

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1424-22**

A Bylaw of Smoky Lake County, in the Province of Alberta for the purpose of adopting an Intermunicipal Development Plan for Smoky Lake County & the Village of Waskatenau.

\*\*\*\*\*

**WHEREAS** an Intermunicipal Development Plan has been prepared for Smoky Lake County & the Village of Waskatenau and based on public input and studies of land use, development and other relevant data; and

**WHEREAS** the foresaid Intermunicipal Development Plan describes the way in which the future development within the Plan area may be carried out in an orderly and economic manner;

**WHEREAS** the Council of the Village of Waskatenau and the Council of the County of Smoky Lake County had adopted Intermunicipal Development Plan Bylaw 662-17 and Bylaw 1304-17 respectively;

**AND WHEREAS** the Bylaw 662-17 and Bylaw 1304-17 expired on August 17, 2022;


**NOW THEREFORE** the Council of Smoky Lake County, duly assembled, and pursuant to the authority conferred upon it by the Municipal Government Act R.S.A. 2000, c. M-26 as amended, enacts as follows:

1. For clarity, Bylaw 1304-17 is hereby rescinded.
2. This Bylaw may be cited as "Smoky Lake County & the Village of Waskatenau Intermunicipal Development Plan".
3. The Smoky Lake County & Village of Waskatenau Intermunicipal Development Plan is attached hereto as **Schedule "A"** to this Bylaw is hereby adopted.
4. This Bylaw may be amended by Bylaw in accordance with the Municipal Government Act R.S.A. 2000, c. M-26, as amended.

This Bylaw comes into effect upon the date of the final reading thereof.

READ a First Time this **22nd** day of **September, AD 2022**.

  
\_\_\_\_\_  
REEVE  
Lorne Halisky

S E A L  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
Gene Sobolewski



READ a Second Time this 26<sup>th</sup> day of October, AD 2022.

READ a Third and Final Time this 26<sup>th</sup> day of October, AD 2022 and finally passed by Council.



REEVE

Lorne Halisky



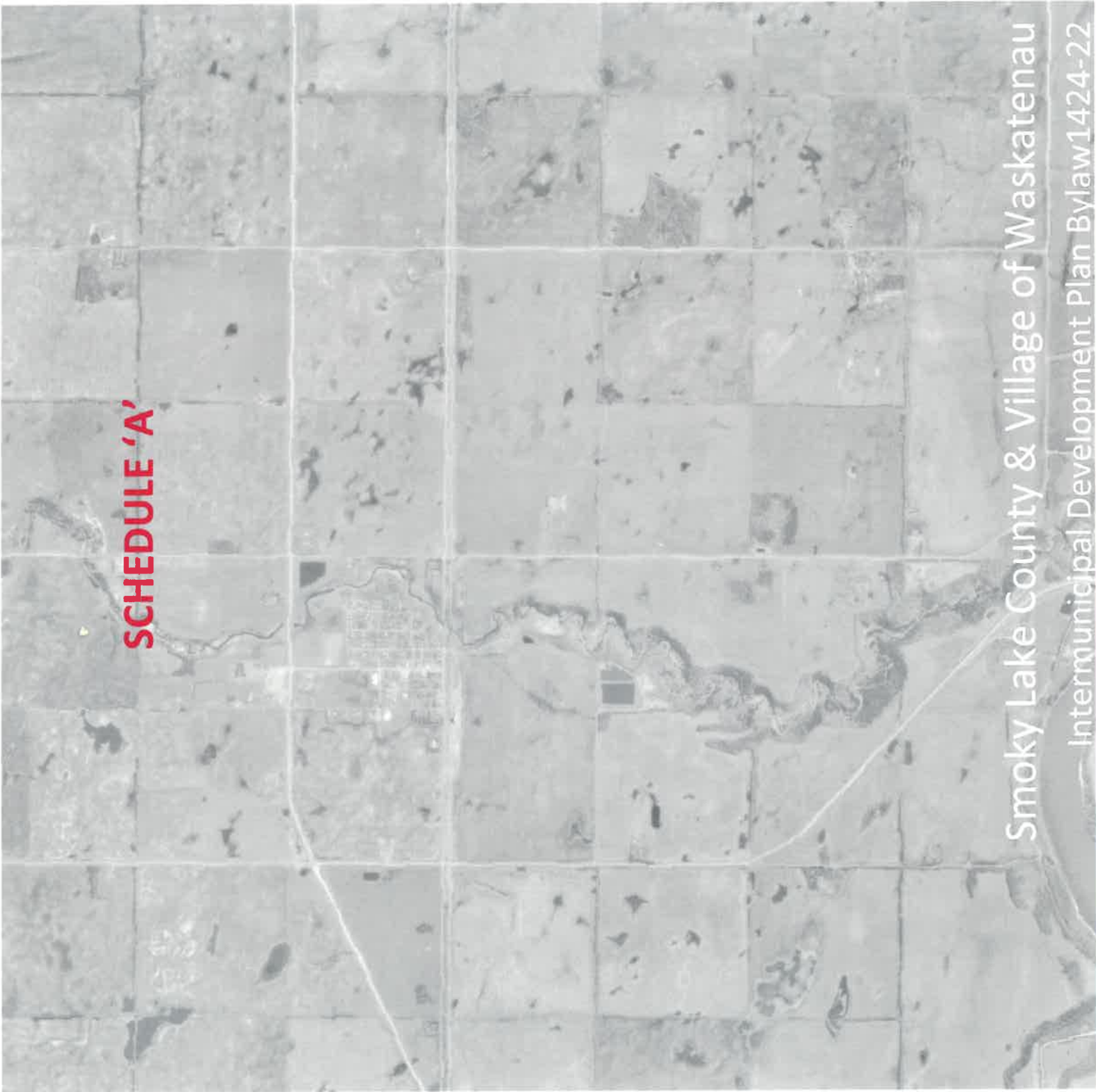
S E A L

CHIEF ADMINISTRATIVE OFFICER

Gene Sobolewski



**SCHEDULE 'A'**



Smoky Lake County & Village of Waskatenau  
Intermunicipal Development Plan Bylaw 1424-22



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# 1 Interpretation

## 1.1 Definitions

1. **Area Structure Plan** is a statutory plan that establishes the general planning framework for future subdivision and development of an area of undeveloped land;
2. **Building** includes anything, whether temporary or permanent, constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road;
3. **Confined Feeding Operation** means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds. Confined Feeding Operations are regulated under the Agricultural Operation Practices Act (AOPA) in Alberta;
4. **Country Residential** means any development located in a rural area which is situated on a lot used solely for private residential purposes and accessory uses and is not connected to municipal sewer and water services. The dwelling unit may be occupied permanently or seasonally;
5. **Development** means:
  - a. an excavation or stockpile and the creation of either of them, or
  - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
  - 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 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 intensity of use of the land or building;

6. **Development Authority** means the Development Authority established by the Village of Waskatenau and the Smoky Lake County Development Authority Bylaws;
7. **Environmental Reserve** means land considered undevelopable because of its natural features or location (e.g., unstable slopes, shoreline areas, etc.) that is dedicated to the municipality at the time of subdivision by the landowner, as provided for in the Municipal Government Act;
8. **Environmental Reserve Easement** is an easement that is registered on the title of a parcel of land in favour of the municipality for the purpose of the protection and enhancement of the environment;
9. **Extensive Agriculture** means the use of land or buildings, including the first dwelling or manufactured home, an agricultural operation which require large tracts of land (usually in the order of 80 ac. (32.4 ha.) or more). This use may include the outdoor cultivation of industrial hemp, but does not include intensive agriculture, cannabis production and distribution, or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act, R.S.A. 2000, c. A-7, as amended or replaced;
10. **Farmstead** means the currently inhabited or formerly inhabited residence or other improvements connected with a farm or an intensive agricultural use. Farmstead also includes a currently vacant site, which is intended to be used as a country residence;
11. **Fragmented Parcel** means a parcel of land or a part of a parcel of land that is separated from the balance of the parcel of land by a natural barrier such as a river or coulee, or by a physical barrier such as a road, railroad, or highway;
12. **Intensive Agriculture** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes, greenhouses, silviculture and sod farms, but does not include confined feeding operations cannabis production and distribution or industrial hemp production and distribution facilities;
13. **Multi-lot Country Residential Development** means any subdivision, which will create two or more country residential or farmstead lots on a quarter section;
14. **Municipal Reserve** is land (or cash-in-lieu of land, or both) dedicated by a landowner to the municipality at the time of subdivision for the purpose of

providing parks, recreation facilities and school sites as provided for in the Municipal Government Act;

