

TOWN OF THORSBY  
BYLAW 2019 - 07

A BYLAW OF THE TOWN OF THORSBY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE  
LEDUC COUNTY / TOWN OF THORSBY INTERMUNICIPAL DEVELOPMENT PLAN.

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**WHEREAS**

Section 631(1) of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta, as amended, authorizes two or more Councils to each pass a By-law to adopt an Intermunicipal Development Plan.

**AND WHEREAS**

Leduc County and the Town of Thorsby desire to enter into an Intermunicipal Development Plan;

**NOW THEREFORE,**

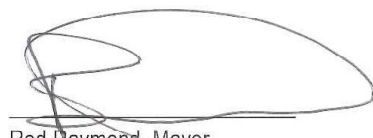
be it resolved that the Council of the Town of Thorsby, duly assembled, hereby enacts as follows:

1. That the attached Schedule A "Leduc County / Town of Thorsby Intermunicipal Development Plan" is hereby adopted.
2. That Bylaw 2019-07 shall come into force and effect upon the third reading by Council and shall remain in force until repealed or amended.

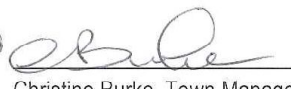
READ A FIRST TIME THIS 23rd DAY OF April, 2019

READ A SECOND TIME THIS 23rd DAY OF July, 2019

READ A THIRD TIME AND PASSED THIS 23rd DAY OF July, 2019



Rod Raymond, Mayor



Christine Burke, Town Manager

July 23, 2019  
Date Adopted



# Intermunicipal Development Plan

Leduc County and the Town of Thorsby

Bylaw 2019 - 07





## **Leduc County and Town of Thorsby Intermunicipal Development Plan**

May 7, 2019

Prepared for:

Leduc County and the Town of Thorsby

Prepared by:

Stantec Consulting Ltd.



## Table of Contents

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	HISTORY .....	1
1.2	PURPOSE OF PLAN .....	1
1.3	LEGISLATIVE AUTHORITY .....	2
1.4	INTERMUNICIPAL COLLABORATION FRAMEWORK COMPLIANCE.....	3
1.5	ROLE OF THE IDP AND THE HIERARCHY OF PLANNING DOCUMENTS.....	3
<b>2.0</b>	<b>PLANNING PROCESS.....</b>	<b>5</b>
2.1	INTERMUNICIPAL STEERING COMMITTEE .....	5
2.2	PUBLIC INVOLVEMENT .....	5
2.3	BASIS OF THE PLAN.....	6
2.4	PLAN BOUNDARY .....	6
2.5	IDP PRINCIPLES.....	6
2.6	IDP OBJECTIVES.....	6
2.7	INTERPRETATION.....	7
<b>3.0</b>	<b>CONSTRAINTS .....</b>	<b>7</b>
3.1	WATERBODIES AND WETLANDS .....	8
3.2	FISH AND WILDLIFE .....	8
3.3	ENVIRONMENTALLY SIGNIFICANT AREAS.....	9
3.4	HISTORICAL RESOURCES .....	9
3.5	PIPELINES WELL SITES AND FACILITIES.....	9
<b>4.0</b>	<b>POLICIES .....</b>	<b>9</b>
4.1	GENERAL POLICIES .....	10
<b>4.2</b>	<b>EXISTING USES .....</b>	<b>10</b>
4.3	LAND USE POLICIES.....	10
4.4	ENVIRONMENT.....	11
4.5	ECONOMIC DEVELOPMENT AND TOURISM .....	12
4.6	UTILITY SERVICING .....	12
4.7	ROADS AND TRANSPORTATION.....	13
<b>5.0</b>	<b>IMPLEMENTATION/ADMINISTRATION.....</b>	<b>13</b>
5.1	APPROVING AUTHORITIES.....	13
5.2	INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE (IDPC).....	14
5.3	REFERRALS.....	14
5.4	DISPUTE RESOLUTION MECHANISM .....	15
5.5	AMENDING THE IDP.....	16
5.6	IDP REVIEW .....	17
5.7	ANNEXATION PROCESS .....	17
<b>6.0</b>	<b>MAPS.....</b>	<b>17</b>
	MAP 1 - IDP BOUNDARY.....	19

MAP 2 – ENVIRONMENTAL FEATURES AND CONSTRAINTS.....	20
MAP 3 - EXISTING WELLS, PIPELINES AND FACILITIES.....	21
MAP 4 - LAND USE CONCEPT .....	22
MAP 5 – REFERRAL AREA .....	23
<b>7.0 GLOSSARY .....</b>	<b>25</b>

## ACRONYMS

(Referenced within the document)

**AEP** - Alberta Environment and Parks

**AER** - Alberta Energy Regulator

**AOPA** - Agricultural Operation Practices Act

**ASP** - Area Structure Plan

**CFO** - Confined Feeding Operations

**ER** - Environmental Reserve

**ERE** - Environmental Reserve Easement

**ESA** - Environmentally Significant Areas

**ICF** - Intermunicipal Collaboration Framework

**IDP** - Intermunicipal Development Plan

**ISC** – Intermunicipal Steering Committee

**IDPC** - Intermunicipal Development Plan Committee

**LUB** - Land Use Bylaw

**LUF** - Land Use Framework

**MDP** - Municipal Development Plan

**MGA** - Municipal Government Act

**MGB** - Municipal Government Board

**MR** - Municipal Reserve

**NRCB** - Natural Resources Conservation Board

**PLA** - Public Lands Act.





## 1.0 INTRODUCTION

### 1.1 HISTORY

#### The Town of Thorsby

When the Lacombe – Leduc rail line was extended west, a small community was established adjacent to the track. Named by Swedish settlers to the area Thorsby is a translation of the Swedish thors-town and was officially incorporated as a village in 1949. The community provided services to the surrounding farming community and later to the oil industry as it developed in the region. Due to its proximity to Pigeon Lake the Town is also a service centre for the recreational residents and tourists to the area<sup>1</sup>. The population of Thorsby is 985 according to the 2016 Federal Census.

#### Leduc County

Strategically located south of the City of Edmonton, Leduc County has always been an important transportation and distribution hub. Agriculture has always been important to Leduc County's success having some of the best agricultural soils in the province. This attracted homesteaders from Europe to locate in the region at the turn of the 20<sup>th</sup> century. Since 1947 and the discovery of oil at Leduc No. 1, oil and gas development has been a significant economic driver within the County and has supported the development of significant oil and gas servicing and industrial businesses. The County is also home to the Edmonton International Airport and strategic road and rail transportation corridors. The County is home to 13,780 people according to the 2016 Federal Census.

### 1.2 PURPOSE OF PLAN

This Intermunicipal Development Plan (IDP) is a cooperative planning initiative between the Town of Thorsby (Town) and Leduc County (County) that will ensure that land use decisions within the IDP plan area are thoughtfully considered and support the long-term interests of both municipalities. The IDP also provides land use and development certainty for land owners within the IDP Boundary (refer to **Map 1 – IDP Boundary**).

