdivisions within this area. Area Structure Plans shall meet the requirements as outlined by Alberta Transportation including, but not limited to:
 - a) Impacts on the transportation system.
 - b) Pedestrian accommodation.
 - c) Access management requirements for the provincial highways.
 - d) Future road right-of-way requirements.

- 10) Existing developments that were approved through a subdivision or development process prior to the approval of this Intermunicipal Development Plan shall remain in place.

H. ENVIRONMENTAL MATTERS

- 1) All agricultural operators and other users are encouraged to continue best efforts to maintain high standards of water quality.
- 2) Land use and development in flood prone areas are generally discouraged, but where it is considered by the host municipality, it shall be carefully regulated such that there is no negative effect on the adjacent municipality.
- 3) Landowners and residents are encouraged to follow water conservation practices, as established by their respective municipality.
- 4) Both municipalities will endeavour to ensure all sources of potable water supplies within their respective jurisdictions are protected and meet provincial guidelines for water quality.
- 5) The Village and the County agree that development of lands within the Plan Area may impact environmentally significant sites. Development in these areas may be required to:
 - a) conduct an environmental impact assessment (EIA); and,
 - b) contact Alberta Environment and Parks regarding the development.

I. WATER AND WASTEWATER SERVICES

- 1) For developments located within the Plan Area requiring or proposed to require water and wastewater services from the Village, the County will support annexation.
- 2) For developments located within the Referral Area requiring or proposed to require water and wastewater services from the Village, the County will submit the relevant portions of the development agreement, including full details on the water and wastewater servicing standards and anticipated volumes, for the Village's approval.
- 3) For developments requiring water and wastewater services in the Referral Area, the Village and County agree to enter into a joint servicing agreement for said services.
- 4) The Village, subject to available capacity, payment of the user fees and Alberta Environment and Parks approval, agrees to continue to accept, from County residents and developments, wastewater from holding tanks that complies with the standards set by the Village.

J. TRANSPORTATION SYSTEMS

- 1) The Village and County will work together to ensure a safe and efficient transportation network is developed and maintained to service the residents and businesses within the IDP

area. The Village and County will also cooperate on the development of all future Transportation Master Plans.

- 2) When subdivisions are approved in the Plan Area, all right-of-way requirements will be secured to ensure that long-term transportation and road plans can be implemented when warranted.
- 3) As a condition of subdivision or development approval in the Referral Area, all internal roads within residential and commercial subdivisions shall be developed to County standards.
- 4) In order to create more efficiently planned communities with less highway impacts, a Transportation Master Plan for the Plan Area may be developed in coordination with the Village of Delia, Starland County and Alberta Transportation.
- 5) Prior to subdivision and/or development Alberta Transportation may require the preparation of an Area Structure Plan and/or Traffic Impact Assessment for developments located 1.6 km of the centre line of a highway and within the Plan Area.

K. RESOURCE DEVELOPMENT & UTILITY CORRIDORS

- 1) The municipalities will work with representatives from the oil and gas industry to promote resource infrastructure development which does not negatively impact existing and/or future development within the Plan Area.
- 2) Both municipalities agree to refer all oil and gas infrastructure and telecommunication infrastructure related applications in the Plan Area to the neighbouring municipality for review and comment.

L. ECONOMIC DEVELOPMENT

- 1) The municipalities have agreed to work together to promote and support economic development that benefits both municipalities.

M. INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 1) All appeals of developments and subdivisions within the Plan Area will be considered by the Starland County Subdivision and Development Appeal Board.

N. COMMUNICATION AND REFERRAL PROCESS

- 1) The Village of Delia and Starland County agree to refer the following planning proposals within the Plan Area as per the following chart:

Planning Proposal Type	Response Period
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a) Municipal Development Plans and Municipal Development Plan amendments	21 days
b) Area Structure Plans, Area Redevelopment Plans and amendments	21 days
c) Land Use Redesignations	21 days
d) Discretionary Development Permits	21 days
e) Subdivisions	21 days
f) Road Access/Use	21 days

- 2) The response period indicated in Section N(1), may be extended upon request by the Village.
- 3) Notwithstanding Section N(1), either municipality may elect to circulate additional items to the neighbouring municipality for comment.
- 4) The Village shall offer comments from the perspective of specific implications that have a high likelihood of impacting their own efforts around land use planning and provisions of municipal services and infrastructure. General observations on issues that have no bearing on the planning or service delivery efforts of the Village shall be avoided.
- 5) Both municipalities shall strive, to the best of their ability and knowledge, to refer all notices of government projects within the Plan Area to the other municipality.
- 6) Within the Plan Area, both municipalities are encouraged to share with the other the results of all publicly available technical analysis, submitted as part of development and subdivision applications.