15. **Public Utility** means a public utility, as defined in the Act. More specifically, a public utility means:

- a. a system, works, plant, equipment or service for the production, transmission, delivery or furnishing of water, heat, light, or power supplied by means other than electricity, either directly or indirectly to or for the public;
- b. an oil pipeline the proprietor of which is declared by the Energy Resources Conservation Commission to be a common carrier; and
- c. an electric utility; (Section 1(i) Public Utilities Act 2010 as Consolidated).





## **2 Introduction**

### **2.1 Purpose**

The purpose of this intermunicipal development plan is to identify and communicate a plan for improving regional collaboration in the areas of intermunicipal growth, land use, infrastructure, recreation, social, and emergency services planning, and joint service provision.

These documents were structured so that to further their implementation they could be approved by the respective Councils of the partner municipalities as Intermunicipal Development Plans.

The adoption of this Intermunicipal Development Plan provides the Village and the County with a joint future land use plan to help guide growth and development within the Plan Area.

### **2.2 Approach**

This Plan utilizes a comprehensive approach to land-use planning. In practice, this means that local information, specialized viewpoints, and environmental stewardship practices are used in the decision-making process for land use and development.

This approach considers both the past and present human and physical environments. Considering where the community has been, where it is presently and where it wants to go enables both municipalities to set in place a Plan for how to reach their desired destination. This approach to planning assumes that the Plan's policies and subsequent decisions will be based on careful consideration of environmental information, stakeholder interests and municipal goals and objectives. This approach offers communities the opportunity to provide widely-accepted and lasting solutions to development and land use management issues.

### **2.3 Goals**

The goals of this Plan are to assist the Smoky Lake Region achieve the following short- and long-term benefits:

#### **Short Term Benefits**

- Provide all municipalities within the region with a service delivery tool or Plan to assist with determining the viability of regional municipal service delivery.
- Better facilitate inter-municipal and intra-regional cooperation relating to economic and community development issues, opportunities, and challenges.
- Increase overall community and economic development capacity building essential to both short term and longer-term community viability, sustainability, and quality of life.
- Develop a more effective process and planning strategy for coordinating intermunicipal growth, land use, infrastructure, recreation, social services, and emergency services.

#### **Long Term Benefits**

- The development and implementation of a regional framework that strengthens regional collaboration and integrated regional service delivery models to increase efficiencies and provide a stronger more unified approach to addressing the issues identified as important to community members within the Smoky Lake Region.
- Increased business/investment attraction “presence” throughout the Smoky Lake Region.
- Improved business retention, growth, and business attraction throughout the region.
- Improved regional fiscal and financial sustainability.
- Increased opportunities for leveraging regional strengths into regional competitive advantages.

#### **2.4 Enactment**

The policies contained within this Plan come into force once the Councils of the Village of Waskatenau and Smoky Lake County have each given Third Reading to the bylaws adopting the Village of Waskatenau + Smoky Lake County Intermunicipal Development Plan.

## 2.5 Duration

This Plan will establish, in general terms, the general land use patterns, together with the conditions upon which the provision of municipal services may occur in the subject area, and mutually agreed policy directions for the next 25 years following the adoption of the Plan.

While this Plan is meant to be a long-range planning document, it is intended that regular monitoring, review, and periodic amendments may be required for policies in the Plan to remain current with changing development trends and growth within the region. A process for amending the Plan has been established as a part of this Plan.

The Plan shall be reviewed every five years from the date on which the Plan comes into effect to ensure that it is still current and meets the needs of the Village of Waskatenau, Smoky Lake County, and the entire Smoky Lake Region.

## 2.6 Enabling Legislation

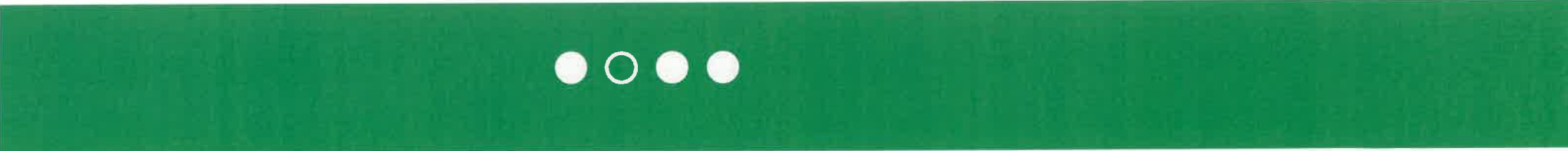
The provincial legislation that allows one or more municipalities to adopt an Intermunicipal Development Plan is the Municipal Government Act.

Section 631 of the Municipal Government Act states, in part:

- (1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries ...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).

- (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.

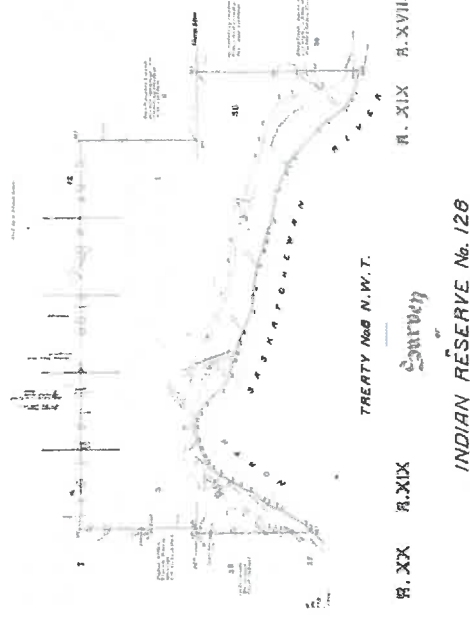
The procedure for adopting an Intermunicipal Development Plan is described in Section 692 of the Municipal Government Act.

**2.7 Subject Area Boundary**

The area of the Village of Waskatenau and Smoky Lake County to which this Plan applies is identified on **5.1 - Future Land Use Areas**.

## 2.8 Subject Area Profile

### Location and History



'Waskatenau' comes from the Cree word '*Washatanow*' which is a translation of the Cree "*opening in the riverbank*" is formerly home to the band of Chief "Bear's Ears". After the signing of Treaty 6, the band which numbered about 60 souls initially settled on the nearby 'Bear's Ears Indian Reserve No. 126' in 1889 but this was forcibly surrendered back to the federal government 1896, and the band was 60 miles east to Saddle Lake. The former Reserve was renamed the district of Pine Creek and was made available for settlers in 1904. By 1912, nearly all homesteads in the area had been claimed.

Unlike some other areas of Smoky Lake County, which became home to a concentration of immigrants with similar origins, settlers in the Waskatenau area arrived from places as diverse as the United States, Scandinavia, the British Isles and Eastern Europe.

The Village of Waskatenau came into existence in 1919 after the arrival of the railway. By 1929 Waskatenau was thriving and included: four general stores, a hardware store, two barber shops, one pool hall, one bank, a meat market, two confectionery shops, one boarding house, one hotel, two restaurants, two blacksmiths, two garages, five grain elevators, one bakery, two lawyers, one doctor, a skating rink, a community hall, two churches and a three-room school as well as fifteen organizations. In 1932 Waskatenau was incorporated into a village.