This IDP provides high level policy direction that ensures development and growth are undertaken in a sustainable and responsible manner for the lands adjacent to the boundary of the Town within the County. This plan will provide the Town and the County with a comprehensive, mutually beneficial land use plan for long term growth and development while reducing the potential for conflict between the two municipalities. Growth projections for the Town of Thorsby identify that there is enough land within the Town boundaries for all growth projected until 2038. However, development within the IDP Boundary must ensure that any

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<sup>1</sup> County of Leduc No.25, 1991, *Leduc County History Book*,

long-term future expansion of the Town into this area, is not compromised by incompatible development decisions approved in the meantime.

### **Future Growth Requirements**

To determine the future land use needs of the Town, population growth and subsequent land use consumption calculations for residential, commercial, and industrial lands were undertaken. The Town and County agreed to a future growth rate of 1.74% for the Town based upon historic Statistics Canada census data. Based upon this growth rate the population forecast for the Town is 1,440 by 2038, which is the timeframe of this IDP.

At the time that this IDP was prepared, the Town had the following lands either zoned and undeveloped or designated as urban reserve:

#### **Gross Available Land Within Existing Town Boundaries 2018**

Residential = 0.25 gross ha (0.6 ac)

Commercial = 0 gross ha (0 ac)

Industrial = 8.0 gross ha (20 ac)

Urban Reserve = 178 gross ha (440 ac)

Total = **186.25 gross ha** (460 ac) of zoned but undeveloped or urban reserve lands.

As a result of this analysis it is anticipated that approximately 33 gross ha of land within the Town's boundaries will be required for future development until 2038. This would mean that beyond 2038 the Town would have approximately 153.25 gross ha of land available for future development. It was therefore determined that the Town has sufficient land within its current boundaries to support anticipated growth for the next 20 years.

## **1.3 LEGISLATIVE AUTHORITY**

This IDP has been prepared under the legislative authority prescribed in Section 631 of the Municipal Government Act (MGA) (as amended). The MGA requires that municipalities which share a common boundary that are not members of a growth management board must, by each passing a Bylaw, adopt an IDP to include those areas of land lying within the boundaries of the municipalities as they consider necessary. The content of an IDP is detailed as follows:

Section 631(2) of the MGA states that an IDP:

- 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 relating to the physical, social, or economic development of the area that the councils consider necessary.
- 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.

Leduc County is a member of the Edmonton Metropolitan Region Board (EMRB) and as such is required to submit the IDP to the EMRB through the Regional Evaluation Framework (REF) process to ensure compliance with Edmonton Metropolitan Region Growth Plan.

## **1.4 INTERMUNICIPAL COLLABORATION FRAMEWORK COMPLIANCE**

The MGA Section 708.28(1) requires that municipalities that have common boundaries must create an Intermunicipal Collaboration Framework (ICF) with each other. Section 708.30(1) states that municipalities that are parties to an ICF must also adopt an Intermunicipal Development Plan (IDP). Preparation of this IDP is a mandatory component of ICF compliance but is not the only requirement. Section 708.29 details the content requirements of an ICF.

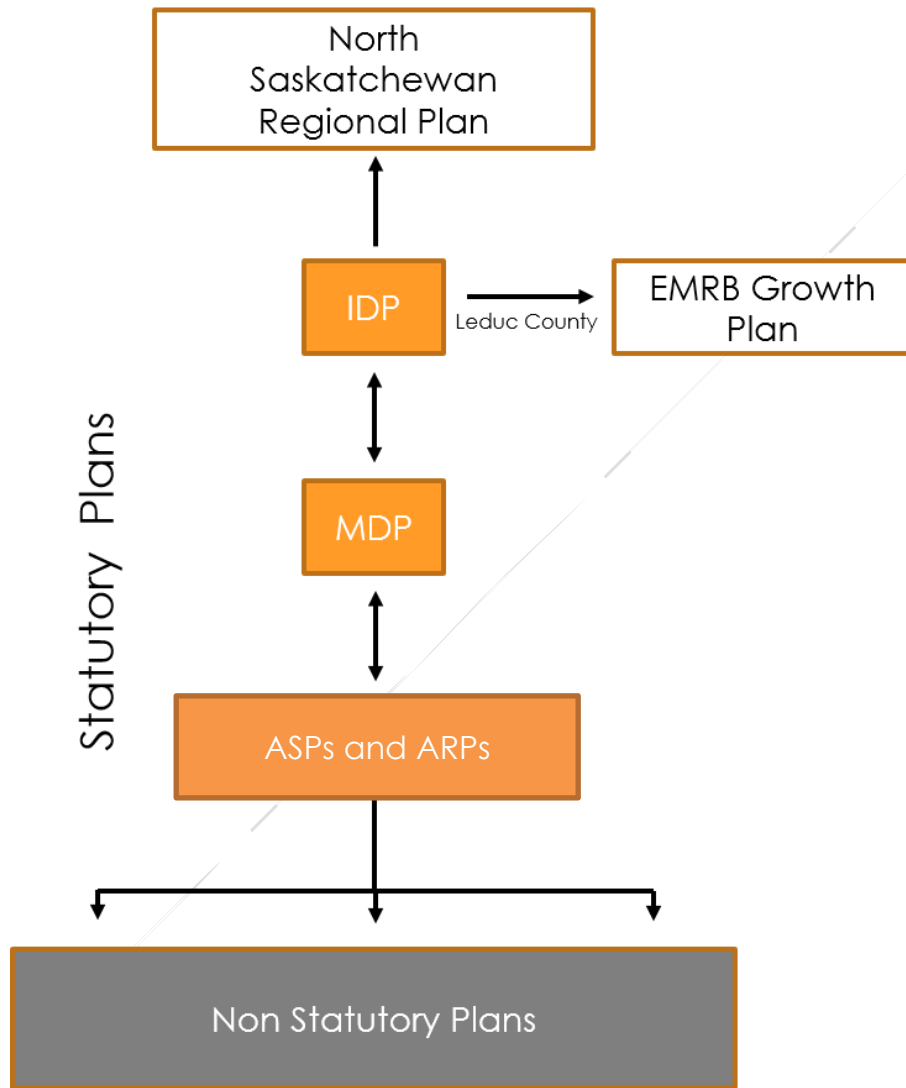
## **1.5 ROLE OF THE IDP AND THE HIERARCHY OF PLANNING DOCUMENTS**

All municipal planning documents must comply with the requirements and regulations detailed in the MGA. The MGA also stipulates the requirements and authority of the hierarchy of planning documents that guide municipal planning and development in Alberta (refer to **Figure 1 - Hierarchy of Land Use Plans**). These documents provide a framework for land use and development decisions for all municipalities within the province.

The IDP, being prepared cooperatively and adopted by Bylaw by each of the participating municipalities, is a high level statutory land use planning document. Municipal Development Plans (MDPs) and Area Structure Plans (ASPs), provide more detailed and specific policy guidance for decisions on land use and development within their respective municipality. This IDP provides high level policy direction but defers to the more detailed statutory plans and policies where those exist. The IDP incorporates policies for coordinating development adjacent to the boundaries between the two municipalities.