O. PLAN ADMINISTRATION AND IMPLEMENTATION

1) Adoption Process

- a) This IDP and any amendments shall be adopted by bylaw by the Village and the County in accordance with the Municipal Government Act, R.S.A., c M-26, as amended.
- b) Any amendments to the Municipal Development Plans and Land Use Bylaws of the Village and County required to implement the policies of the Intermunicipal Development Plan should occur as soon as practicable following adoption of this IDP.

2) Approving Authorities

- a) In the hierarchy of statutory plans, the Intermunicipal Development Plan shall take precedence over the other municipal statutory plans.
- b) Each Municipality shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto within their boundaries.

3) Plan Amendments & Repeal

- a) An amendment to this Plan may be proposed by either municipality. An amendment to the Plan proposed by a landowner shall be made to the municipality in which the subject land is located.
- b) An amendment to this Plan has no effect unless adopted by both municipalities by bylaw in accordance with the Municipal Government Act, R.S.A., c M-26, as amended.
- c) In the event that either the Village or the County determines this Plan is no longer acceptable, either municipality may initiate the process to repeal this Plan. The following shall be followed to repeal the Plan:
 - i) The Village or County may give the other municipality written notice of its intention to repeal the plan.
 - ii) Within thirty days of the written notice, an Intermunicipal Committee meeting shall be convened.
 - iii) Following the Intermunicipal Committee meeting, the municipality initiating the repeal procedure may either withdraw its intention to repeal the Plan by giving written notice to the other municipality or proceed to consider a bylaw in accordance with the Municipal Government Act to repeal the plan.
 - iv) Once one municipality has passed a bylaw to repeal the Plan the other municipality shall also proceed to pass a bylaw repealing the plan.
- d) In accordance with the Municipal Government Act, should this Plan be repealed, the Village and the County shall initiate the development of a subsequent Intermunicipal Development Plan.

4) Intermunicipal Cooperation

- a) The Village and County agree to create a recommending body known as the Intermunicipal Committee (hereinafter referred to as the Committee).
- b) The Committee will meet on an as required basis and will develop recommendations to the Village and County Councils on all matters of strategic direction and cooperation affecting residents, except matters where other current operating structures and mechanisms are operating successfully. The topics to be discussed will include:
 - i. Long-term strategic growth plans for the Municipalities as may be reflected in the Intermunicipal Development Plan, Municipal Development Plans, Area Structure Plans and other strategic studies.
 - ii. Intermunicipal and regional transportation issues including the Transportation and Utility Corridors and truck routes.
 - iii. Prompt circulation of major land use, subdivision and development proposals in either municipality which may impact the other municipality; and

- iv. The discussion of intermunicipal or multi-jurisdictional issues in lieu of a regional planning system.
 - c) The Committee shall consist of two members, being one Councillor from each Municipality.
 - d) The Chief Administrative Officers, or designate(s), will be advisory staff to the Committee, responsible to develop agendas and recommendations on all matters, and for forwarding all recommendations from the Committee to their respective Councils.
- 5) Plan Review
- a) Annually, the County Development Officer and Village CAO and the Intermunicipal Planning Committee shall determine the advisability of any amendments to the Plan. If an amendment is deemed necessary by both municipalities then the results of the review shall be presented to both Councils; either jointly or separately; within one month of the anniversary of the adoption of this Plan. The Councils shall determine if any amendments are to be proceeded with and direct municipal administration to commence with a public plan amendment process. If both Councils do not agree that a particular amendment shall proceed then neither municipality shall proceed with that amendment.
 - b) Once every five years, commencing no later than 2024, the IDP will be formally reviewed by the CAOs or designate in conjunction with the Intermunicipal Collaboration Framework in order to confirm or recommend amendment of any particular policy contained herein. The CAOs will prepare recommendations for consideration by the municipal councils.