Major resource extraction and industrial development in Alberta has had a significant impact on the Village of Waskatenau. While the Village does not currently include major resource extraction or industrial developments, many Village residents work in natural resource extraction industries, or for industries outside of the Village. Although indirect, regional resource extraction and industrial developments are crucial factors in the Village's social and economic viability.

Local Features are identified on **Map 6.2- Local Features** in Appendix A.

### **Transportation**

The IDP area encompasses segments of two provincial highways: 28 and 831, which generally travel east/west and north/south respectively. The junction between these two highways, north-west of the Village, has recently been realigned from a 4-way stop into a traffic circle which has contributed to more streamlined traffic flows and fewer accidents.

Within the IDP area, direct access to the Village is achieved:

- Primarily, off highway 28 via County Range Road 193A which turns into the Village 50<sup>th</sup> or Main Street;
- Secondly, off highway 28 via County Range Road 193B, which turns into Village 52<sup>nd</sup> Street; and
- Off highway 831 via County Township Road 592, which turns into Village 50<sup>th</sup> Avenue before exiting the Village and forming a junction with County Range Road 193 which itself bounds the Village to the south-west, also shares junctions with highway 28 to the north.

Generally, Village roads are maintained to a paved urban-rural standard, and County, to an un-paved rural road standard.

The Iron Horse Trail also finds its western terminus at Waskatenau.

### **Environmental Characteristics**

The Village of Waskatenau in a generally flat portion of Smoky Lake County, next to a tributary water course (Waskatenau Creek) that flows into the nearby (south of the Village) North Saskatchewan River. Small stands of mixed boreal forest are located along the water course, and throughout the subject area. Lands to the south of the Village adjacent to the North Saskatchewan River are abundant with historic resources, as that area of the County is part of the Victoria District National Historic Site of Canada. These lands are also part of a larger 'blue and green' network of regional and provincial environmentally significant areas. The Village and County will also cooperate to enhance future trail connectivity and environmental stewardship goals.

Most undeveloped lands within the subject area are used for agriculture, with some low-lying wet areas and small mixed tree stands.

### **Existing Land Uses**

Within the Village are a variety of planned land uses. Residential development in the Village of Waskatenau primarily consists of low-density, single-family dwellings. Residential development adjacent to the Village consists of country residential style housing, on acreage-style lots and in association with agricultural operations.

Commercial developments within the Village include downtown-style shops and services, and large lot developments.

Recreational and community use developments in the subject area include community parks and outdoor recreational facilities, and the Waskatenau Creek Nature Trail and Train Trestle.

### **Municipal Services**

The Village of Waskatenau provides municipal water (via the Highway 28/63 Regional Water Line which extends through the County) and community sewage treatment services to most of the Village including storm and sanitary sewer. All roadways within the Village are developed to an urban standard (paved with sidewalks).

A wide variety of 'soft' services exist within the Village and the subject area which are provided by a blend of municipal and community sources, including: the Waskatenau Equine Centre, a senior citizen's drop-in centre, the Royal Canadian Legion Cabin, a library, the Waskatenau Creek Nature Trail, Train Trestle, the Pine Creek Park and Campground, a regional volunteer fire department, a school, churches, and a variety of recreational facilities.

### 3 Intermunicipal Growth

#### 3.1 General Land Use Policies

1. Future subdivision and development shall be in accordance with this Plan. Deviations from this plan shall require amendment to the plan as set out in this Plan and under the Municipal Government Act.
2. The partner municipalities agree to work with development proponents and other regulators such as Alberta Transportation and Alberta Environment & Parks (AEP) to encourage the preparation of area structure plans and/or development concept plans, where required by this Plan.
3. New applications for Confined Feeding Operations (CFOs) in subject area, or applications for the expansion of any existing confined feeding operations in the subject area, shall not be supported.
4. The Village and County will work together to provide an adequate inventory of suitable lands to attract a broad range of business and appropriate industry. The Village and County will encourage industries that generate large volumes of traffic or substantial traffic loads (in terms of either bulk or weight or potential hazard) to locate in such a manner as to minimize negative traffic impact, such as the Village through-traffic.
5. Subdivision applicants shall dedicate a minimum of 30 metres of Environmental Reserve, in accordance with the provisions of the Municipal Government Act adjacent to significant wetlands, water bodies and areas with a slope of more than 15 degrees.
6. At the sole discretion of the Subdivision Authority for the affected municipality, the amount of Environmental Reserve required may be varied upward or expanded to accommodate unique site conditions such as steep slopes, bank instability, or pre-existing development.
7. Subdivision applicants will be required to dedicate the full amount of Municipal Reserve owing in the forms provided for in the Municipal Government Act. The Village and County will consider establishing jointly-administered cash-in-lieu of Municipal Reserve fund.
8. Smoky Lake County may require a Development Concept Plan or Area Structure Plan be prepared and approved prior to the approval of an amendment to the County Land Use Bylaw in the IDP area.



### 3.2 Agricultural Land Use

The **Agricultural Land Use Area** identifies portions of the Plan Area that are currently used for agricultural or country residential purposes and lands that may be suitable for future agricultural developments.

The following policies apply to land within the Agricultural Land Use Area:

1. The Agricultural Land Use Area shall be those lands within the IDP area identified as **Agricultural** on **Map 5.1 - Future Land Use Areas**.
2. Agricultural operations in the Plan Area are to be protected from encroachment by either competing or conflicting developments resulting from the premature conversion or agricultural land to other land uses.
3. Extensive Agriculture will be allowed within the Plan Area. Intensive Agriculture (excluding confined feeding operations) will be allowed, where provided for in the County's Land Use Bylaw. Subdivision and development applications for new Intensive Agriculture developments and the expansion of existing Intensive Agriculture developments will be circulated to the IPC for comments prior to the issuance of a decision by the County's approving (subdivision or development) authority. The IPC will review the application in relation to potential environmental and infrastructure impacts such as: siting of the proposed development in relation to prevailing winds, adjacent land uses, and the impacts on the transportation network.
4. Country Residential development may occur within the Agricultural Land Use Area at the discretion of the Subdivision Authority where provided for in the Agricultural District and Highway Commercial District within the County's Land Use Bylaw.
5. Un-serviced Multi-lot Country residential development (more than 5 (five) country residential parcels per quarter section) will not be allowed.
6. Confined Feeding Operations shall not be supported within the lands designated for Agricultural development in on **Map 5.1 - Future Land Use Areas**, because of potential negative impacts on the residential area within the Village.

### 3.3 Residential Land Use

The **Future Serviced a Residential Use** area identifies that portion of the subject area that is currently developed or identified for future urban residential development.

Land within the Future Serviced Residential Use area is generally intended for urban style residential development. For the purposes of this plan residential development is generally considered municipally serviced residential development while Country Residential development is considered residential development that is not serviced by municipal service; specifically, municipal sewer, water, and storm water management systems.

The following policies apply to land within the Future Residential Use area indicated on **Map5.1.1 - Future Land Use Areas**.

1. The **Serviced Residential** use area shall be those lands within the Village of Waskatenau and Smoky Lake County identified as **Serviced Residential** on **Map 5.1.1 - Future Land Use Areas**.
2. Land designated **Serviced Residential Use** within the subject area shall be developed in a predominantly residential neighbourhood form, with a mixture of residential densities, park and recreation uses, and should the Development Concept Plan or Area Structure Plan for the area indicate, some small-scale, neighbourhood oriented commercial uses.
3. Undeveloped land within the subject area shall be buffered from uses that may have negative effects on future urban development by virtue of odour, heat, vibration, visual impact, noise, or light. This does not apply to such effects that arise during normal, non-intensive farm operations.
4. No development will be approved either within residential areas or adjacent to them which would, in the opinion of the Village or County, negatively impact ability to safely, efficiently and cost-effectively service the Future Residential Area.
5. The regulations for residential and accessory development in multi-lot residential developments shall be provided for in the Land Use Bylaws, of the Village of Waskatenau and Smoky Lake County.
6. The following requirements shall apply to new multi-lot residential developments:
  - a. internal road access shall be provided to each lot;

- b. the minimum parcel size for serviced residential lots shall be the minimum lot size indicated in the Village's Land Use Bylaw for residential lots.