The IDP, MDP, and ASPs must be consistent with one another, and all must be consistent with the corresponding Regional Plan. The policy direction outlined in these statutory plans informs the regulations and rules regarding appropriate land uses, and subdivision and development criteria detailed in the Land Use Bylaw (LUB) of each municipality.

A fundamental component of this IDP is the establishment of development referral and communication protocols to ensure that land use decisions undertaken by either municipality are consistent with the agreed upon policy direction of this IDP for lands within the identified IDP boundary.



**Figure 1 - Hierarchy of Land Use Plans**

## 2.0 PLANNING PROCESS

Members from both Town of Thorsby and Leduc County Councils and administrations collaboratively oversaw the development of the IDP.

### 2.1 INTERMUNICIPAL STEERING COMMITTEE

The Intermunicipal Steering Committee (ISC) was comprised of elected officials from each municipality, supported by administrative staff. The composition of the ISC that supported the development of this IDP is detailed below:

#### **Town of Thorsby**

Rod Raymond, Mayor

Cory Gilbert, Councillor

Christine Burke, CAO

#### **Leduc County**

Tanni Doblanko, Mayor

Kelly-Lynn Lewis, Councillor

Kelly Vandenberghe, Councillor

Julie Vizbar, Project Manager

Jordan Evans, Manager Long Range Planning

The ISC reviewed the progress of the IDP's preparation and ensured there was agreement on how development within the IDP Boundary should be managed. This was done to ensure development would not cause conflict with adjacent uses. The ISC provided guidance and direction as well as valuable insight into the development of the IDP.

### 2.2 PUBLIC INVOLVEMENT

The IDP planning process included consultation and engagement opportunities with the community at large. Public support for the IDP is essential to its long-term success.

**Engagement Event #1:** Presenting the Draft Plan – March 14, 2019

Approximately 30 people attended the public open house which was held March 14, 2019 at the Seniors Centre. The purpose of this open house was to provide participants an opportunity to review and comment on the Draft IDP policies.

**Statutory Public Hearing:** May 2, 2019

As required by the MGA, a Statutory Public Hearing must be held prior to 3rd reading of the IDP bylaw by both municipal councils. The Public Hearing provides stakeholders and the public the opportunity to comment on the IDP prior to the vote by the municipal councils to adopt the IDP bylaw. The Statutory Public Hearing was held on May 2, 2019 at the Thorsby and District Community Centre.

## **2.3 BASIS OF THE PLAN**

This IDP represents an agreement between the County and the Town that the planning of the area around the Town within the identified IDP Boundary must be coordinated. The coordination is necessitated by:

1. Town growth, to ensure compatibility of future uses of adjacent lands in the County.
2. Physical features and constraints, which will affect development within both municipalities and which require a common approach to ensure continuity or compatibility.
3. The need to avoid conflicts between existing and future land uses and to ensure efficiency and logical development of roads and municipal utility systems.
4. The protection of agricultural land from premature fragmentation and incompatible development.

## **2.4 PLAN BOUNDARY**

The area influenced by this IDP is shown on **Map 1 - IDP Boundary**.

## **2.5 IDP PRINCIPLES**

The IDP was prepared acknowledging the following principles:

1. Maintain positive and mutually beneficial relationship between municipalities.
2. Reduce potential conflicts and encourage dialogue to understand the needs, desires, and aspirations of both municipalities.
3. Support mutually beneficial coordination and delivery of infrastructure and services that provide economic development and growth for the two municipalities.
4. Confirm and support the continued future growth of the Town.
5. Promote and safeguard rural land uses and agriculture by maintaining areas for their continued use.

## **2.6 IDP OBJECTIVES**

The objectives of the IDP are to:

1. Accommodate urban growth and rural development within the IDP Boundary in a manner which is mutually acceptable, orderly, and efficient.
2. Coordinate intermunicipal service provision where appropriate.
3. Provide development opportunities that would attract investment and create employment of benefit to both municipalities.
4. Protect the natural environment and ensure that its resources are used in a sensitive manner.
5. Respect required development setbacks from, pipelines and well sites.
6. Affirm a mutual consultative approach with respect to implementation and administration of the IDP.

## 2.7 INTERPRETATION

The IDP policies contain “shall”, “must”, “will”, “should” and “may” statements.

- **“Shall”, “must”, “will”** mean, within the context of policy, the action is mandatory and must be followed.
- **“Should”** means, within the context of policy, a directive term that indicates a preferred outcome or course of action but one that is not mandatory.
- **“May”** policies indicate that the approving authority determines the level of compliance that is required.
- This document is structured so that the policies are numbered and reflect the sections they relate to. Policy must be implemented as directed. Only an amendment to the IDP as outlined in Section 5.5 can change the interpretation of a policy from “shall” to “should” or “may”. The interpretive clauses within explanatory statements have the same intent as those stated in policies.
- Maps within this IDP are conceptual and should not be used to determine precise locations or boundaries. Additional studies and surveys will be required to do so.

## 3.0 CONSTRAINTS

When looking at the potential growth areas for IDP area, there are several development constraints that must be considered:

- While highways provide important transportation corridors, they present connectivity and development challenges.
- Oil and gas facilities, pipelines and power and communication rights-of-way must feature in development considerations.
- There might also be limitations to development resulting from industrial contamination.
- Natural areas and wetlands can limit development.
- Existing uses may have setbacks that have been grandfathered but would not currently be considered appropriate proximate to an urban area or other uses.
- Uses which emit smoke, odour, noise, or light pollution may be considered incompatible adjacent to an urban area.
- Highly productive agricultural lands must be protected from premature development and fragmentation.

Where there are challenges, there are also opportunities. The following subsections outline the natural and man-made constraints which influence and impact where development can occur. Many of the natural constraints are identified on **Map 2 – Environmental Features and Constraints** and man-made constraints are identified on **Map 3 - Existing Wells, Pipelines, and Facilities**.

### 3.1 WATERBODIES AND WETLANDS

Weed Creek, in the north portion of the IDP area, and other unnamed tributaries are within the Strawberry Subwatershed<sup>2</sup> and the North Saskatchewan River Basin<sup>3</sup>. Weed Creek is a Class C waterbody with a restricted activity period of April 16<sup>th</sup> to June 30<sup>th</sup> <sup>4</sup>. The Integrated Watershed Management Plan for the North Saskatchewan River in Alberta provides long-term management strategies for water resources in the area.

There are fens, marshes and open waterbodies scattered throughout the IDP area. The fens and marshes are classified as D-value wetlands, with approximately 1 hectare of Class C-Value wetland occurring in the northeast portion of the IDP area<sup>5</sup>. There are some small open waterbodies in the northeast portion<sup>6</sup> (**Map 2 – Environmental Features and Constraints**).