P. ANNEXATION

- 1) The County recognizes and agrees that the Village will need additional land to grow and will support future annexations that will provide for 20 years of projected growth within the boundaries of the Village.
- 2) The annexation process may be initiated by the Village through the preparation of a Growth Study and in accordance with the Municipal Government Act.
- 3) In contemplating future annexations, land should remain in whichever municipality is best able to provide services to it and its owners. As a general rule, farm land should be in the County, and land which is subdivided to urban densities, or which requires municipal water and/or sewer, should be in the Village.
- 4) The Village and County will endeavour to reach an intermunicipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

Q. DISPUTE RESOLUTION

- 1) The Village and County agree that the following process shall be used to resolve or attempt to resolve disputes between the Municipalities arising from the following: -
 - a) Lack of agreement on proposed amendments to the Plan;
 - b) Lack of agreement on any proposed statutory plan, land use bylaw or amendment thereto for lands located within or affecting the Plan Area; or
 - c) Lack of agreement on an interpretation of this plan.
- 2) Lack of agreement pursuant to Section Q(1)(a) or (b) is defined as a statutory plan, land use bylaw or amendment to either which is given first reading by a Council which the other Council deems to be inconsistent with the policies of this Plan or detrimental to their planning interests as a municipality.
- 3) A dispute shall be limited to the decisions on the matters listed in Section Q(1). Any other appeal shall be made to the appropriate approving authority or appeal board that deals with that issue.
- 4) The dispute resolution process may only be initiated by Village or County Councils.
- 5) Identification of a dispute and the desire to go through the dispute resolution process may occur at any time regarding a Section Q(1)(c) dispute matter and may only occur within 30 calendar days of a decision made pursuant to Section Q(2). Once either municipality has received written notice of a dispute, the dispute resolution process must be started within 15 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
- 6) In the event that the dispute resolution process is initiated, the municipality having authority over the matter shall not give any further approval in any way until the dispute has been resolved or the mediation process has been concluded.
- 7) In the event that mediation does not resolve the dispute, the Municipality may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.
- 8) The Intermunicipal Committee will be the forum used in relation to any disputes.

Dispute Resolution Process

Stage 1 Administrative Review - The Chief Administrative Officers of both municipalities will meet in an attempt to resolve the issue first. Failing resolution, the dispute will then be referred to the Intermunicipal Committee. In the event that a resolution is not achieved by the 30th day following the first meeting of the Chief Administrative Officer of both Municipalities, either municipality may refer the dispute to the Intermunicipal Committee.

Stage 2 Intermunicipal Committee Review – The Committee will convene to consider and attempt to resolve the dispute. In the event that a resolution is not achieved by the 30th day following the first meeting of the Intermunicipal Committee, either municipality may refer the dispute to mediation.

Stage 3 Mediation – The services of an independent mediator will be retained, with the mediator to present a written recommendation to both Councils. The costs of mediation shall be shared equally between the Village and County.

Stage 4 Municipal Government Board – In the event that the mediation process does not resolve the dispute, the Municipality may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.



R. CORRESPONDENCE

1) Written notice under this Plan shall be addressed as follows:

a. In the case of the Starland County to:

**Starland County
c/o Chief Administrative Officer
P.O. Box 249
Morrin, Alberta T0J 2B0**

b. In the case of the Village of Delia to:

**Village of Delia
c/o Chief Administrative Officer
218 Main Street
P.O. Box 206
Delia, Alberta T0J 0W0**

2) In addition to Section R(1), notices may be sent by electronic mail to the Chief Administrative Officer.

IN WITNESS WHEREOF the parties have affixed their corporate seals as attested by the duly authorized signing officers of the parties as of the date the Intermunicipal Development Plan bylaw is passed.