### 3.4 Commercial Land Use

The **Serviced and Un-Serviced Commercial Use** areas identify portions of the subject area that are currently developed or identified for future commercial development. The following policies apply to land within **Future Serviced and Un-Serviced Commercial Use** area and the **Serviced Commercial Use** area identified on **Map 5.1 - Future Land Use Areas**.

1. The **Future Serviced and Un-Serviced Commercial Use** area and the **Serviced Commercial Use** area shall be those lands within the Village and County identified as **Future Serviced or Un-Serviced Commercial Use** and **Serviced Commercial Use** area respectively on **Map 5.1 - Future Land Use Areas**.
2. Land designated **Serviced and Un-Serviced Commercial Use** or **Serviced Commercial Use** area may develop in a wide range of commercial uses. Land uses that may be suitable for the area are limited to the permitted and discretionary uses listed in the Commercial Districts of the Village of Waskatenau and Smoky Lake County Land Use Bylaws. All new commercial development within the serviced commercial area shall be connected to municipal piped sanitary sewer and water services.

### 3.5 Industrial Land Use

The **Serviced or Un-Serviced Industrial Use** area identifies portions of the subject area that are currently developed or identified for future industrial or public utility development. The following policies apply to land within the **Future Serviced and Un-Serviced Industrial Use** area.

1. The **Future Serviced and Un-Serviced Industrial Use** area shall be those lands within the Village and County identified as **Future Serviced or Un-Serviced Industrial Use** area on **Map 5.1 - Future Land Use Areas**.
2. Land designated **Future Serviced or Un-Serviced Industrial Use** may develop in a wide range of industrial uses. Land uses that may be suitable for the area are limited to the permitted and discretionary uses listed in

the Industrial Districts of the Village of Waskatenau and Smoky Lake County Land Use Bylaws.

### 3.6 Community Land Use Area

The **Community Use area** identifies that portion of the subject area that is currently developed for community and recreational use. It is the intent of this Plan that this area continues to be used for community and recreational purposes to provide benefit to both the Village and County. The following policies apply to land within the **Community Land Use area**.

1. The **Community Land Use Area** shall be those lands within the Village identified as Community Use area on **Map 5.1 - Future Land Use Areas**.
2. Land designated **Community Use** may develop in a wide range of community uses. Land uses that may be suitable for the area are limited to the permitted and discretionary uses listed in the appropriate land use districts of the Village of Waskatenau and Smoky Lake County Land Use Bylaws.

### 3.7 Municipal Services and Road Policies

1. The Village of Waskatenau and Smoky Lake County shall establish strategies and standards for the orderly, efficient, and economical extension of wastewater collection, water distribution systems, storm water management and roads within the Plan Area.
2. Some of the development strategies within the Plan Area are intricately connected to the ability and need for municipal piped services.
3. Future servicing with municipal piped services may be required within the Future Residential Use area. If such services are not available due to cost or capacity limitations or other reasons, the area shall not be developed for serviced residential purposes unless it meets a minimum agreed upon residential development standard.
4. The Village and County will endeavor to enter into and maintain an agreement respecting municipal piped services in the Plan Area.
5. Where proposed developments may impact intersections between Provincial highways and municipal roads, as shown on **Map 6.3 – Important Intersections**, additional consultation with Alberta

Transportation will be required prior to approval by the Village and/or County.

This consultation may include the preparation of a Traffic Impact Assessment satisfactory to Alberta Transportation. All costs of the TIA and any corresponding intersection improvements will be the responsibility of the developer/proponent.

6. The Village and the County will continue to work cooperatively with Alberta Transportation to identify and mitigate traffic impacts and identify the scheduling of necessary improvements at the intersections of highways and municipal roads as shown on **Map 6.3 – Important Intersections.**

### 3.8 Social Services

The Waskatenau area provides a broad range of social services to the region. Social services within the Village of Waskatenau that are utilized by both Village and County residents include:

- Preschool to grade 12 school (Holy Family Catholic School)
- Family School liaison worker
- Pine Creek Baseball Park
- Equestrian Riding Arena
- Curling Arena
- Waskatenau and District Community Center
- Skateboard Park
- Outdoor ice rink
- Walking trails (including the Western trailhead for the Iron horse Trail)
- A fitness center
- Pine Creek Campground
- Anne Chorney Public Library

There are also several community groups and volunteer associations that provide services to increase the quality of life of residents throughout the district.

The Village and County collaborate with all the municipalities within the Smoky Lake Region on heritage initiatives and on joint economic development initiatives. The excellent working relationship between the Village and the County combined with a commitment to a regional approach to service delivery and economic development provides increased stability, cooperation, and opportunities for growth within the Plan area.

### **3.9 Emergency Services**

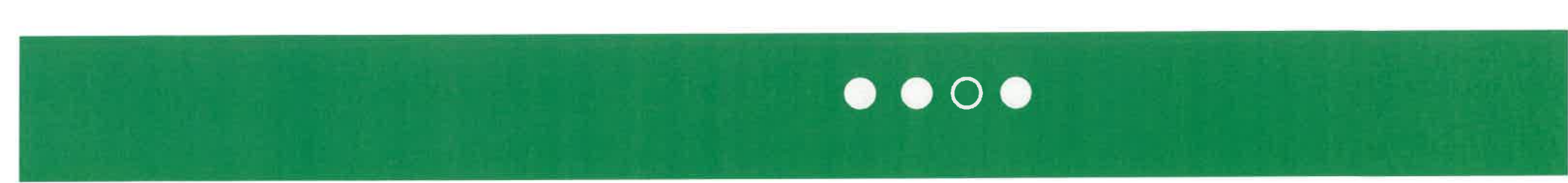
Policing is provided within the Plan Area by the RCMP in Smoky Lake. Ambulance services area also provided within the Plan Area by Alberta Health Services.

Fire protection is provided within the Plan Area via the local Waskatenau Fire Hall and the wider Waskatenau Fire District.

### **3.10 Development Concept Plans & Area Structure Plans**

1. A Development Concept Plan or Area Structure Plan may describe, outline, or provide, among other matters, in text and map form:
  - a. a definition of the affected area and a description of the relationship between the affected area and surrounding lands;
  - b. an indication of the proposed land uses and the area of each land use;
  - c. an indication of the total number of dwelling units proposed on the quarter section;
  - d. policies and plans addressing buffering from adjacent land uses which may be affected by or which may affect a residential community;
  - e. policies respecting phasing, if any, including an indication of which lots will be developed first and how the development of these lots will be designed specifically to allow for further development of the subject quarter section into residential lots;

- f. policies respecting environmental protection, habitat, ecological conservation, effect on the adjacent agricultural community, including any existing or potential confined feeding operations;
- g. policies and plans addressing natural and man-made limitations to development, such as flood susceptibility, bank subsidence, erosion, railway lines, oil and gas wells, pipelines, and other facilities (including active, inactive, abandoned, and decommissioned facilities, sour gas, etc.), gravel operations or resources, airports, agricultural operations, historical resources, other nearby land uses, etc.;
- h. policies respecting built form, amenities, aesthetics, landscaping, architecture, buffering from potential limiting factors, dealing with the potential for land use conflict, etc.;
- i. policies and plans for necessary water supply, sanitary sewage disposal, and storm water management;
- j. as required, policies relating to:
  - i. the impact on adjacent land uses;
  - ii. the impact on community services, such as fire protection;
  - iii. the municipal servicing costs associated with the development, and landscaping; and
  - iv. wetland management
- k. a Phase I Environmental Assessment, describing the possibility of contamination within the subject area and, if the Phase I indicates, a Phase II Environmental Assessment, describing the extent of any contamination within the subject area and the means of mitigation;
- l. sufficiently detailed engineering information is provided in accordance to any design standards;
- m. if the development is to provide water by a municipal piped water supply system, engineering information showing how that is to be done;