### 3.2 FISH AND WILDLIFE

A Fish and Wildlife Internet Mapping Tool (FWMIT) search identified that the little brown bat has been observed within a 2 kilometre range measured from the center of the Town of Thorsby<sup>7</sup>. The little brown bat is listed as 'Endangered under Schedule 1 of the *Species at Risk Act* (S.C. 2002, c. 29) and by the Committee on the Status of Endangered Wildlife in Canada and 'May Be At Risk' under the *Alberta Wildlife Act* (RSA 2000, c. W-10)<sup>8,9</sup>. There are no restricted activity periods or setbacks associated with the little brown bat<sup>10</sup>. There are no Important Bird Areas within the IDP area and no provincial wildlife sensitivity areas overlap the IDP<sup>11</sup>.

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<sup>2</sup> Alberta Environment and Parks. Hydrologic Unit Code 8 Name and Number Label (ID: 2) (Geospatial data). Accessed September 2018 at: <http://aep.alberta.ca/forms-maps-services/maps/resource-data-product-catalogue/hydrological.aspx>

<sup>3</sup> Alberta Environment and Parks. 2015. Hydrological Unit Code – Watersheds of Alberta Index Map. Accessed September 2018 at: <http://aep.alberta.ca/forms-maps-services/maps/resource-data-product-catalogue/hydrological.aspx>

<sup>4</sup> Alberta Environment and Parks (AEP). 2006. Code of Practice: Red Deer Area Management Map. Accessed September 2018 at: <http://aep.alberta.ca/water/legislation-guidelines/codes-of-practice-pipelines-telecommunications-lines-crossing-a-water-body-water-course-crossings.aspx>.

<sup>5</sup> Alberta Environment and Parks. 2015. *Alberta Wetland Rapid Evaluation Tool - Estimate of Relative Wetland Value By Section*. Accessed September 2018 at: <http://aep.alberta.ca/forms-maps-services/maps/resource-data-product-catalogue/biophysical.aspx>.

<sup>6</sup> Alberta Environment and Parks. 2016. Alberta Merged Wetland Inventory. Accessed September 2018 at: <http://aep.alberta.ca/forms-maps-services/maps/resource-data-product-catalogue/biophysical.aspx>.

<sup>7</sup> Alberta Environment and Parks. 2015. Access Fish and Wildlife Internet Mapping Tool (FWIMT). Accessed September 2018 at: [https://maps.alberta.ca/FWIMT\\_Pub/Viewer/?TermsOfUseRequired=true&Viewer=FWIMT\\_Pub](https://maps.alberta.ca/FWIMT_Pub/Viewer/?TermsOfUseRequired=true&Viewer=FWIMT_Pub).

<sup>8</sup> Government of Canada. Species at Risk Public Registry. Accessed September 2018 at: [https://www.registrelep-sararegistry.gc.ca/sar/index/default\\_e.cfm?sttype=species&lng=e&index=1&common=brown%20bat&scientific=&population=&taxid=0&locid=0&desid=0&schid=0&desid2=0&](https://www.registrelep-sararegistry.gc.ca/sar/index/default_e.cfm?sttype=species&lng=e&index=1&common=brown%20bat&scientific=&population=&taxid=0&locid=0&desid=0&schid=0&desid2=0&).

<sup>9</sup> Alberta Environment and Parks. 2015. Wild Species Status Search. Accessed September 2018 at: <http://aep.alberta.ca/fish-wildlife/species-at-risk/wild-species-status-search.aspx>.

<sup>10</sup> Government of Alberta. Wildlife Land Use Guidelines. Accessed September 2018 at: <http://aep.alberta.ca/fish-wildlife/wildlife-land-use-guidelines/default.aspx>.

<sup>11</sup> Important Bird Areas Canada. 2010. Explore IBAs – Map Viewer. Accessed September 2018 at: <https://www.ibacanada.com/mapviewer.jsp?lang=EN>.



### 3.3 ENVIRONMENTALLY SIGNIFICANT AREAS

Environmentally Significant Areas (ESAs) may contain rare or unique elements that may require special management consideration due to their conservation needs. Provincially designated ESA scores have been assigned to each quarter section and locally designated ESAs have been assigned to specific ecological features based on 4 criteria: areas with focal species, species groups or their habitats; areas with rare, unique or focal habitat or geology; areas with ecological integrity; and areas that contribute to water quality and quantity. There are no provincially designated ESAs within the IDP area; however, there is one quarter section identified as an ESA immediately outside of the north boundary of the IDP area<sup>12</sup>. There is locally designated Weed Creek Area ESA number 50 occurs in the northeast portion, and ESA number 51 occurs in the west portion of the IDP area<sup>13</sup> see **Map 2 – Environmental Features and Constraints**. These ESAs generally occur around Weed Creek and other unnamed tributaries.

### 3.4 HISTORICAL RESOURCES

Historical resources are defined and protected under the *Historical Resources Act*. The Listing of Historic Resources<sup>14</sup> identified areas previously recorded as having potential for historical resources within SW- and SE-23-049-01 W5M. In this north portion of the IDP area, Historic Resource Values 4 (containing a historic resource that may require avoidance) and 5 (high potential to contain a historic resource) 'a' (archaeological) were identified. The listing is updated twice per year and any future development plans should be submitted to Alberta Culture and Tourism for approval prior to construction (**Map 2 – Environmental Features and Constraints**).

### 3.5 PIPELINES WELL SITES AND FACILITIES

Oil and gas activities adjacent and/or within the IDP Boundary include existing and former oil and gas well sites, associated facilities, and pipelines as depicted **Map 3 – Existing Wells, Pipelines and Facilities**.

## 4.0 POLICIES

The IDP provides for high-level policy direction and sound land use planning. The IDP will ensure that required buffers from sensitive areas, oil and gas facilities, and sewage lagoons are maintained. The IDP provides a mechanism for the County and the Town to work collaboratively

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<sup>12</sup> Fiera Biological Consulting Ltd. (Fiera). 2014. Environmentally Significant Areas in Alberta: 2014 Update. Accessed September 2018 at: <https://www.albertaparks.ca/media/5425575/2014-esa-final-report-april-2014.pdf>.

<sup>13</sup> Fiera Biological Consulting Ltd. 2015. Leduc County Environmentally Significant Areas Study. Prepared for Leduc County (Report # 1358).

<sup>14</sup> Alberta Culture and Tourism. 2016. Listing of Historic Resources. Accessed September 2018 at: <https://www.alberta.ca/historic-resource-impact-assessment.aspx/>.

and cooperatively on areas of mutual interest, important to both municipalities within the IDP Boundary.

## **4.1 GENERAL POLICIES**

- 4.1.1 Future development shall be planned in accordance with the land uses illustrated on **Map 4 – Land Use Concept**.
- 4.1.2 Both municipalities shall provide a variety of development and economic opportunities within their jurisdictions which maintain the character of their respective communities.
- 4.1.3 Leduc County and the Town of Thorsby must ensure that all natural resource extraction activities comply with the regulations respecting sour gas, and legislated setbacks from oil and gas facilities and pipelines.
- 4.1.4 Leduc County and the Town of Thorsby must ensure developments will comply with the requirements of the Alberta Environment Wetland Policies and the Public Lands Act (PLA).
- 4.1.5 Future development shall be referred to the Alberta Energy Regulator (AER) to mitigate any potential adverse impacts of the oil and gas industry on public safety.
- 4.1.6 Essential public uses and private utility services shall be allowed throughout tIDP Boundary to provide the desired level of service to the IDP area. The preparation of an ASP or concept plan is not required for essential public uses and private utility services.

