

**BY-LAW NO. 1426**

**BY-LAW NO. 1426** A By-law of Camrose County, in the Province of Alberta, for the purpose of adopting the Camrose County/Village of Bittern Lake Intermunicipal Development Plan, pursuant to the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto.

**WHEREAS** The Councils of Camrose County and Village of Bittern Lake have recognized the need to cooperate in the planning of future land use and development along the municipal boundary,

**AND 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.

**NOW THEREFORE** The Council of Camrose County, in the Province of Alberta, adopts the Camrose County/Village of Bittern Lake Intermunicipal Development Plan, being the document attached hereto.

**AND THEREFORE** By-law No. 1426 come into force and effect on the final date of passing thereof.

RECEIVED FIRST READING THIS \*  
DAY OF \_\_\_\_\_, A.D. 2018 \* REEVE  
IN THE CITY OF CAMROSE, IN THE \*  
PROVINCE OF ALBERTA \* COUNTY ADMINISTRATOR

RECEIVED SECOND READING THIS \*  
DAY OF \_\_\_\_\_, A.D. 2018 \* REEVE  
IN THE CITY OF CAMROSE, IN THE \*  
PROVINCE OF ALBERTA \* COUNTY ADMINISTRATOR

RECEIVED THIRD AND FINAL READING \*  
THIS DAY OF \_\_\_\_\_, A.D. 2018 \* REEVE  
IN CITY OF CAMROSE, IN THE PROVINCE \*  
OF ALBERTA \* COUNTY ADMINISTRATOR

**Village of Bittern Lake | Camrose County**

**Intermunicipal Development Plan 2018**

**Village of Bittern Lake Bylaw No. 03/18**

**Camrose County Bylaw No. 1426**



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# 1. COMMUNITY

## 1.1 Purpose

To promote regional planning and cooperation, and to fulfil the legislative requirements of the *Municipal Government Act* (MGA). The Village of Bittern Lake and Camrose County (Community Partners) have agreed to pursue the creation of this Intermunicipal Development Plan (IDP) as an integral component of the Intermunicipal Collaboration Framework (ICF), recognizing the mutual right of each partner to pursue appropriate growth and development.

The IDP seeks to:

- 1.1.1 Establish land use policies to direct the future development of lands identified to be of mutual interest to Camrose County and Village of Bittern Lake, including coordination of transportation, utilities, and other service provisions necessary to support such development.
- 1.1.2 Establish policy and process to support economic development opportunities;
- 1.1.3 Establish policies for the provision and designation of Reserve lands, including the protection of environmental features.
- 1.1.4 Establish a clear communication process to support the implementation of the plan, along with efficient and effective procedures for plan amendment, administration, review, and dispute resolution.

## 1.2 Process

The policies in this plan have been created to support the mutual goals both partners. The administrators and elected officials from both partners worked through a series of meetings and conversations relating to both the Intermunicipal Collaboration Framework and Intermunicipal Development Plan.

Public input was invited throughout the process at both a Public Open House held on September 20, 2018 and through statutory Public Hearings held on November 15, 2018 in the Village of Bittern Lake and on November 27, 2018 at Camrose County.

### 1.3 Context

The Village of Bittern Lake is located on Highway 13 between Camrose and Wetaskiwin. Bittern Lake is approximately ninety (90) kilometres southeast of Edmonton’s centre, sixteen (16) kilometres west of Camrose, and one hundred twenty (120) kilometres northeast of Red Deer. The community is bordered by Bittern Lake, a large marshland, directly to the north. The community consists of approximately seventy (70) single-family residential dwellings, and a population of 220 residents (2016). The community’s population has shown modest growth over the last thirty (30) years, with a growth rate of just over 2%.

The community sits between the CP Rail line to the north and Highway 13 to the south, though the legal boundary extends far beyond the current Village proper. The Village is comprised of primarily residential development with minimal commercial or industrial activity.

