



AGENDA
SPECIAL MEETING OF THE TOWN OF BARRHEAD COUNCIL TO
BE HELD TUESDAY MARCH 3, 2020 AT 12:00 NOON IN THE
TOWN OF BARRHEAD COUNCIL CHAMBERS

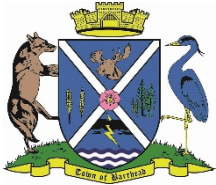
Barrhead....a quality community....giving a quality lifestyle

Present

Absent

Others Present

1. Call to Order
2. Acceptance of Agenda
3. New Business
 - a) 1st Reading of Bylaw 02-2020 the Intermunicipal Development Plan and setting a date for a public hearing
4. Adjournment



REQUEST FOR DECISION

To: Town Council

From: Edward LeBlanc, CAO

cc: File

Date: March 3, 2020

Re: Intermunicipal Development Plan with the County of Barrhead

1.0 PURPOSE:

For Council to pass first reading to By-law No. 2-2020, adopting an Intermunicipal Development Plan with the County of Barrhead.

2.0 BACKGROUND AND DISCUSSION:

In the initial provincial requirements, it was necessary for municipalities having a common boundary to adopt an Intermunicipal Development Plan (IDP). With recent changes, the Province is no longer requiring municipalities to enter into an IDP if mutually agreed by both municipalities.

Regardless of the recent change from the Province, both Administrations felt it was necessary to review and revise the Plan to ensure it meets the current provincial legislation and to simply modernize the document.

For the overall benefit of the community, the Town of Barrhead and the County of Barrhead entered into the original IDP in 1999.

The draft IDP has no significant policy changes from the original version.

Once first reading is passed, both Administrations will arrange for the statutory Public Hearing scheduled for March and jointly hosted by both municipal Councils.

3.0 ALTERNATIVES:

3.1 Council pass first reading to By-law No. 2-2020 being a bylaw to adopt an Intermunicipal Development Plan with the County of Barrhead, as presented.

3.2 Council instructs Administration to provide additional information to the draft Intermunicipal Development Plan and report back at the next Council Meeting.

4.0 FINANCIAL IMPLICATIONS:

Not applicable.

5.0 INTERDEPARTMENTAL IMPLICATIONS:

The main focus of the IDP is limited to the Town's Planning Services Department.

6.0 SENIOR GOVERNMENT IMPLICATIONS:

Not applicable.

7.0 POLITICAL/PUBLIC IMPLICATIONS:

As previously noted, the new IDP will ensure the Plan will meet the current legislation requirements.

8.0 ATTACHMENTS:

- 8.1 By-law No. 2-2020.
- 8.2 Draft Intermunicipal Development Plan.

9.0 RECOMMENDATIONS:

Council pass first reading to By-law No. 2-2020 being a bylaw to adopt an Intermunicipal Development Plan with the County of Barrhead, as presented.

(Original signed by the CAO)
Edward LeBlanc
CAO

BY-LAW NO. 2-2020

**THE BARRHEAD INTERMUNICIPAL
DEVELOPMENT PLAN BYLAW**

**A BYLAW OF THE TOWN OF BARRHEAD, IN THE PROVINCE OF
ALBERTA, TO BE KNOWN AS BARRHEAD INTERMUNICIPAL
DEVELOPMENT PLAN BYLAW.**

WHEREAS, the *Municipal Government Act*, Chapter M-26, of the Revised Statutes of Alberta, 2000 and amendments thereto authorizes two or more Councils to enact an Intermunicipal Development Plan;

WHEREAS, the Town of Barrhead and the County of Barrhead No. 11 have determined that it is expedient to adopt an Intermunicipal Development Plan for the purpose of addressing land issues on land surrounding the Town of Barrhead where there is a common interest.

NOW THEREFORE, the Council of the Town of Barrhead, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That this Bylaw be cited as the “Barrhead Intermunicipal Development Plan Bylaw.”
2. That the text and accompanying maps become the Barrhead Intermunicipal Development Plan.
3. That Bylaw 10-99 and amendments thereto is repealed.
4. This Bylaw shall come into force and have effect from and after the date of third reading thereof.