## **4.2 EXISTING USES**

The adoption of the Leduc County - Town of Thorsby IDP does not change the current Land Use Bylaw designation (zoning) of the lands within the IDP Boundary.

- 4.2.1 Plan area landowners within Leduc County shall continue to use their lands as currently designated and approved by the Leduc County Land Use Bylaw.
- 4.2.2 Plan area landowners within the Town of Thorsby shall continue to use their lands as currently designated and approved by the Town of Thorsby Land Use Bylaw.

## **4.3 LAND USE POLICIES**

**Map 4 – Land Use Concept**, will act as a guide for determining future land use patterns within the IDP Boundary. An important consideration is to ensure that any future development within the IDP Boundary does not constrain or conflict with the future growth needs of the Town and that agricultural uses and activities are safeguarded from premature development. Conversion of agricultural land to non-agricultural uses must be considered carefully to assess the benefit of the proposed use in relation to the loss of agricultural land.

- 4.3.1 Development and subdivision on County lands located within the IDP Boundary shall only be considered if consistent with the land use districts identified on Map 4 – Land

Use Concept and the associated regulations with the Leduc County Land Use Bylaw. No other uses will be considered.

- 4.3.2 All discretionary use applications within the IDP Boundary must be referred to the Town of Thorsby and all discretionary use applications within Town must be referred to Leduc County for comment.
- 4.3.3 Premature development of existing agricultural land within either municipality should be avoided and such land should continue to be used for agricultural purposes until such time as it can be demonstrated that the land is needed for other purposes.
- 4.3.4 In making decisions on development issues within the IDP Boundary, both municipalities shall:
  - a) respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.
  - b) consider the long-term impact that development may have on future urban annexation and development.
- 4.3.5 No new applications for Confined Feeding Operations (CFOs) within 1.6 kilometres (1 mile) , or a distance mandated by the Province, of the boundary of the Town of Thorsby will be supported by the County to the Natural Resources Conservation Board (NRCB) under the *Agricultural Operations Practices Act (AOPA)*.

## **4.4 ENVIRONMENT**

The lands within the IDP Boundary contain many important environmental features, wetlands and drainage courses in addition to essential wildlife, bird and fish habitat. As the region grows, preserving environmental qualities, and enhancing opportunities for outdoor recreation and nature appreciation should be considered important for maintaining and enhancing a high quality of life for area residents.

- 4.4.1 Both the County and the Town will jointly collaborate to support development of recreation facilities, trails and sites of mutual benefit to both municipalities within the IDP Boundary.
- 4.4.2 Where development is proposed near natural features, the approving municipality, at their sole discretion, shall require an environmental assessment to be conducted by a qualified professional to determine how the features can be preserved and incorporated as part of the development, ensuring that any development impacts are mitigated.
- 4.4.3 No incompatible development shall be permitted on unstable slopes or within areas that may be prone to flooding, and adjacent to wetlands and other water bodies. Development setbacks will be in accordance with Environmental and Municipal Reserve requirements of the governing municipality.
- 4.4.4 The approving authority of the governing municipality may require the development proponent to supply recommendations, prepared by a qualified professional, regarding

establishment of appropriate development setbacks and/or other required mitigation measures.

- 4.4.5 As a condition of subdivision approval, Environmental Reserve, or an Environmental Reserve Easement, from the high water mark of waterbodies and/or the top of bank of watercourses to the lot line shall be in accordance with the requirements of the governing municipality.
- 4.4.6 Notwithstanding Policy 4.4.5, the Subdivision Authority may require a greater setback based on the recommendations of a geotechnical study undertaken by a qualified professional.

## **4.5 ECONOMIC DEVELOPMENT AND TOURISM**

Both the County and the Town recognize the importance of working together to attract more residents and to diversify the economy in order to increase employment and business opportunities in the region. Coordinated efforts by both municipalities should continue to be undertaken to promote and highlight the region's agricultural, tourism and recreational strengths, historical and cultural assets and local business successes.

- 4.5.1 Collaboration between the two municipalities should be supported and encouraged through joint marketing and business development/attraction initiatives.
- 4.5.2 The two municipalities will collaborate to explore areas of mutual interest where joint economic agreements may be considered if such development is determined to be of mutual benefit to both municipalities.

## **4.6 UTILITY SERVICING**

It is acknowledged by both the Town and the County that development and upgrading of major servicing infrastructure in one municipality may have implications on services in the other.

- 4.6.1 Notice of major servicing infrastructure proposed by one municipality shall be provided to the other municipality, to allow for collaboration and coordinated planning.
- 4.6.2 Lands required for future utility rights-of way which have been identified through the mutual agreement of the Town and the County or in subsequent studies shall be protected as subdivision and development occurs.
- 4.6.3 The extension of the Town's municipal sanitary sewer and water services into the County should be considered by the Town and the County where logical extension of the services is practical.
- 4.6.4 When the Town's municipal services are extended into the County, benefiting developments shall be required to pay development levies or equivalent contributions toward the cost of these extensions so that the cost of these extensions does not directly impact existing residents of the Town or the County.

- 4.6.5 Best practices for storm water management shall be employed for all development in the IDP Boundary. Storm water run off release rates from developments shall be managed in accordance with Alberta Environment and Parks requirements.
- 4.6.6 The County and the Town, whichever has jurisdiction, shall protect drainage courses, man-made and natural, critical to the overall management of stormwater within the IDP Boundary.

## **4.7 ROADS AND TRANSPORTATION**

Both the County and the Town acknowledge that development in one municipality may have implications on road infrastructure and requirements for road upgrading in the other municipality.

- 4.7.1 Notice of any major transportation infrastructure proposed by one municipality shall be provided to the other municipality to allow for collaboration and coordinated planning where both municipalities may be impacted.
- 4.7.2 Where it is determined that development in one municipality has an undue impact on the transportation network in the other municipality, the municipalities should work together to develop cost-sharing agreements to provide for shared upgrades to the transportation network.
- 4.7.3 As subdivision occurs, road right-of-way shall be protected and shall be as set out in the applicable Town or County design standards.
- 4.7.4 All development proposals adjacent to provincial highways must conform to Alberta Transportation policies and access management guidelines. Traffic Impact Assessments may be required as part of more detailed planning.
- 4.7.5 All development proposals adjacent to the Canadian Pacific Railway line shall consult with Canadian Pacific Railway and should conform to Canadian Pacific Railway policies and guidelines addressing noise, safety, setbacks and buffering associated with the placement of development adjacent to the railway line.

## **5.0 IMPLEMENTATION/ADMINISTRATION**

### **5.1 APPROVING AUTHORITIES**

- 5.1.1 In the hierarchy of statutory documents, the IDP shall take precedence over other municipal statutory plans, non-statutory plans and documents within the boundary of the IDP area except where the IDP defers to the more detailed, adopted plan.
- 5.1.2 The Town shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaw redesignation and amendments thereto, and subdivision and development applications falling within the boundaries of the Town.