### 1.4 Administration

- 1.4.1 The Village and County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, amendments thereto and subdivision and development applications falling within their respective boundaries.
- 1.4.2 Amendments to this Plan may be proposed by either municipality.
- 1.4.3 Amendments to this Plan proposed by a landowner shall be made to the municipality in which the subject property lies.
- 1.4.4 Area Structure Plan or Outline/Concept Plans shall be prepared and adopted by the municipality having authority prior to, or concurrent with, changes in land use designation. This requirement shall not apply to those areas that do not involve subdivision or areas deemed to be minor developments by the applicable approving authority.

### 1.5 Plan Area

The IDP plan area has been identified to include the lands identified in **Map 1 - Plan Area and major constraints**. The plan boundary has been determined based on projected growth directions and development constraints.

## 2. CONCEPT & LAND POLICIES

### 2.1 General

**Map 2 - Future Land Use Concept** provides a general indication of the intended future urban development areas and the land uses envisioned for the Village.

- 2.1.1 Land development within the Village boundary is intended to be generally of an urban nature and shall comply with the Village's Municipal Development Plan and Land Use Bylaw. Land development within the Plan Area on County lands shall be regulated by applicable County regulations; including the Municipal Development Plan, Land Use Bylaw; and the applicable provisions of this Plan.
- 2.1.2 Both partners shall protect lands in the Plan Area from uses and developments that may interfere with future Village development. Existing agricultural operations may continue indefinitely unless the landowner chooses to cease agricultural operations to pursue land development.
- 2.1.3 The Village shall not pursue the annexation of any land it cannot economically and reasonably service. Village initiated annexation shall be in accordance with **Map 3 - Future Annexation Area**.
- 2.1.4 Either municipality or a landowner(s) may propose an annexation. In the case of a landowner the adjacent municipality shall be notified of the request immediately.
- 2.1.5 Proposals for annexation shall be reviewed by the Intermunicipal Committee prior to submission of a Notice of Intent to the respective Councils and the Municipal Government Board.
- 2.1.6 Proposals for annexation shall be accompanied by a supporting report - addressing, at a minimum, the following:
  - a. Justification of need, based on projected growth rates;
  - b. Availability and cost for providing municipal services and transportation;
  - c. Landowner(s) interest in pursuing development;
  - d. Consistency with adopted plans;
  - e. Measures to mitigate any impacts on taxation, service provisions and the treatment of existing uses; and
  - f. Logical extension of boundaries including the long-term responsibilities for maintenance and service delivery.

## 2.2 Agriculture

Agriculture represents the largest land use category and primary economic contributor in the Plan Area. This Plan strives to support and protect agricultural assets by directing potential development in a manner that minimizes intrusion and supports compact and contiguous development with the existing community. The following applies to all County lands within the Plan Area.

- 2.2.1 Agriculture shall continue as provided for in the County’s Municipal Development Plan and Land Use Bylaw, unless a landowner proposes to convert lands as provided for in this Plan.
- 2.2.2 The Village and County recognize that the predominant use of land in the Plan Area is agriculture and support the intent of the *Agricultural Operations Practices Act* and similar ‘right to farm’ legislation, which exempts agricultural operations from nuisance claims, including but not limited to:
  - a. Noise from farm equipment,
  - b. Dust from planting and harvesting,
  - c. Disruption from late night work common during planting and harvesting,
  - d. Application of agricultural fertilizers and chemicals, and
  - e. Odours arising from livestock.

The municipalities will not entertain nuisance complaints based on agricultural operations that follow generally accepted best-management practices and comply with municipal bylaws and applicable federal and provincial legislation.

- 2.2.3 When making a subdivision or development decision on, or adjacent to, agricultural lands, both municipalities shall respect the right of agricultural operators to pursue normal activities associated with agriculture operations, as provided for the County’s Municipal Development Plan and Land Use Bylaw, without interference or restriction based on the adjacent uses.
- 2.2.4 No new or expanded Confined Feeding Operations (CFOs) requiring registration or approval under the *Agricultural Operations Practices Act* by the Alberta Natural Resources Conservation Board shall be permitted in the Plan Area. (see Appendix A – Confined Feeding Operations)
- 2.2.5 Subdivision and development opportunities provided for under the County’s Agricultural Land Use District will still be permitted provided they meet the requirements of the County’s Municipal Development Plan, Land Use Bylaw and other provisions of this Plan.