Read a first time this ____ day of _____, 2020.

Mayor, Dave McKenzie

CAO, Edward LeBlanc

Read a second time this ____ day of _____, 2020.

Mayor, Dave McKenzie

CAO, Edward LeBlanc

Read a third time this _____ day of _____, 2020 and passed.

Mayor, Dave McKenzie

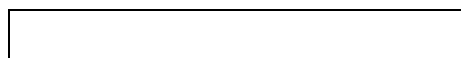
CAO, Edward LeBlanc



Intermunicipal Development Plan

2020

A cooperative strategy for the future growth of the Barrhead urban-rural fringe.



County of Barrhead No. 11 & Town of Barrhead Intermunicipal Development Plan

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LAND USE PLANNING IN THE BARRHEAD AREA

INTRODUCTION

A number of different provincial and municipal documents work together to provide a comprehensive and effective land use planning framework for the Barrhead Area. The following is a highlight of the different components and their role in land use planning in the municipalities.

PROVINCIAL PLANNING

The provincial interest in local land use planning matters is addressed through the Municipal Government Act and the Subdivision and Development Regulation. These two documents provide the basis for subdivision and development, the appeal process, and other related matters.

The relationship between the County, Town, and outside agencies such as utility companies and provincial Ministries is also addressed through the provincial legislation.

Finally, the Minister of Municipal Affairs has prepared a land use policy which is intended to further emphasize the provincial interest and encourage municipalities to work together with other stakeholders.

MUNICIPAL PLANNING

INTERMUNICIPAL PLANNING

The County of Barrhead No. 11 and the Town of Barrhead have entered into an intermunicipal development plan to address land use issues on land surrounding the Town of Barrhead where there is a common interest. The policies contained in this document are particular to the intermunicipal plan area and are intended to complement policy in each municipality's respective municipal development plans.

MUNICIPAL DEVELOPMENT PLANS

Both the County and Town of Barrhead have adopted long range municipal land use plans. The Municipal Development Plan outlines the land use planning framework for the future growth and development of each municipality. This framework is implemented through the Municipal Land Use Bylaw.

LAND USE BYLAWS

The Land Use Bylaw is the tool used to implement the policies contained within the Intermunicipal and Municipal Development Plan. The Land Use Bylaw is a municipal regulation. Both the Town and County of Barrhead No. 11 have adopted a Land Use Bylaw to regulate growth and development within their corporate boundaries.

INTERMUNICIPAL COLLABORATION FRAMEWORK

The County and Town have a long history of cooperation when it comes to social matters and service delivery. As examples, through the history of this Plan and its predecessors, the two municipalities have contributed towards the development of the Barrhead Regional Airport, community services, emergency services, utilities and cultural programming, to name a few.

The Intermunicipal Collaboration Framework between the Town and County of Barrhead was adopted by Bylaw on January 28, 2020 and February 4, 2020 respectively.

PART ONE: INTRODUCTION

A. Preamble

- 1) This Barrhead Intermunicipal Development Plan (IDP) has been prepared by Administration representatives from both the County of Barrhead No. 11 and the Town of Barrhead.
- 2) This IDP is a continuation of an IDP that was first adopted by the Town and County in 1989, then renewed in 1999.
- 3) The purpose of this IDP is to provide a land use planning framework for the subdivision and development of land as defined in the Plan Area where both municipalities have an interest.
- 4) In a spirit of cooperation between the Town and County, both Councils intend to facilitate future development in the Plan Area in a manner that will be efficient, attractive, and beneficial to the benefit of all residents in the area.