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- n. if the development is to be supplied with water by means *other* than a municipal piped water supply system, a report which would satisfy the requirements of Section 23(3)(a) of the Water Act;
  - o. an assessment of the general suitability of the Plan Area for sewage disposal by tile field (percolation tests);
  - p. a determination of any flood plains relating to any water bodies within or adjacent to the subject site, including a description as to how any flood plain lands will be made suitable for development without transferring the flood hazard to other lands;
  - q. an assessment of the stability of any banks (either steep slopes or watercourse valleys) within or adjacent to the subject site, including a description as to how any bank stability hazards will be mitigated without transferring the stability hazard to other lands;
  - r. a wetland assessment (prepared by a certified wetland professional) that delineates and classifies wetlands (onsite and offsite) that will be impacted by the proposed development.
  - s. if within 0.8 km of a Highway, a traffic impact assessment, indicating the vehicular generation from the development at various stages of development, and any roadway improvements that may be necessary on adjacent and nearby roads and Highways (and on their intersections) resulting from that vehicular generation;
  - t. an assessment of the site, indicating
    - i. how Environmental Reserves, Environmental Reserve Easements, Municipal Reserves, and other land management tools are to be used to protect significant biophysical sites,
    - ii. how all Provincial and Federal legislation and regulations are to be adhered to respecting wetlands, habitat, and environmentally sensitive lands;
  - u. an assessment of all other limitations to development, including potential and actual land use conflicts, which have been identified, indicating how the limitations and conflicts are to be accommodated, dealt with, and/or overcome; and



- v. other policies and plans as may be indicated by the proponent or the municipality to address any unique circumstances of the Development Concept or Area Structure Plan Area.
- 2. The level of detail required in a Development Concept Plan or Area Structure Plan shall be as agreed upon by the consensus of Village and County staffs. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.
- 3. The process for considering a Development Concept Plan or Area Structure Plan for approval will be the same as for a major development proposal. The approving authority shall be the Council of the municipality in which the site of the Development Concept Plan or Area Structure Plan is located.



## **4 Plan Implementation**

### **4.1 Implementation Policies**

The Councils of the Village of Waskatenau and Smoky Lake County have agreed to the following implementation policies which will be used in implementing the policies contained in this Plan.

### **4.2 Plan Amendments**

1. 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.
2. An amendment to this Plan has no effect unless it is adopted by both municipalities by bylaw.

### **4.3 Annexation**

1. There will continue to be a boundary between the Village of Waskatenau and Smoky Lake County for administration of services such as maintenance of infrastructure, waste management, development control, weed control, etc.
2. Annexations occur from time to time in a positive, orderly, and timely manner with an agreed-upon process where there is a clear need for Village annexation to provide more land for urban development.
3. The Village of Waskatenau shall demonstrate reasonable need for annexation through appropriate growth studies to support annexation applications.
4. Each municipality shall protect lands identified in the Plan suitable for municipal piped services from land uses and developments that might unduly interfere with and create conflict with future urbanization.
5. Both municipalities shall follow the annexation process as outlined in the Municipal Government Act current at the time an annexation application is made.

### **4.4 Cost/Revenue Sharing Schemes**


1. Any agreements for cost and revenue sharing shall be to benefit the future development of land within the Plan's subject area.
2. The Village and County will explore cost and revenue sharing opportunities as development occurs and resulting from the review and approval process of Development Concept Plans or Area Structure Plans within the IDP area.

#### 4.5 Framework

1. This Plan is conceptual. Its policies do not delve into the finer details of land use, servicing or implementation but instead set out a framework of guidelines for municipal planning policies.
2. The Village of Waskatenau and Smoky Lake County will co-operate in pursuing mutually beneficial economic development initiatives that would attract investment and create employment opportunities in the Smoky Lake Region.
3. **Map 5.1 – Future Land Use Areas** of this Plan will be the primary land use document supplemented by implementation tools such as Development Concept Plans and Area Structure Plans.  
  
The Village of Waskatenau and Smoky Lake County shall amend their respective Municipal Development Plans and Land Use Bylaws as necessary to be consistent with the policies and provisions of this Plan.

#### 4.6 Intermunicipal Planning Committee

1. The Intermunicipal Planning Committee will be established upon Third Reading of the Bylaws adopting this Plan.
2. The Intermunicipal Planning Committee will not be a decision-making body but will submit recommendations to the approving bodies of the respective municipalities, striving for consensus as much as possible.
3. The Intermunicipal Planning Committee will be comprised of two (2) members each of the Councils of the Village of Waskatenau and Smoky Lake County. It will select its own chairperson and vice-chairperson.  
  
The Councils may appoint alternative members, should any member not be able to attend Committee meetings. Additionally, the Chief Administrative Officer or the Development Officer of each municipality shall be ex-officio members of the Committee.

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4. The Intermunicipal Planning Committee shall establish its own rules of procedure, including its own schedule of meetings, with meetings being held as required.
  5. The Intermunicipal Planning Committee shall not deal with all development matters within the Plan Area. Rather, it will deal with all matters referred to it in the manner described in **Section 4.9** of this Plan.
  6. The Intermunicipal Planning Committee has the following functions:
    - a. to clarify the intent and interpretation of the Plan;
    - b. to develop specific strategies related to the provision of infrastructure, service provision, cost sharing, etc. for proposed subdivision and development in the subject area that reflect the policies and guidelines set out in this Plan;
    - c. to review and comment on applications to amend this Plan;
    - d. to review and comment on development matters referred to it in accordance with this Plan; and
    - e. to undertake such other matters as it deems reasonable and as are referred to it by either Council or municipal administration.
  7. The Village of Waskatenau and Smoky Lake County agree that the County's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications received within subject area and that the Village's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications within the subject area.
  8. Each municipality's Subdivision Authority and Development Authority will deal with an application within their own boundaries in accordance with the policies of this Plan.
  9. Depending on the nature of the proposed subdivision or development, the Intermunicipal Planning Committee may provide recommendations related to the proposed development or subdivision.

#### **4.7 Dispute Resolution/Mediation Procedures**

1. The dispute resolution process for matters related to this Plan is outlined in this section. This process assumes that the two parties may have significant differences of opinion on any matter and that third-party assistance may be necessary to help resolve the disputes.
2. For the purposes of this Plan, a dispute is defined as a disagreement between the Village of Waskatenau and Smoky Lake County on any statutory plan, any Land Use Bylaw, or any amendment to any statutory plan or Land Use Bylaw which is given First Reading by a Council, or any subdivision or development permit application, or any scheme for the provision of municipal services, which the other municipality deems may be inconsistent with the goals, objectives and policies of this Plan.
3. Decisions on all disputes will be made by the respective municipalities in accordance with the provisions of this Plan and the Municipal Government Act, but with review as indicated in **Section 4.7.5** of this Plan.
4. The Village of Waskatenau and Smoky Lake County agree to consider the establishment of an Intermunicipal Subdivision and Development Appeal Board in the future to deal with appeals arising from subdivision or development permit decisions within the subject area.
5. Disputes shall be addressed and shall be resolved through any of the following mechanisms either singularly or in combination with each other:
  - a. Administrative Review
  - b. Intermunicipal Planning Committee
  - c. Municipal Councils
  - d. Mediation
  - e. Non-binding Arbitration
  - f. Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board
  - g. Court Option
6. In the event of a dispute, the applicant municipality will not give approval to the matter in any way (e.g., development permit or subdivision approval, or

Second or Third Reading of a bylaw) until the dispute is past the mediation stage.