STARLAND COUNTY

VILLAGE OF DELIA


Reeve


Mayor


Chief Administrative Officer


Chief Administrative Officer

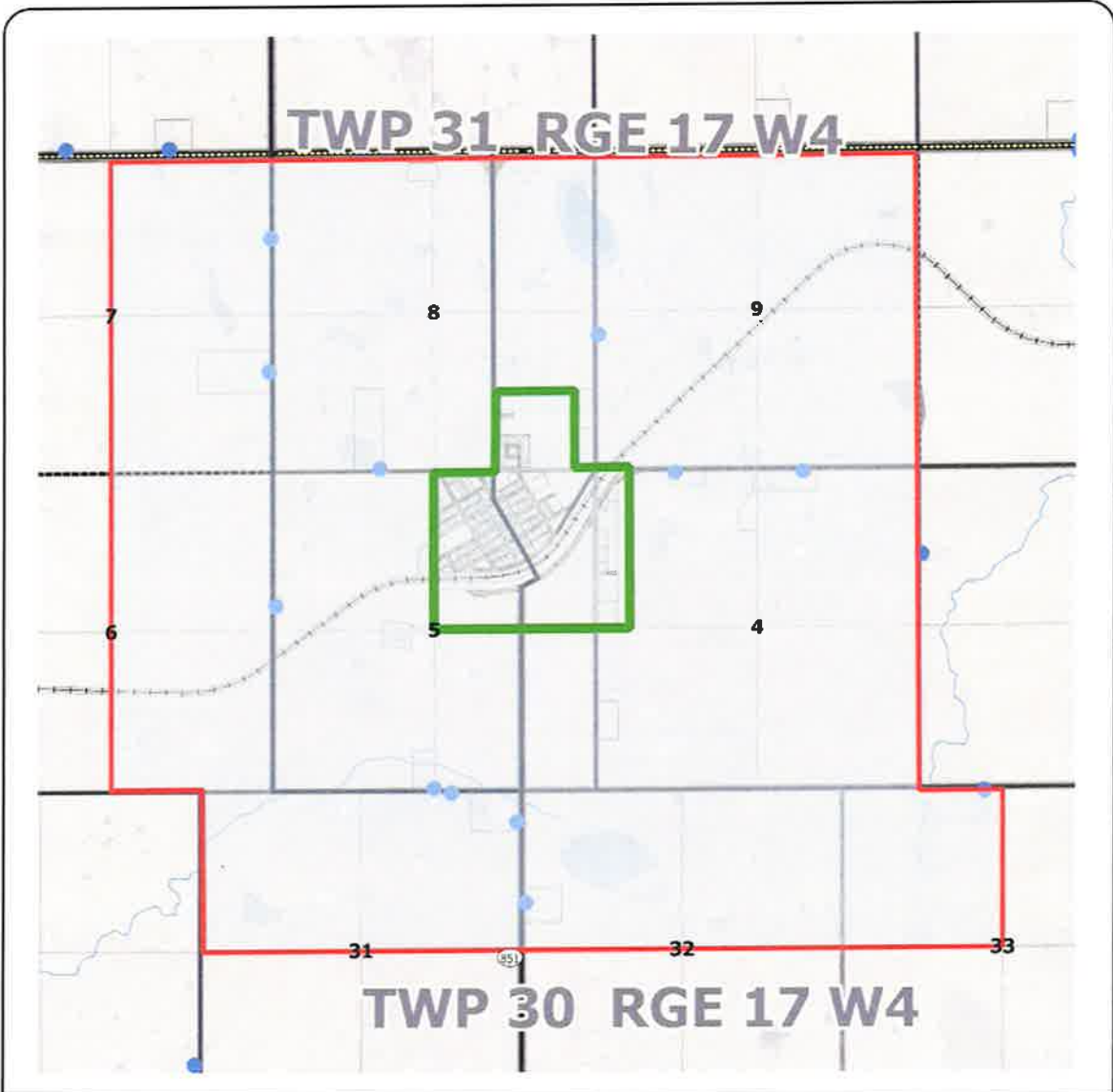
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S. MAPS