B. Guide To The IDP

- A. This IDP is intended to be used as a document to provide a land use planning framework for the Plan Area surrounding the Town of Barrhead. This IDP will serve as the primary planning document for the Plan Area and will be further implemented through the County and Town Land Use Bylaw and other statutory plans that are adopted and affect land use in the Plan Area.
- B. Decision making on all subdivision and development applications within the Plan Area shall conform with the spirit and intent of the goals, objectives, and policies contained in this IDP.
- C. The intent of this IDP is to complement the existing County and Town of Barrhead Municipal Development Plans (MDP). The goals, objectives, and policies of this IDP should be considered as additional or supplementary to those which exist in the municipal plans. Where a conflict exists between this IDP and a MDP, the goals, objectives, and policies of this IDP shall take precedence.

C. Intermunicipal Planning Boundary (Plan Area)

- 1) The IDP Plan Area applies to all lands identified by each respective municipality. Map No. 2 describes the Plan Area under this IDP.
- 2) For map interpretation purposes, the Plan Area includes the following lands:

Township 59, Range 3, W5M

<i>NE ¼, Section 8</i>	<i>E ½, Section 28</i>
<i>NW ¼, Section 9</i>	<i>NW ¼, Section 29</i>
<i>Sections 15 through 18</i>	<i>Section 30 and 31</i>
<i>Section 19</i>	<i>SW ¼ and N ½ Section 32</i>
<i>SW ¼, Section 20</i>	<i>SE ¼ and N ½, Section 33</i>
<i>E ½, Section 21</i>	<i>Section 34</i>
<i>Section 22 and 27</i>	

Township 59, Range 4, W5M

W ½ Section 13, 24, 25 & 36

- 3) The Plan Area is 15.25 sections in area or approximately 9.920 acres (4,014 ha).
- 4) The Town of Barrhead and the Paddle River are the two most significant features in or adjacent to the Plan Area. The Town of Barrhead is comprised of three sections and located in the center of the Plan Area. The Paddle River flows in a general eastward direction through the Plan Area. Though the River is mostly within the County of Barrhead No. 11, it also flows through the southwest corner of the Town.
- 5) The Paddle River drops approximately 10 metres in elevation through the Plan Area. A flood plain does exist for the River and has been described for the reach of the River that is within the corporate boundaries of the Town of Barrhead. The flood plain is generally regarded as having a 1 in 100 year flood elevation of 636 metres above sea level (ASL).
- 6) The topography of the Plan Area consists of gently sloping land. The total relief (highest to lowest elevation) in the Plan Area is 70 metres or 230 feet. The elevation range is from a high of 700 metres ASL in the northeast portion of the plan area to a low of 630 metres ASL in the eastern portion of plan area along the Plan Area.
- 7) The land south of the Paddle River generally slopes towards the north. In the northwestern portion of the Plan Area, the land generally slopes towards the two small streams which feed the Paddle River. In the northeastern portion of the Planning Area, the land generally slopes towards the south.

D. Conformity With Legislation

- 1) This IDP has been prepared pursuant to the provisions of the Municipal Government Act and is consistent with the Minister of Municipal Affairs Land Use Policies.

E. Flexibility

- 1) This IDP is not intended to be “fixed in stone” or inflexible. To remain an effective and current document, this IDP will be reviewed and amended as required. Minor adjustments or variances that may be required to land use classes, location or future roads and other services, quantities and figures will not require an amendment to this IDP.

F. Policy Explanation

- 1) The word “should” in policy statements means that the statement is an expression of desire by the municipality. It refers to what the municipality would like to achieve but does not make the action mandatory.
- 2) The word “shall” means that the action is mandatory.
- 3) Though the word “may” means that the action is discretionary; actions will be based upon the planning goals of this Plan and sound land use planning principles.

G. Overall Plan Goals

- 1) The following are the principal goals of this IDP.
 - i) To plan for the orderly, economic, and beneficial use of land in the Plan Area.
 - ii) To identify areas where the Town of Barrhead and the County of Barrhead No. 11 can cooperatively plan for future development in a manner that is consistent with proper land use planning principles.
 - iii) To establish land use planning standards which will allow for the safe and efficient movement of traffic through the Plan Area.
 - iv) To establish land use planning standards which will minimize adverse impacts on the natural environment.
 - v) To encourage development which will be sustainable and benefit area residents.
 - vi) To complement the goals, objectives, and policies of the County and Town of Barrhead MDPs.