- 2.2.6 Natural resource extraction may be allowed in the Plan Area as provided for in the County’s Municipal Development Plan, Land Use Bylaw and other provisions of this Plan.

## 2.3 Land Development

- 2.3.1 Residential development at densities comparable to existing Village development shall be the primary use within the defined residential areas identified on **Map 2 – Future Land Use Concept**.
- 2.3.2 Country Residential development proposals within the Plan Area shall be in accordance with the County’s Municipal Development Plan and any subdivision beyond ‘first parcels out’ shall not be permitted within areas identified for future Village expansion unless provisions to connect to future municipal services are installed at time of development to the satisfaction of the Village.
- 2.3.3 For areas identified for future development on **Map 2 – Future Land Use Concept** the following shall apply:
- a. As a prerequisite to subdivision and development beyond ‘first parcels out’, the preparation of an Area Structure Plan to the satisfaction of the municipality with jurisdiction shall be required to ensure that issues relating to future land use, servicing and phasing are to be addressed - thereby ensuring compatibility with existing and proposed development within the Village; and
  - b. Water and sanitary sewer services shall either be extended from the Village; a communal system shall be constructed to a standard acceptable to the Village and County; or a mutually agreed upon deferred servicing agreement entered into; and
  - c. Infrastructure standards shall be negotiated with the Village to ensure that adequate standards for urban development are met; and
  - d. Municipal reserve shall be allocated in accordance with the applicable Municipal Development Plan.
- 2.3.4 The replacement or upgrading of existing buildings, residences or businesses may be permitted in accordance with the provisions of the applicable Municipal Development Plan and Land Use Bylaw even if the existing use is inconsistent with the intended long-term development type indicated in this Plan.
- 2.3.5 Uses and development which may detract from the community’s character, quality of life of residents or unduly impact the environment shall not be permitted.



- 2.3.6 As per the Subdivision and Development Regulation no development of a school, hospital, food establishment or residential use shall be approved within 300 m of the working area of a wastewater treatment facility.
- 2.3.7 As per the Subdivision and Development Regulation no development resulting in the creation of a permanent dwelling shall be approved within 100 m of an Oil or Gas Well, unless approved by the Alberta Energy Regulator.

## **2.4 Environment**

- 2.4.1 Environmentally significant features shall be identified and integrated into development proposals.
- 2.4.2 All lands that qualify as Environmental Reserve in accordance with the Municipal Government Act shall be identified within development plans and dedicated upon subdivision.
- 2.4.3 Redesignation, subdivision, and development applications may be required to conduct an environmental review by a qualified professional where potentially environmentally sensitive features are suspected.
- 2.4.4 Any development adjacent a watercourse or wetland may be required to provide a geotechnical study to confirm the site is suitable for the proposed use.
- 2.4.5 Energy and utility companies shall be encouraged to locate well sites and pipelines in a manner that avoids fragmentation of land.

## **2.5 Economic & Joint Development**

- 2.5.1 The Village and County shall work together to ensure a strong and stable diversified local economy within the broader regional economy by supporting and directing development to appropriate areas.
- 2.5.2 The Village and County shall work together to explore areas of mutual interest where economic agreements can be considered to ensure development opportunities will benefit both municipalities. This may include the potential to extend Village water and sanitary sewer services to lands within the County.