- 5.1.3 The County shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaw redesignation and amendments thereto, and subdivision and development applications falling within the boundaries of the County.

## 5.2 INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE (IDPC)

The Intermunicipal Development Plan Committee (IDPC) shall be established for the purposes of the implementation and on-going review and monitoring of this IDP and to consider disputes raised under Section 5.4.

5.2.1 The IDPC shall:

- a) Be comprised of an equal number of members from each municipal Council, up to a maximum of 3 from each municipality.
  - i. Convene a meeting when required to discuss/review applications which are subject to objections raised during the staff review process outlined in Section 5.4.
  - ii. Convene a meeting to discuss a relevant IDP issue at the request of either municipality.

## 5.3 REFERRALS

**Map 5 - Referral Area**, identifies the IDP referral area, reflecting where development in one municipality may impact the other municipality. Unless specific IDP policies are in place as identified in this document, development in the referral area shall be guided by the respective municipality's adopted statutory plans (MDPs, and ASPs) and their Land Use Bylaw.

Each municipality is required to notify and refer applications to the other regarding matters that are described below. The Notification Area includes all lands located within the Town and all County lands within the IDP Boundary.

5.3.1 Within the IDP referral Boundary identified on **Map 5 – Referral Area**, the two municipalities shall refer the following:

- a) Municipal Development Plans, Area Structure Plans, and amendments thereto
- b) Non-statutory Plans, and amendments thereto
- c) Applications for land use redesignation and subdivision
- d) Development Permit applications for:
  - i. Discretionary uses listed under the relevant Leduc County Land Use Bylaw district
  - ii. Discretionary uses listed under the relevant Town of Thorsby Land Use Bylaw district
  - iii. Natural resource extraction
  - iv. Confined Feeding Operations
  - v. Landfills

- 5.3.2 Subject to written intermunicipal agreement, items may be added to or deleted from the referral list without the need for an amendment to this IDP.
- 5.3.3 For any referral made above, if no response to the referral is received within 21 consecutive days, it will be assumed that there are no objections to the proposal.

## **5.4 DISPUTE RESOLUTION MECHANISM**

The Town and the County agree that it is important to avoid any dispute by ensuring that the principles, objectives, and policies of the IDP are followed and, if there are any disagreements as to the interpretation and application of the policies of this IDP, the municipalities shall seek the timely resolution of the disagreement in a manner which is respectful of each municipality's interests and concerns.

In the event that the dispute resolution process is initiated, the governing municipality shall not grant approval to the application or amendment in any way until the disagreement has been resolved or the MGB process has concluded.

The implementation of an intermunicipal dispute resolution mechanism is a requirement of all IDPs pursuant to the MGA. To satisfy this requirement and to ensure that the principles of fairness and due process are respected, a dispute or disagreement resolution process consisting of five stages has been established.

- 5.4.1 If there is a disagreement regarding matters outlined in the IDP they shall be addressed and resolved at any of the stages of the dispute resolution process outlined as follows:

### **STAGE 1 – Municipal Administrative Communication**

- 1. Upon written notice of dispute being received, Administration from the two municipalities shall meet and attempt to resolve the issue/concern. If no resolution can be agreed upon within 30 calendar days, the issue shall be advanced to the Chief Administrative Officers.

### **STAGE 2 – Chief Administrative Officer (CAO) Review**

- 1. The CAOs from each municipality shall consider the issues and attempt to resolve the disagreement.
- 2. Should the CAOs be unable to resolve the disagreement within 30 calendar days, the matter shall be forwarded to the IDPC.

### **STAGE 3 – Intermunicipal Development Plan Committee (IDPC) Review**

- 1. If the disagreement is moved forward to the IDPC a meeting of the IDPC, consisting of an equal number of members from each municipal Council, to a maximum of three from each, shall be set within 21 days from the time of referral from the CAO review.
- 2. After careful consideration of the facts and points of view, the IDPC may:
  - a) request additional information to assist in its deliberations;

- b) if possible, agree on a consensus position of the IDPC in support of or in opposition to the proposal, to be presented to both municipal Councils: or
  - c) conclude that no consensus can be reached at the IDPC level.
- 3. The IDPC has 30 calendar days to reach a resolution, with the option to extend that time periods by consensus agreement of the IDPC.
- 4. If agreed to, a facilitator may be employed to help the IDPC work toward a consensus position. If consensus cannot be reached a mediation process shall be employed as a means of resolving the matter.

#### **STAGE 4 – Mediation Process**

- 1. Prior to the initiation of the mediation process, the municipalities shall:
  - a) appoint an equal number of representatives to participate in the mediation process;
  - b) engage a mediator agreed to by the municipalities at equal cost to each municipality; and
  - c) approve a mediation process and schedule.

At the conclusion of the mediation process, the mediator will submit a report to both Councils for consideration. The mediator's report and recommendations are not binding on the municipalities and would be subject to the approval of both Councils.

If both Councils agree to the mediation report recommendation, then the applicant municipality would take the appropriate actions to address the disputed matter.

#### **STAGE 5 – Appeal to the Municipal Government Board (MGB)**

- 1. In the event that mediation proves unsuccessful, the affected municipality may appeal the matter to the MGB for resolution in accordance with the Municipal Government Act. An appeal to the MGB is limited to those issues identified within the Municipal Government Act.

### **5.5 AMENDING THE IDP**

- 5.5.1 Any proposed amendments to the IDP will be reviewed by the IDPC which will prepare a recommendation for presentation and approval by both municipal councils.
- 5.5.2 Any amendment to this IDP must receive support from both municipalities following the statutory public hearing(s) held per the requirements of the MGA. No amendment shall come into force until after both municipalities have given their IDP amendment bylaws third reading. Any disagreement by either municipality regarding the amendment would trigger the dispute resolution process outlined in Section 5.4.
- 5.5.3 Amendments can be initiated by either municipality or by applicants and landowners within the IDP Boundary. If applicant or landowner initiated, the amendment request shall be made to the municipality in which the subject land is located.



## **5.6 IDP REVIEW**

- 5.6.1 Regular review of the IDP should occur every 4 years to ensure that the principles and policies remain current.
- 5.6.2 It is recommended that the corresponding ICF be reviewed at the same time during the same 4 year interval.

## **5.7 ANNEXATION PROCESS**

At the time of this IDP preparation the Town of Thorsby had sufficient land within its current boundaries to support anticipated growth for the next 20 years. However, should circumstances change during the life of this IDP and the Town desires to initiate an annexation process it shall be undertaken and comply with the requirements of the Municipal Government Act.