PART TWO: LAND USE POLICIES

A. Preamble

- 1) This IDP was developed to prevent uncoordinated development in the Plan Area around the Town of Barrhead and the possible negative implications of random development for the Town of Barrhead and the County of Barrhead No. 11. It has been developed as a tool to guide development in the Plan Area for the benefit of both the County and the Town. Areas of concern to both municipalities are:
 - i) the protection of the quality and quantity of the water supply used by both municipalities,
 - ii) the coordination of transportation systems between and through the County and the Town;
 - iii) the protection of the valuable farmland in the Plan Area;
 - iv) the need for coordinated planning for land uses in the Plan Area; and
 - v) the protection of the Barrhead Municipal (Johnson) Airport.

B. General Subdivision & Development Guideline

- 1) Except where noted in this IDP, all subdivision and development proposals and issues shall be reviewed and decided in accordance with the direction provided in the Town's and County's MDP and LUBs.

C. Agriculture

It is expected that the primary land use in the Plan Area will remain agricultural in nature for the long term. Historically, impacts on urban development from extensive agriculture have been minimal. It is also recognized that new intensive livestock operations which are administered by the Natural Resources Conservation Board are not permitted within the Plan Area. The intent of the following policies is to recognize and affirm the policies contained within the County MDP and to identify particular issues that relate specifically to the Town of Barrhead.

Agriculture in the Plan Area shall be in accordance with the provisions described in the County of Barrhead No. 11 Municipal Development Plan.

D. Residential Development

It is recognized that the County of Barrhead No. 11 has adopted restrictions to the number of parcels that may be developed on agricultural lands. The following policies are intended to expand on those contained in the County MDP to address specific issues in the Plan Area.

- 1) County residential development in agricultural districts shall be in accordance with the applicable provisions contained within the County of Barrhead MDP.
- 2) Notwithstanding the policies contained in the County MDP, where both municipalities are in agreement, the re-subdivision of an existing country residential parcel to create one or more country residential parcels may be allowed subject to the following:
 - i) the proposed parcel will not adversely impact existing or proposed developments on surrounding lands;
 - ii) the proposed parcel can access the local road system and has adequate water and sewer services;
 - iii) a suitable building site is available which conforms to the provisions of the County LUB.

E. Industrial Development

Though agriculture is the predominant land use in the Plan Area, opportunities exist for industrial development in certain areas. It is recognized that the Town of Barrhead encourages industrial development which would not be compatible in an urban environment to locate in the County. On this basis, the following policies have been developed to enhance the existing County of Barrhead No. 11 provisions regarding industrial development to address specific issues within the Plan Area.

- 1) In general, rural industrial development shall be encouraged to locate in an industrial park rather than on isolated parcels in the Plan Area.
- 2) Any industrial development which may conflict with urban development through noise, traffic, smell, airborne pollution and other factors shall be encouraged to locate east of Highway No. 33.
- 3) Impacts on the natural environment and urban development within the Town of Barrhead shall be considered when reviewing any industrial development within the Plan Area.

F. Commercial Development

Commercial Development within the Plan Area is generally low impact and minor in nature. The following policies complement the policies which exist in the County of Barrhead No. 11 MDP.

- 1) Existing commercial developments in the Plan Area will be permitted to expand where impacts on surrounding lands is minimized.
- 2) New commercial developments in the Plan Area shall be encouraged to locate in cluster subdivisions such as a rural industrial/commercial park.

G. Transportation And Utilities

The following policies complement those which are contained in the County MDP.