Map 1: Plan Area Boundaries & Referral Area

Map 2: Future Land Use Concept



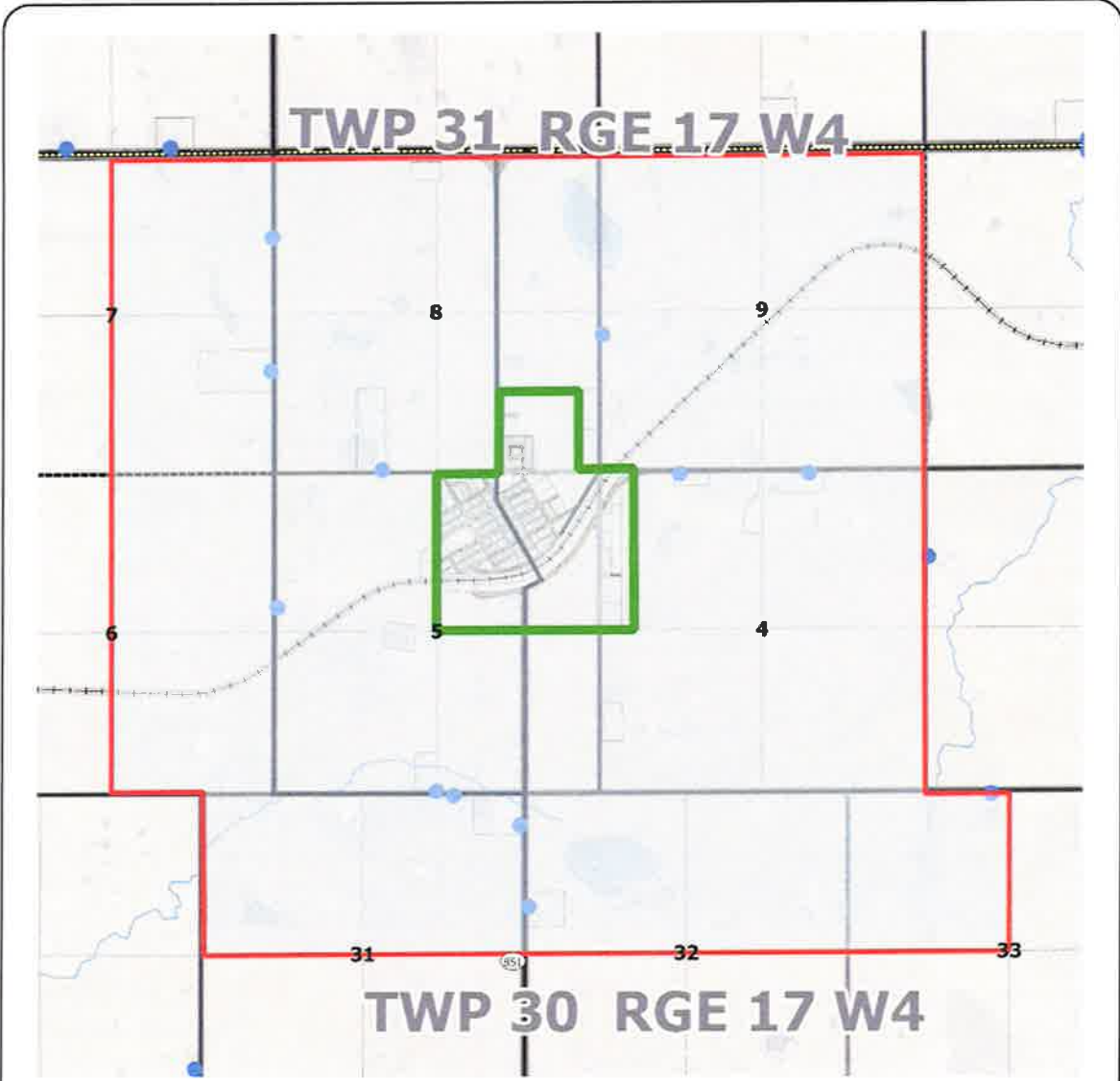
Map 1 - Plan Area Boundaries & Referral Area
Village of Delia & Starland County IDP

Date: May 9, 2019
Projection: EPSG 26912

Legend

- Village Boundaries
- Village Referral Area
- Rural Address Signs





Map 2 - Future Use Concept
Village of Delia & Starland County IDP

Date: May 9, 2019
Projection: EPSG:26912

Legend

- Village Boundary
- Referral Area
- Rural Address Signs
- Land Use Zoning
- Agriculture
- Agriculture Intensive