## **6.0 MAPS**

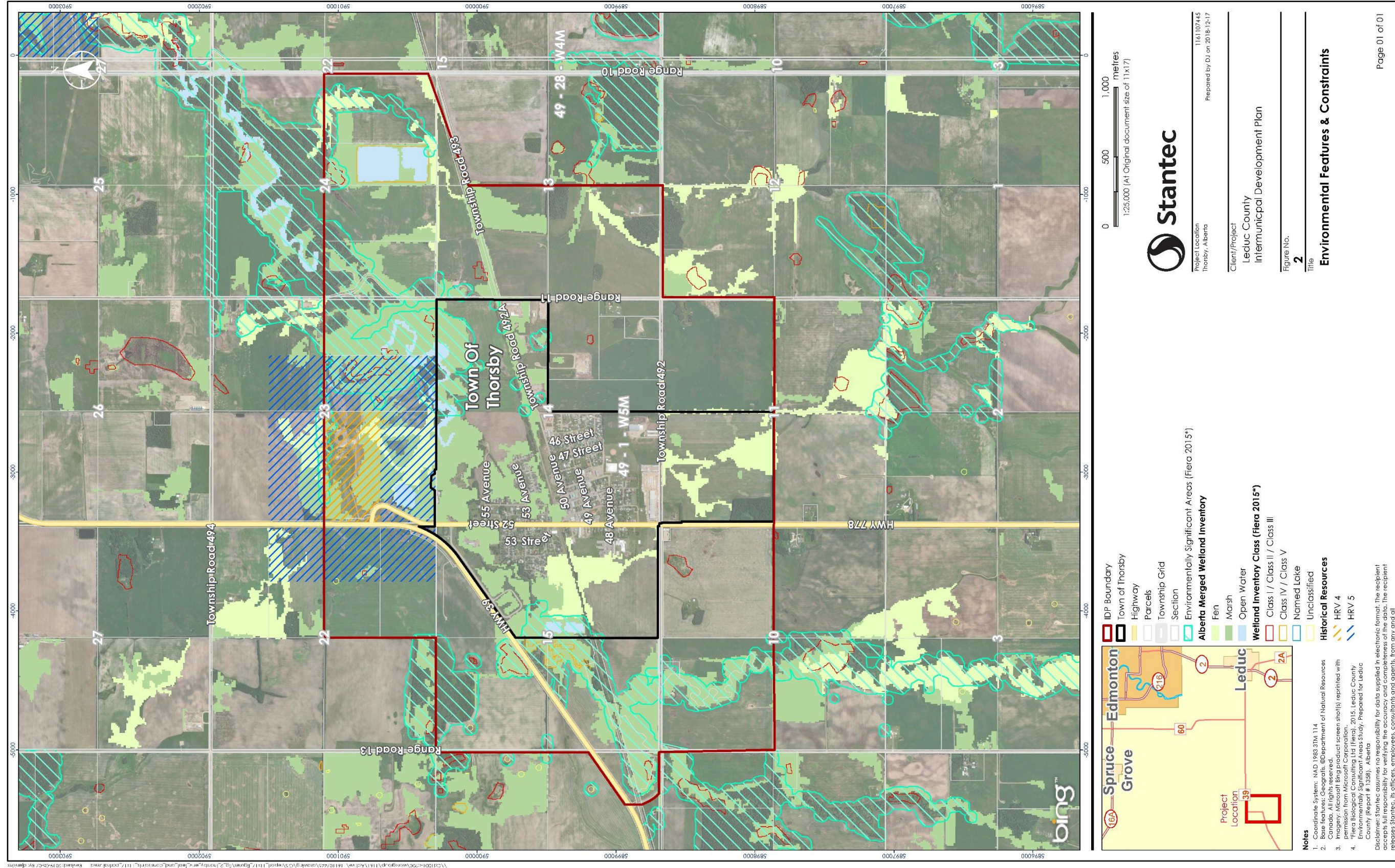








# MAP 2 – ENVIRONMENTAL FEATURES AND CONSTRAINTS



**Legend**

- IDP Boundary
- Town of Thorsby
- Highway
- Parcels
- Township Grid
- Section
- Environmentally Significant Areas (Fiera 2015\*)
- Alberta Merged Wetland Inventory
- Fen
- Marsh
- Open Water
- Wetland Inventory Class (Fiera 2015\*)
- Class I / Class II / Class III
- Class IV / Class V
- Named Lake
- Unclassified
- Historical Resources
- HRV 4
- HRV 5

**Scale**

0 500 1,000 metres

1:25,000 (At Original document size of 11x17)

**Stantec**

Project Location: Thorsby, Alberta  
1161107445  
Prepared by DJ on 2018-12-17

Client/Project: Leduc County Intermunicipal Development Plan

Figure No.: 2

Title: Environmental Features & Constraints

**Notes**

1. Coordinate System: NAD 1983 31M 114
2. Source: OpenStreetMap, Esri, DeLorme, Garmin, Esri, Department of Natural Resources Canada. All rights reserved.
3. Imagery: Microsoft Bing product screen shot(s) reprinted with permission from Microsoft Corporation.
4. \*Fiera Biological Consulting Ltd (Fiera), 2015, Leduc County Environmentally Significant Areas Study, Prepared for Leduc County (Report # 1398), Alberta

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**Map 2 – Environmental Features and Constraints**

Project Location: Thorsby, Alberta

Scale: 1:25,000 (At Original document size of 11x17)