Transportation:

- 1) Cooperation between the Town and the County of Barrhead No. 11 is essential to maintain current transportation links (i.e., the Barrhead [Johnson] Airport, area highways, and local road systems). When considering subdivision and development applications, the approving authorities shall consider the following:
 - i) future intermunicipal linkages for transportation and utility corridors,
 - ii) the need to maintain the operation and integrity of transportation facilities in the Plan Area,
 - iii) the need to ensure that new subdivision and development will not adversely impact the safe and efficient operation of transportation facilities and networks,
- 2) New subdivisions and building sites are to be developed in a manner that will not conflict with the future development of new transportation corridors.
- 3) Subdivision and Development along the Primary Highways within the Plan Area shall be reviewed by Alberta Transportation.

Utilities:

- 4) Multi-parcel subdivisions should provide utility right of ways that will allow for future connection to municipal water supply and sewage systems.
- 5) The use of holding tanks for sewage disposal systems within the 1 in 100-year floodplain shall be encouraged.

- 6) Any subdivision or development proposal within the IDP area that requires Town sewer utility servicing shall be referred to the Town of Barrhead for comments. The Town shall confirm whether there is sufficient capacity to allow a sewer utility connection for the proposed use and that it be included in a utility service agreement between the Town and County of Barrhead.

H. Environment

Two primary environmental considerations exist within the Plan Area. First, the Paddle River needs to be protected from development and activities which would impact the River. Secondly, development which would have an impact on the use and enjoyment of property in the Town of Barrhead through airborne pollution should not be located west of the Town. The following policies reflect this intent:

- 1) No subdivision or development shall be allowed which will result in contamination of the Paddle River.
- 2) No subdivision or development shall be allowed which will result in slope failure of the banks of the Paddle River.
- 3) All subdivision and development proposals which produce airborne pollution [dust, smoke, etc.] that would impact the Town of Barrhead shall be located east of Highway No. 33 to minimize the impact of prevailing winds.
- 4) Development within the 1 in 100-year floodplain shall be restricted to passive uses such as recreation areas and agriculture.

I. Recreation

The Town and County cooperate in the provision of facilities for use by residents and visitors to the Town and County. In the intermunicipal planning area an example of this cooperation is the Barrhead Golf Course which is located in the Paddle River Valley. The following policies outline each municipalities intent regarding recreation development in the intermunicipal planning area.

- 1) No development shall be permitted in proximity to recreation facilities which will adversely impact the operation or integrity of existing recreational facilities.
- 2) Future development along or near the banks of the Paddle River should allow for the future development of recreational facilities such as trail systems and linear pathways.

PART THREE: ADMINISTRATION & IMPLEMENTATION

The goals, objectives, and policies of this plan shall be implemented in accordance with the following guidelines:

A. Amendment To Local Plans

- 1) Any proposed adoption or amendment to the County of Barrhead No. 11 or Town of Barrhead Municipal Development Plan, Land Use Bylaw, or any other Statutory Plan which may impact land within the Plan Area shall be considered by both municipalities.
- 2) Where required, this Intermunicipal Development Plan may be amended to reflect changes in local statutory plans and bylaws.

B. Referrals

- 1) The following policies outline the intent of each municipality regarding the referral process for subdivision and development proposals within the Intermunicipal Plan Area. The following policies are based upon the understanding that referrals will not be required unless the subject of the proposal could have an impact on the neighbouring municipality.
 - Referrals – Development Permit Applications (County of Barrhead No. 11)
 - Development permit applications for permitted uses do not require a referral to the Town of Barrhead.
 - Development permit applications for discretionary land uses or buildings on a parcel shall be referred to the Town of Barrhead for their review and comment prior to rendering a decision.
 - Referrals –Subdivision Applications (County of Barrhead No. 11)
 - All subdivision applications shall be referred to the Town of Barrhead for their review and comment.
 - Referrals – Subdivision and Development Permit Applications (Town of Barrhead).

The Town of Barrhead shall refer to the County of Barrhead No. 11 for comment, all subdivision and development permit applications which:

- i) require access to County roads for access to the site,
 - ii) require access to County roads for industrial haul road purposes, and
 - iii) require upgrading of County infrastructure to service the proposed development.
- 2) All Statutory Plan and Bylaw preparation and amendments that impact the Plan Area of this IDP shall be referred to the other participating municipality for their review and consideration.