7. The time limitations and legislative requirements as may be specified from time to time in the Municipal Government Act will be respected in relation to the administration of this dispute resolution procedure and may supersede the time processes provided for in this Plan.

#### **4.8 Administrative Review**

1. The municipality within which any development, subdivision, land use bylaw amendment, servicing scheme, or other matter is proposed (hereinafter referred to as “the Applicant Municipality”) will provide complete information concerning the matter to both the other municipality and to the Intermunicipal Planning Committee.
- The other municipality (hereinafter referred to as “the Responding Municipality”) will undertake an evaluation of the matter and provide comments to the administration of the Applicant Municipality.
2. If there is any concern, the two administrations shall discuss the issue and attempt to resolve the matter.
3. If the administrations resolve the concern, the Responding Municipality will formally notify the Applicant Municipality and the Intermunicipal Planning Committee, and the Applicant Municipality will take the appropriate actions to consider approving the matter.
4. If the issue is not resolved at the administrative level, the Applicant Municipality’s administration shall refer the matter to the Intermunicipal Planning Committee.
5. Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and Village will present their positions on the matter to the Committee.
6. After consideration of a matter, the Committee may:
  - a. provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both municipalities;

- b. if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils;
- c. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils;
- d. if agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position;
- e. if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils; or
- f. undertake any other action it deems reasonable.

#### **4.9 Intermunicipal Planning Committee**

1. Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and the Village will present their positions on the matter to the Committee.
2. After consideration of a matter, the Committee may:
  - a. provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both municipalities;
  - b. if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils;
  - c. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils;
  - d. if agreed to by both municipalities, employ a facilitator to help the Committee work toward a consensus position;
  - e. if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils; or undertake any other action it deems reasonable.

#### **4.10 Municipal Councils**

1. After receiving the recommendations of the Intermunicipal Planning Committee with respect to a particular matter, each Council will establish a position on the matter.
2. If both municipal Councils agree on a matter, then the consideration of approval (including, if necessary, an amendment process) can be completed. If neither Council supports the matter, then no further action will be undertaken.
3. If the Councils cannot agree on a matter, then the matter may be referred to a mediation process.
4. If the matter goes to mediation, the Applicant Municipality will not give any approval to the matter until mediation has been pursued.

#### **4.11 Mediation**

1. The following will be required before a mediation process can proceed:
  - a. agreement by both Councils that mediation is necessary;
  - b. appointment by both Councils of an equal number of elected officials to participate in a mediation process;
  - c. engagement, at equal cost to both municipalities, of an impartial and independent mediator agreed to by both municipalities; and
  - d. approval by both municipalities of a mediation schedule, including the time and location of meetings and a deadline for the completion of the mediation process.
2. If agreed to by both municipalities, any members of the Intermunicipal Planning Committee or administrative staff from either municipality who are not participating directly in the mediation process may function as information resources either directly or indirectly to the mediation process.
3. All participants in the mediation process will be required to keep details of the mediation confidential until the conclusion of the mediation.
4. At the conclusion of the mediation, the mediator will submit a mediator's report to both Councils.



5. If a mediated agreement is reached, then that agreement will be referred to both Councils for action. Both Councils will consider the mediator's report and the respective positions of the municipal administrations with respect to the mediated agreement.

Any mediated agreement will not be binding on either municipality, and will be subject to the formal approval of both Councils.

6. If no mediated agreement can be reached or if both Councils do not approve a mediated agreement, then a non-binding arbitration process as described below may be initiated.

#### **4.12 Non-Binding Arbitration**

1. The following will be required before a non-binding arbitration process can proceed:

- a. agreement by both Councils that non-binding arbitration is necessary;
  - b. appointment by both Councils of officials to participate in the non-binding arbitration process;
  - c. engagement, at equal cost to both municipalities, of an impartial and independent arbitrator agreed to by both municipalities; and
  - d. approval by both municipalities of an arbitration schedule, including the time and location of meetings and a deadline for the completion of the process.
2. At the conclusion of the non-binding arbitration, the arbitrator will submit a report to both Councils.
3. If both Councils agree, then the arbitrator's recommendations will be implemented by the Council or Councils as necessary. Any arbitrator's decision will not be binding on either municipality unless both municipalities concur and will be subject to the formal approval of both Councils.

4. If no agreement can be reached to abide by the arbitrator's decision or if both Councils do not approve the arbitrator's recommendation, then an appeal process may be initiated if provided for under the provisions of the Municipal Government Act. If there is no appeal process available, then the applicant municipality may proceed with any approvals as are allowed.

#### **4.13 Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board**

1. If the mediation process fails, the Applicant Municipality may approve the matter (e.g., a Land Use Bylaw amendment, a development permit approval, etc.).
2. If the Applicant Municipality passes a bylaw to implement the matter, then the Responding Municipality may appeal that action to the Municipal Government Board under the provisions of Section 690 of the Municipal Government Act in accordance with that Act.
3. If the appeal of the matter is to the Applicant Municipality's Subdivision and Development Appeal Board, the Responding Municipality may appeal that action to the Subdivision and Development Appeal Board as it sees fit.
4. If there is no appeal available pursuant to the Act, then the Responding Municipality may wish to pursue a Court option.

#### **4.14 Court Option**

1. After any action by the Municipal Government Board, or the Applicant Municipality's Council or Subdivision and Development Appeal Board from which there is no further appeal, the Responding Municipality will have the option, should it so choose, of undertaking a court challenge of the matter.

#### **4.15 Intermunicipal Development Plan Termination**

1. Should circumstances arise that result in the repeal of this IDP, both municipalities shall repeal the IDP, and replace with a new IDP as required under the Municipal Government Act, RSA2000, as amended.
2. Should both municipalities agree not to adopt an IDP, they must both adopt a resolution of Council to that effect. The adoption of such a resolution does not prevent either of the municipalities for requiring the other to enter into an IDP at a future date, subject to the provisions of the Municipal Government Act.