## 2.6 Transportation & Utilities

- 2.6.1 The Village and County shall coordinate the planning and construction of major transportation links (**Map 2**) and intersection improvements within the Plan Area. Any future development in the Plan Area shall be planned in consultation with Alberta Transportation with the impacts of development on intersections with Highway 13 being appropriately evaluated.
- 2.6.2 As subdivision occurs, lands required for future transportation and utility corridors as identified in mutually accepted plans shall be protected.
- 2.6.3 Right of way and development requirements for future roads shall be agreed upon at time of subdivision or Area Structure Plan preparation.
- 2.6.4 Utility right of way within the jurisdictional limits of a provincial highway shall comply with Alberta Transportation requirements.
- 2.6.5 If Village water and/or sanitary sewer services are extended into the County, development levies or equivalent contributions shall be collected from the benefitting development to ensure that existing Village and County residents are not adversely impacted. The utility rate structure shall be adjusted to place no additional burden of the existing Village or County residents.
- 2.6.6 Best management practices for stormwater management shall be required in the Plan Area. The release of storm water run-off from any development shall be designed and managed in accordance with Albert Environment and Parks requirements.
- 2.6.7 Natural and man-made drainage courses that are critical to overall stormwater management within the Plan Area shall be protected by the respective partner.

## **3. COMMUNICATION & COOPERATION**

### **3.1 Cooperation**

- 3.1.1 The Village and County shall coordinate future planning efforts including potential collaboration on Area Structure Plans, Transportation Plans, Utility or Drainage Plans and feasibility studies relating to the provision of new or expanded community facilities, service or open space.
- 3.1.2 Any reference to the Intermunicipal Committee (the Committee) means the Intermunicipal Committee established by the municipalities as part of the Intermunicipal Collaboration Framework.

### **3.2 Correspondence**

- 3.2.1 Each partner shall share with the other any information, study, transportation or utility plan - or any other data that may have implications for the Plan Area.
- 3.2.1 Each municipality agrees to refer to the other municipality any of the following proposals, or any amendments thereto that may have implications within the Plan Area as outlined in 3.2.5:
  - a. Municipal Development Plans;
  - b. Area Structure or Area Redevelopment Plan;
  - c. Land Use Bylaw, including redistricting;
  - d. Subdivisions;
  - e. Any other proposal or matter to which a municipality wishes to inform the other of.
- 3.2.2 The County agrees to refer all Development Permits for discretionary uses to the Village as outlined in 3.2.5.
- 3.2.3 The Village agrees to refer all Development Permits for discretionary uses to the County, as outlined in 3.2.5, resulting in:
  - a. Commercial, industrial or institutional approvals resulting in new construction and/or operations resulting in ten (10) or more new employees;
  - b. Residential approvals resulting in the creation five (5) or more new dwelling units;
  - c. Any other approval the Village determines may be of significance to the County.