C. APPEAL PROCESS

- 1) All subdivision, development, and stop order appeals in the Plan Area shall be directed to the County of Barrhead No. 11: Subdivision & Development Appeal Board or the Municipal Government Board as directed in the MGA. The Town of Barrhead will be afforded an opportunity to make a presentation at any appeal affecting land within the Plan Area.
- 2) The County of Barrhead No. 11 shall be informed of all appeals within the Town of Barrhead which could have an impact on lands within the Plan Area. The County will be provided the opportunity to make a presentation at such an appeal.

PART FOUR: INTERPRETATION

A. DEFINITIONS:

- a.) **Town** means the Town of Barrhead,
- b.) **County** means the County of Barrhead No. 11,
- c.) **Committee** means the Town and County of Barrhead Intermunicipal Collaboration Framework committee
- d.) **Intermunicipal Development Plan** means the Barrhead Intermunicipal Development Plan,
- e.) **Plan** means the above defined Intermunicipal Development Plan,
- f.) **Plan Area** means the area described in Part One: (C) of this Plan, and
- g.) **Date of Passage** means the date upon which both Councils have adopted through Bylaw this Intermunicipal Development Plan, or any amendments thereto.
- h.) **Intensive Agriculture** means the use of a parcel of land for uses such as greenhouses, market gardens, sod farms, nurseries, and tree farms.
- i.) **Extensive Agriculture** means a system of tillage which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming as well as farm related uses. Extensive Agriculture may also include the raising of livestock either in conjunction or separate from a crop farming operation where the density of animals on the subject property is less than that of an intensive livestock development, as defined by Alberta Agriculture, Food and Rural Development in cooperation with the County of Barrhead No. 11.

B. Review And Amendment

- 1) This Plan and the accompanying implementation agreement may be amended through the adoption of an amending bylaw by both municipalities in accordance with the provisions of the Municipal Government Act.
- 2) The IDP shall be reviewed once during a Council Term.

C. Compliance With Other Jurisdictions

- 1) This IDP shall not be effective or reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

D. Dispute Resolution

- 1) The County and Town commit to resolving any disputes in a non- adversarial, informal and cost-efficient manner.
- 2) Both municipalities shall make all reasonable efforts to resolve all disputes by negotiation and agree to provide, without prejudice, open and timely disclosure of relevant facts, information and documents to facilitate negotiations.
- 3) Any dispute arising out of the implementation of this Agreement will firstly be addressed by the administrations of both municipalities. Where a dispute cannot be resolved to the satisfaction of both municipalities after thirty (30) calendar days, the dispute will be referred to the CAOs of both municipalities.
- 4) Where a dispute cannot be resolved to the satisfaction of both CAOs after thirty (30) calendar days, and it is not jointly agreed by the CAOs to extend the time period, the dispute will be referred to the Committee.
- 5) Where a dispute cannot be resolved to the satisfaction of the Committee after thirty (30) calendar days, and it is not jointly agreed by the Committee to extend the time period, the dispute will be referred to the Councils of both municipalities.
- 6) Where a dispute cannot be resolved to the satisfaction of the Councils of both municipalities, the County and Town will seek the assistance of a mediator acceptable to both municipalities. The costs of mediation shall be shared equally between the municipalities.
- 7) If a dispute is not resolved through the above noted process, the Parties shall refer the matter to an arbitrator acceptable to both Parties and the arbitration process described in Part 17.2 of the Municipal Government Act shall apply whether or not one year has passed after the Parties started the dispute resolution process in this Framework.
- 8) The costs of arbitration shall be shared equally between the municipalities.
- 9) In situations where the approved IDP conflicts with the *Municipal Government Act* as it pertains to intermunicipal disputes, provisions in the *Municipal Government Act* shall prevail.

E. Duration

- 1) Either municipality may withdraw and repeal the IDP after participating in the dispute resolution process (steps 1-6 above).