## 5 Future Land Use Areas

### 5.1 - Future Land Use Areas



## **6 Appendix A – Information Maps**

6.1 – CLI Agriculture

6.2 – *Local Features*

6.3 – Important Intersections







### 6.3 – Important Intersections



# Future Land Use ●●●○

## 5 Future Land Use Areas

### 5.1 - Future Land Use Areas

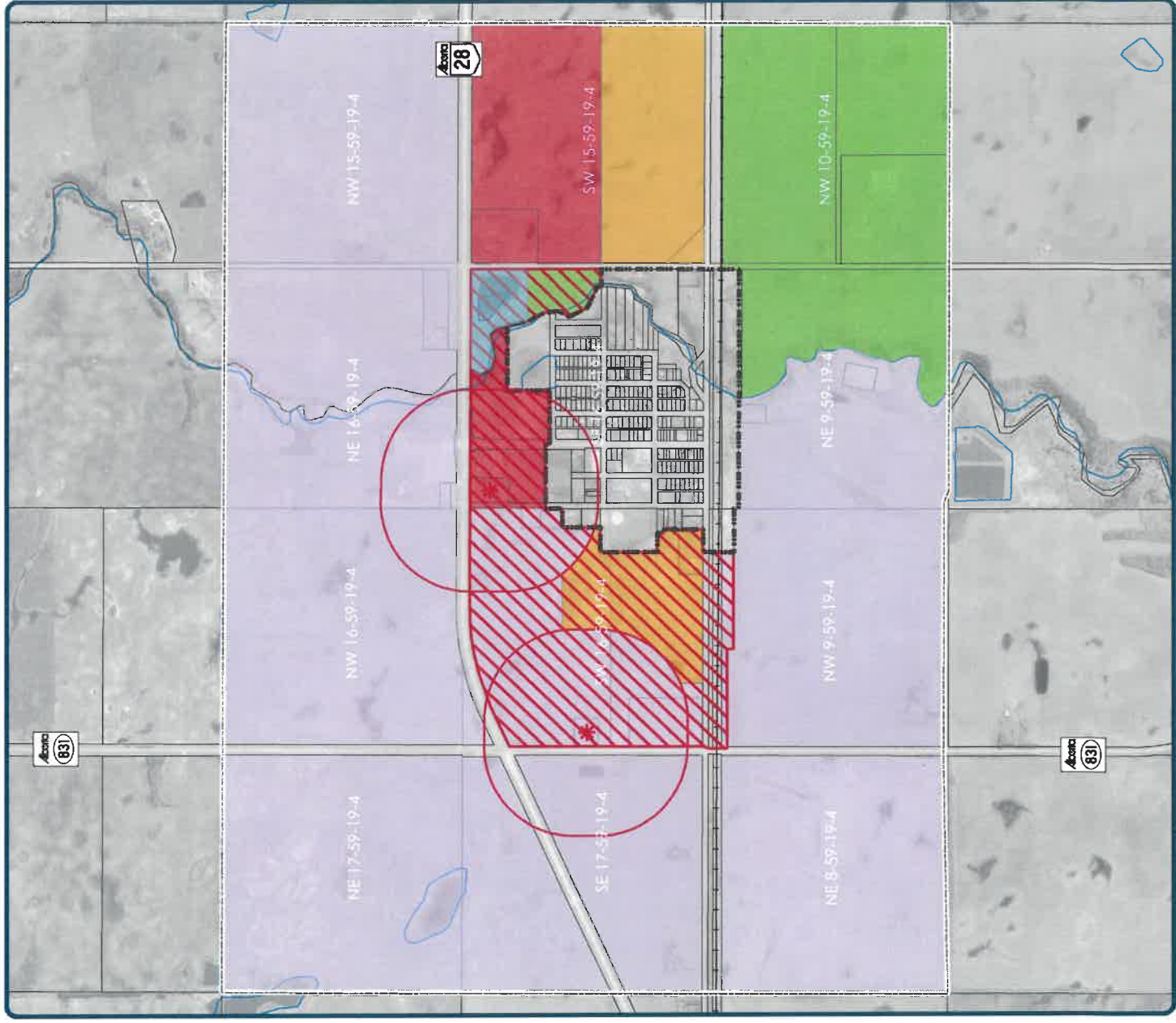


# Intermunicipal Development Plan



## Map 5.1 Future Land Use Areas

- IDP Boundary
- Village of Waskatenau
- Future Annexation Area Overlay
- Agricultural
- Community
- Serviced Residential
- Serviced Commercial
- Serviced and Unserviced Commercial and Industrial
- Former Nuisance Ground (with 300 metre setback) \*



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## 6 Appendix A – Information Maps

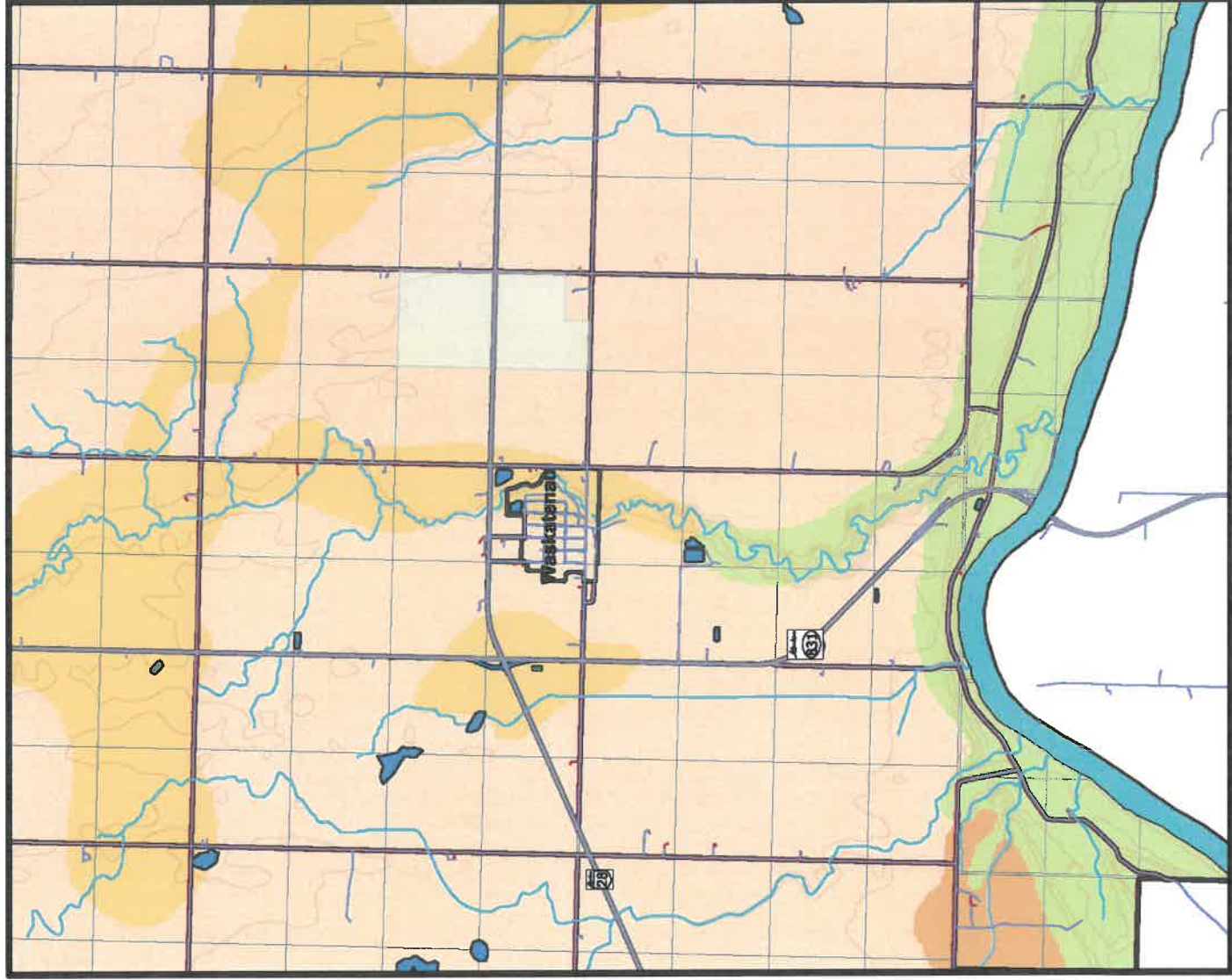
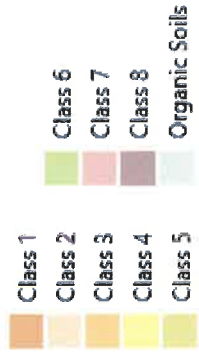
6.1 – CLI Agriculture