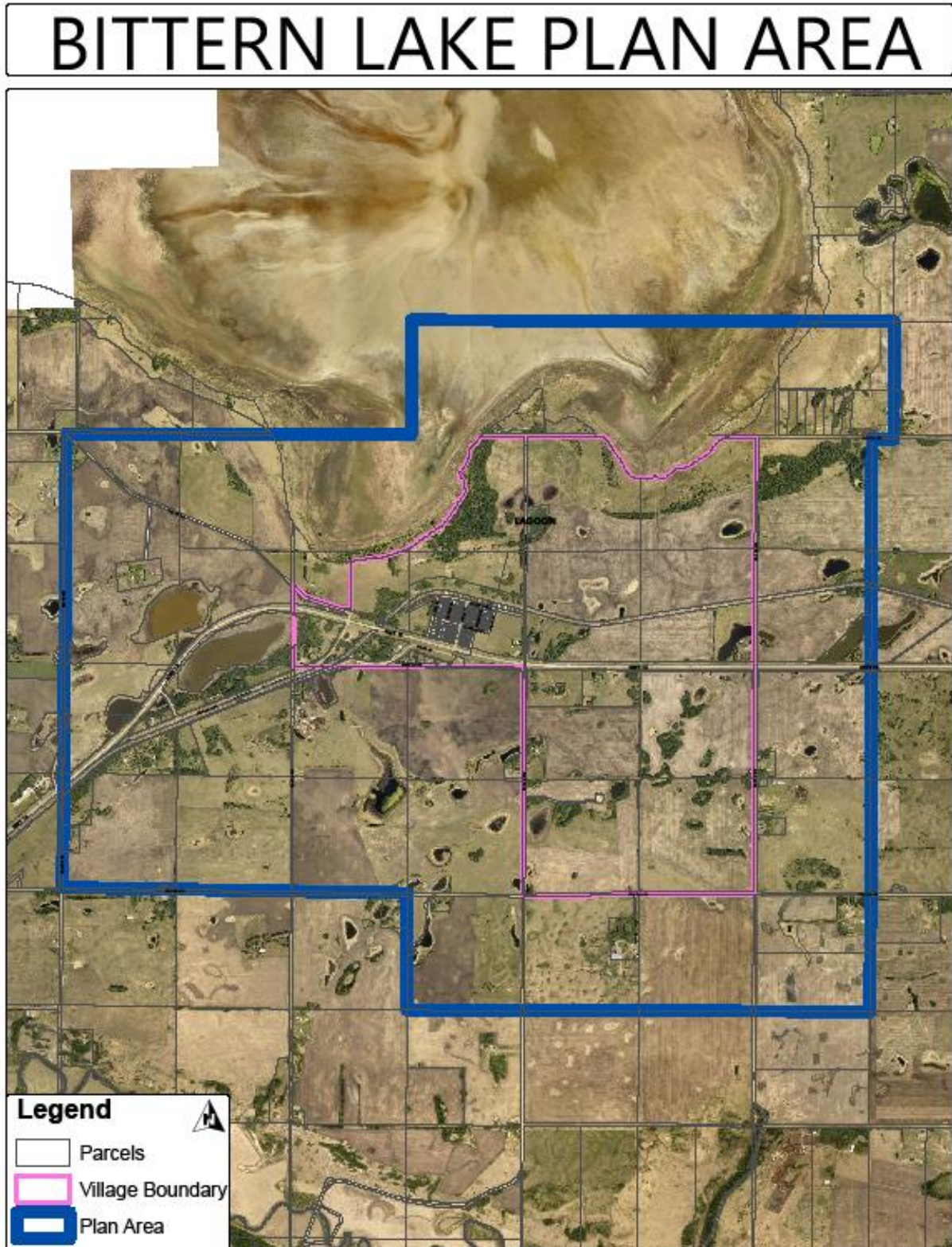
- 3.2.4 All notifications and correspondence shall be provided via email or regular mail to the respective CAO, or appropriate designate. A response period of twenty-one (21) days shall be provided for all items identified above.
- 3.2.5 Every five (5) years, this plan shall be reviewed by administrative representatives of each partner in conjunction with a review of the Intermunicipal Collaboration Framework.
- 3.2.6 When issues are raised through the communication and notification process, the following shall take place:
- a. **Administrative Review:** Administrative discussion between appropriate staff from each partner shall take place to identify the basis of concern and acceptable solutions. If agreement can be reached, the agreed upon solution shall be prepared and submitted by the initiating municipality - outlining the concern, the agreed upon action, and any required amendments required to this Plan (if applicable).
    - i. If no agreement can be reached the matter shall be referred to the Intermunicipal Committee.
  - b. **Intermunicipal Committee:** A meeting shall be scheduled within 30 days of the completion of the Administrative Review to allow both partners to present their perspective on the issue. The Committee may:
    - i. Provide suggestions back to Administration on how to address the issue and refer the matter back to the Administrative Review stage;
    - ii. Request additional information to be provided to the Committee;
    - iii. Agree on a consensus position that resolves the issue; or
    - iv. Conclude that no initial agreement can be reached and refer the matter to the Dispute Process if appropriate.
  - c. The outcome of any Intermunicipal Committee meeting shall be provided in writing to both municipalities.

### **3.3 Dispute Resolution**

- 3.3.1 The dispute resolution process shall be used to resolve to following issues:
  - a. A lack of agreement between the two partners on any proposed amendment to this Plan;
  - b. A lack of agreement between the two partners on any proposed statutory plan, concept plan, outline plan, land use bylaw or any amendment to any of these documents affecting the lands within the Plan Area; or
  - c. A lack of agreement between the two partners on an interpretation of this Plan.
  
- 3.3.2 Any disputes between the parties related to this Intermunicipal Development Plan will be resolved using the binding dispute resolution process identified in the Intermunicipal Collaboration Framework, as established between the parties.
  
- 3.3.3 Additional disputes or appeals by other parties shall be made to and addressed by the respective approving authorities within each municipality.
  
- 3.3.4 The dispute resolution process may be initiated by either Council, by resolution.

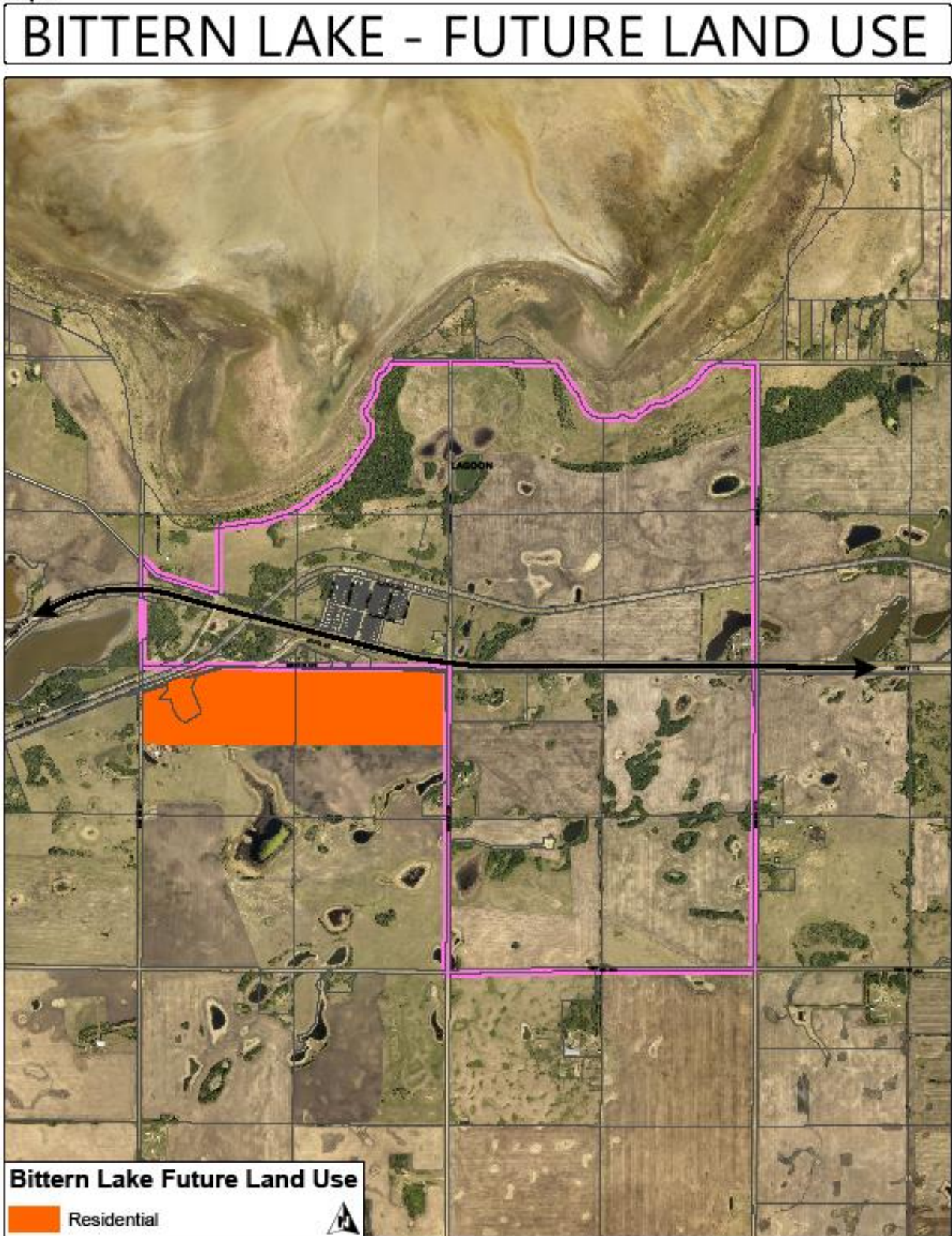
## 4. IDP PLAN AREA

### 4.1. Map 1: Plan Area and Major Constraints



## 4.2. Map 2: Land Use Concept

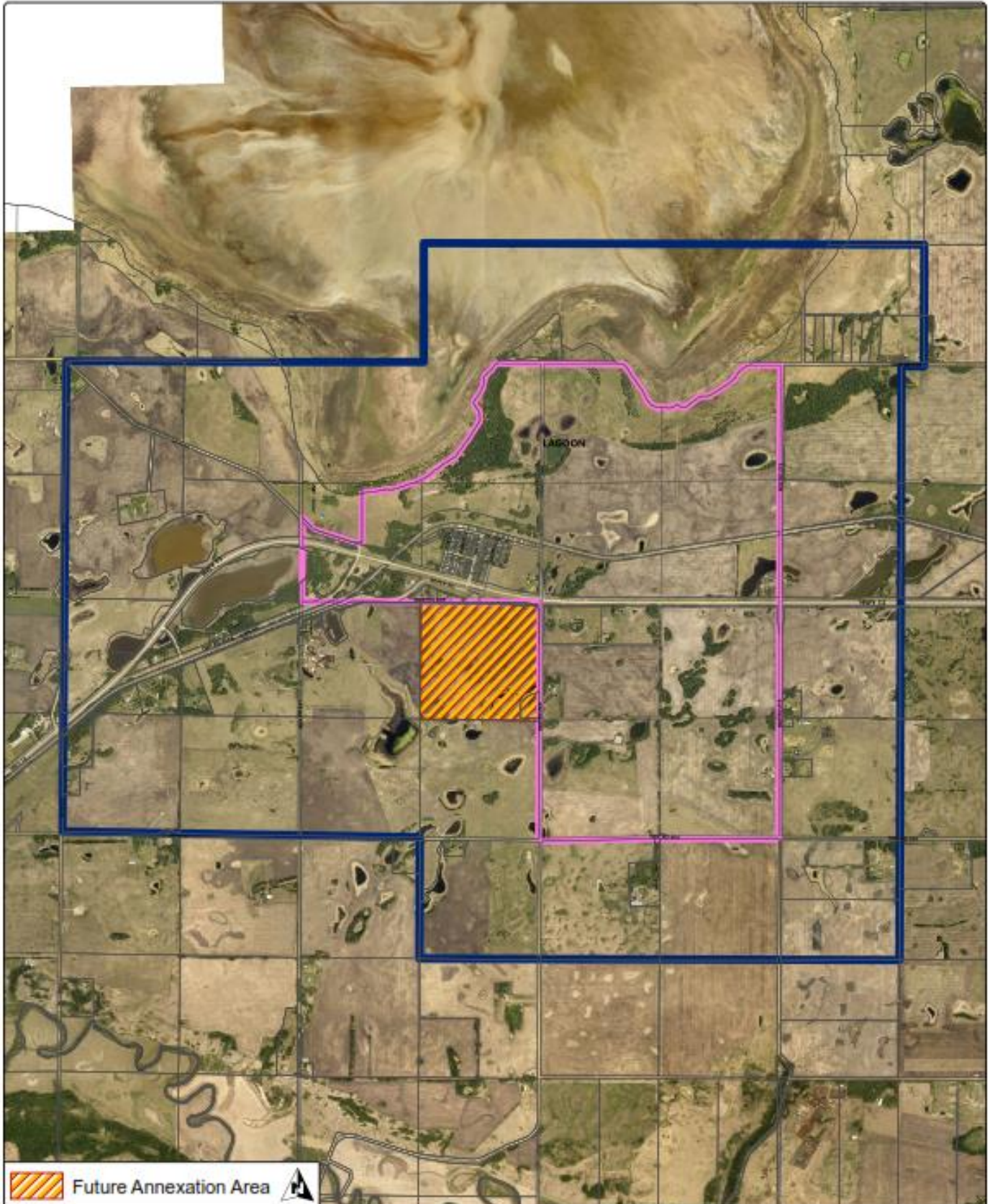
Map 2



### 4.3. Map 3: Future Annexation Area

Map 3