6.2 – *Local Features*

6.3 – Important Intersections

# Intermunicipal Development Plan

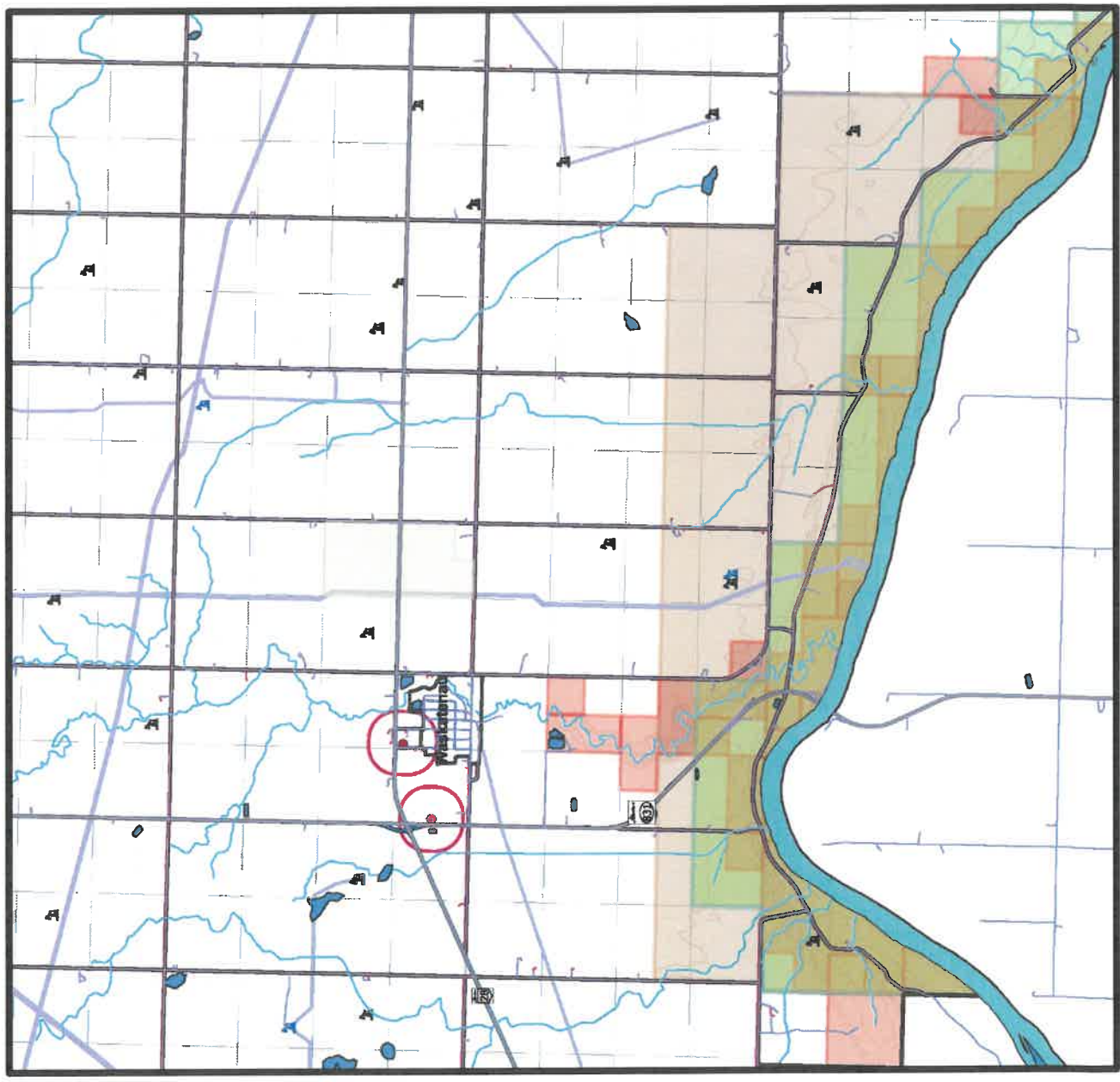
Map 6.1 CLI Agriculture



# Intermunicipal Development Plan

## Map 6.2 Local Features

- Waskatenau
- Water Course
- Environmentally Sensitive Area
- Contour
- Water Body
- Resource Pipeline
- Historic
- Oil & Gas
- Former Nuisance Ground (w/ setback)
- Resource
- Well
- Former Bear's Ear's Reserve No. 126

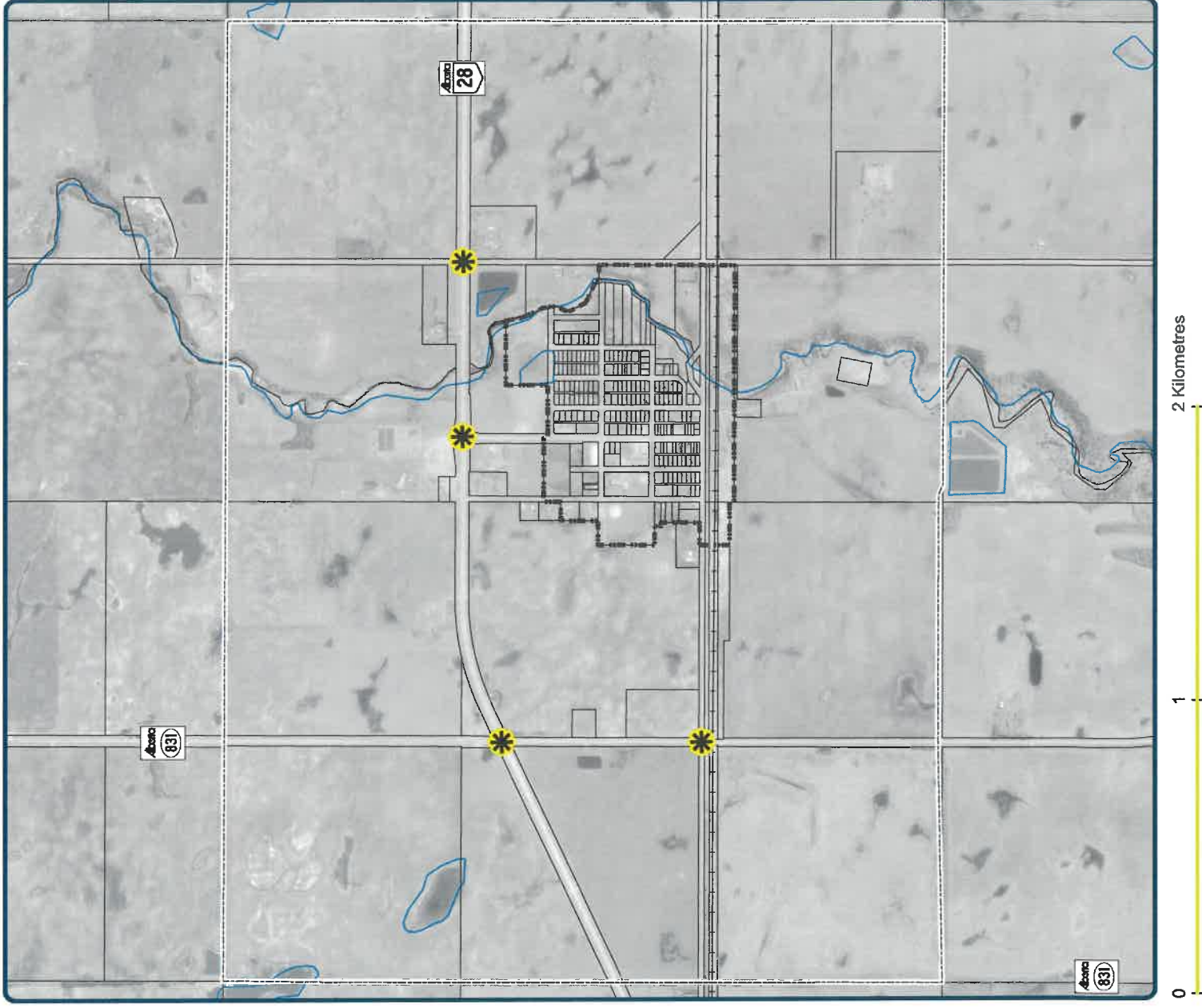


# Intermunicipal Development Plan



## Map 6.3 Important Intersections

- IDP Boundary
- Railway
- Village of Waskatenau
- Water Body
- Important Intersection
- Water Course



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