## BITTERN LAKE - FUTURE ANNEXATION AREA





## 5. APPENDICES

### 5.1 Confined Feeding Operations

**NOTE: the following information is provided for informational purposes. Any requirements of the NRCB should be confirmed with the organization directly.**

The *Agricultural Operation Practices Act* (AOPA) defines a confined feeding operation, or intensive livestock operation, based on the number of animals and the method of confinement and feed.

Operations that feed animals primarily by grazing are exempt from the definition of confined feeding operation.

New or expanding confined feeding operations require an AOPA permit from the Natural Resources Conservation Board. They must also meet the technical design standards, the minimum distance separation requirements from neighbouring properties and the operational requirements of the act and regulations. These include, for example, setbacks from water bodies, record keeping and spreading requirements.

The *Agricultural Operation Practices Act* defines what kind of permit a confined operation requires, based on the number and species of livestock and whether the application is for an increase in the number of livestock. Approvals are permits for larger operations, and registrations are permits for smaller operations. Authorizations are permits for manure storage facilities and do not authorize additional livestock

Schedule 2 – Threshold Levels (Agricultural Operation, Part 2 Matters Regulation)			
Category of Livestock	Type of Livestock	Column 2	Column 3
		Number of Animals (registrations)	Number of Animals (approvals)
Beef	Cows/Finishers (900+ lbs)	150 – 349	350+
	Feeders (450 – 900 lbs)	200 – 499	500+
	Feeder Calves (< 550 lbs)	360 – 899	900+
Dairy (*count lactating cows only)	Lactating cows* (Lactating cows only – associated Dries, Heifers and Calves are not counted)	50 – 199	200+
Swine (*count sows only)	Farrow to finish*	30 – 249	250+
	Farrow to wean*	50 – 999	1000+
	Farrow only*	60 – 1249	1250+
	Feeders/Boars	500 – 3299	3300+
	Roasters	500 – 5999	6000+
	Weaners	500 – 8999	9000+
Poultry	Chicken – Breeders	1000 – 15999	16000+
	Chicken – Layer (includes associated pullets)	5000 – 29999	30000+
	Chicken – Pullets/Broilers	2000 – 59999	60000+
	Turkeys – Toms/Breeders	1000 – 29999	30000+
	Turkeys – Hens (light)	1000 – 29999	30000+

	Turkey – Broiler	1000 – 29999	30000+
	Ducks	1000 – 29999	30000+
	Geese	1000 – 29999	30000+
Horses	PMU	100 – 399	400+
	Feeders > 750 lbs	100 – 299	300+
	Foals < 750 lbs	350 – 999	1000+
	Mules	100 – 299	300+
	Donkeys	150 – 449	500+
Sheep	Ewes/rams	300 – 1999	2000+
	Ewes with Lambs	200 – 1999	2000+
	Lambs	1000 – 4999	5000+
	Feeders	500 – 2499	2500+
Goats	Meat/Milk	200 – 1999	2000+
	Nannies/Billies	400 – 2999	3000+
	Feeders	500 – 4999	5000+
Bison	Bison	150 – 349	350+
Cervid	Elk	150 – 399	400+
	Deer	200 – 999	1000+
Wild Boar	Feeders	100 – 299	300+
	Sow (farrowing)	50 – 99	100+