Client/Project: Leduc County Intermunicipal Development Plan

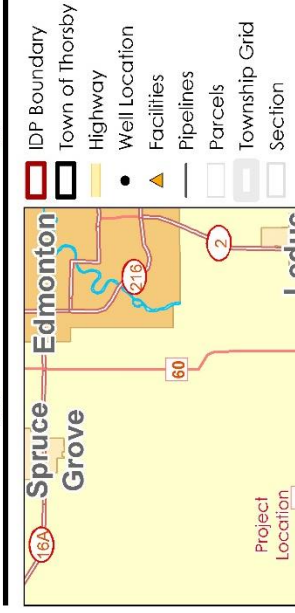
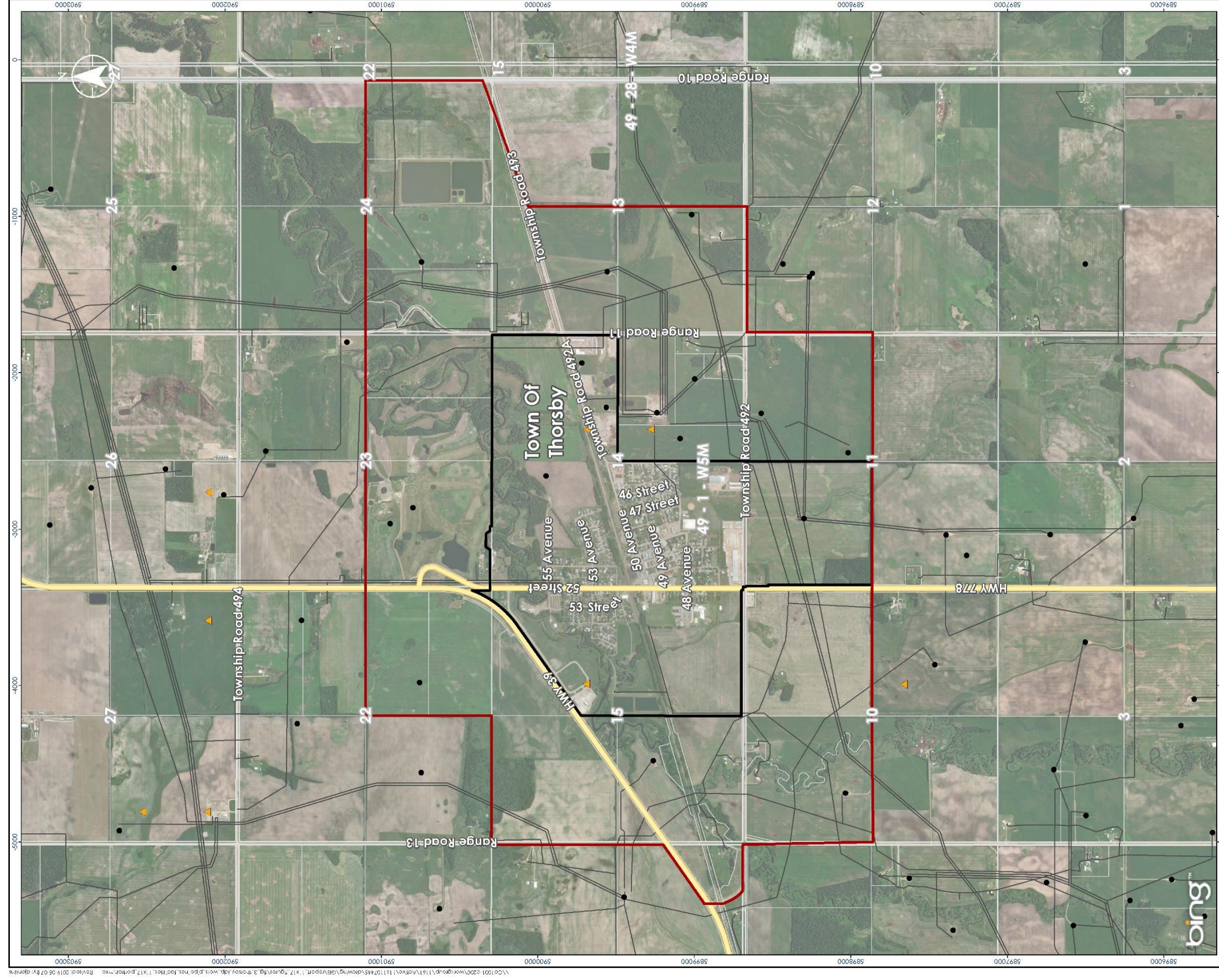
Figure No.: 2

Title: Environmental Features & Constraints

Page 01 of 01



# MAP 3 - EXISTING WELLS, PIPELINES AND FACILITIES



**Notes**

- Coordinate System: NAD 1983 3TM 114
- Base features: Geographics, Department of Natural Resources Canada. All rights reserved.
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0 500 1,000 metres  
1:25,000 (A1 Original document size of 11x17)

Project Location: Thorsby, Alberta  
1164187445  
Prepared by: D1 on 2018-12-17

Client/Project: Leduc County Intermunicipal Development Plan

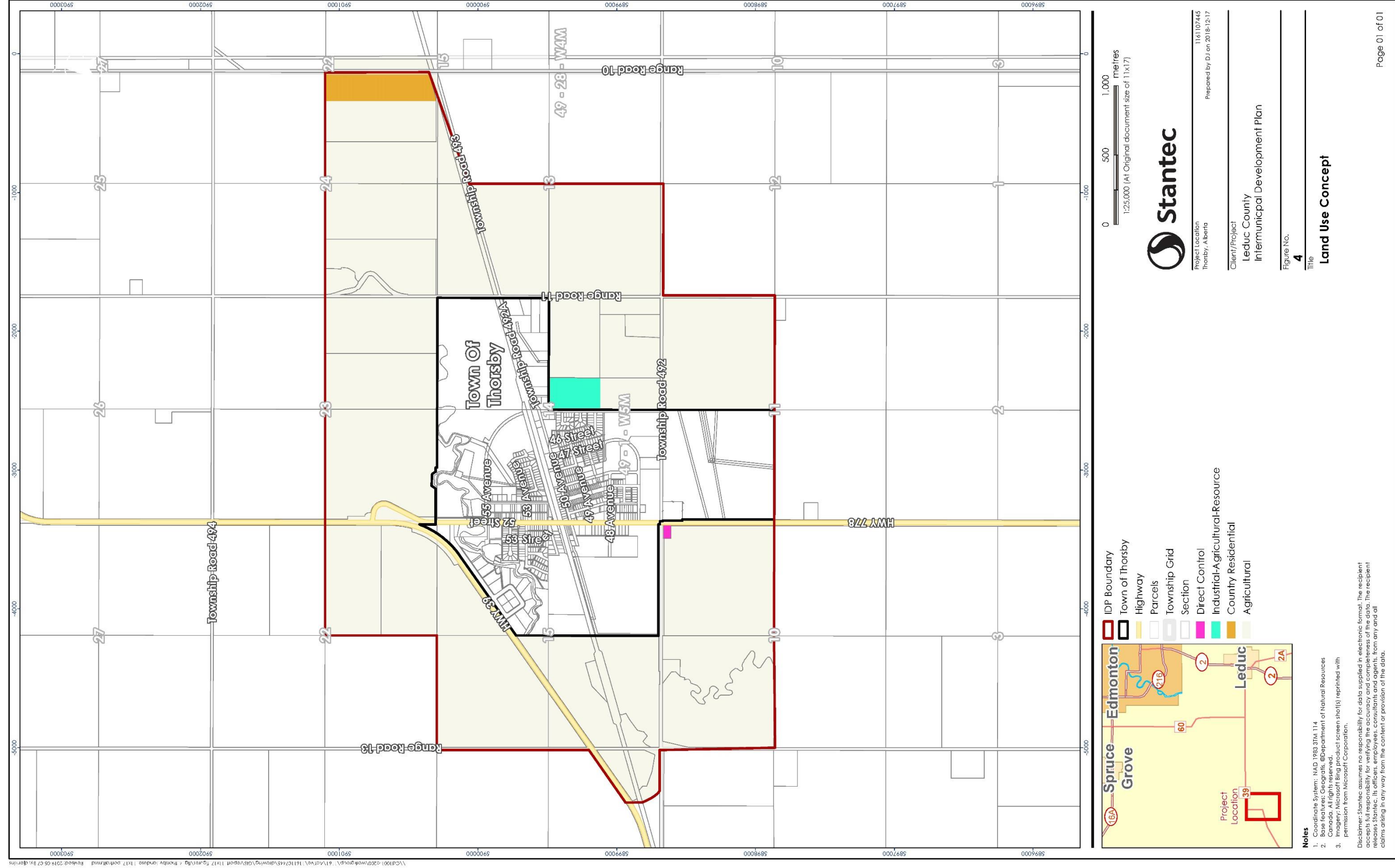
Figure No. **3**

Title: **Existing Wells, Pipelines and Facilities**

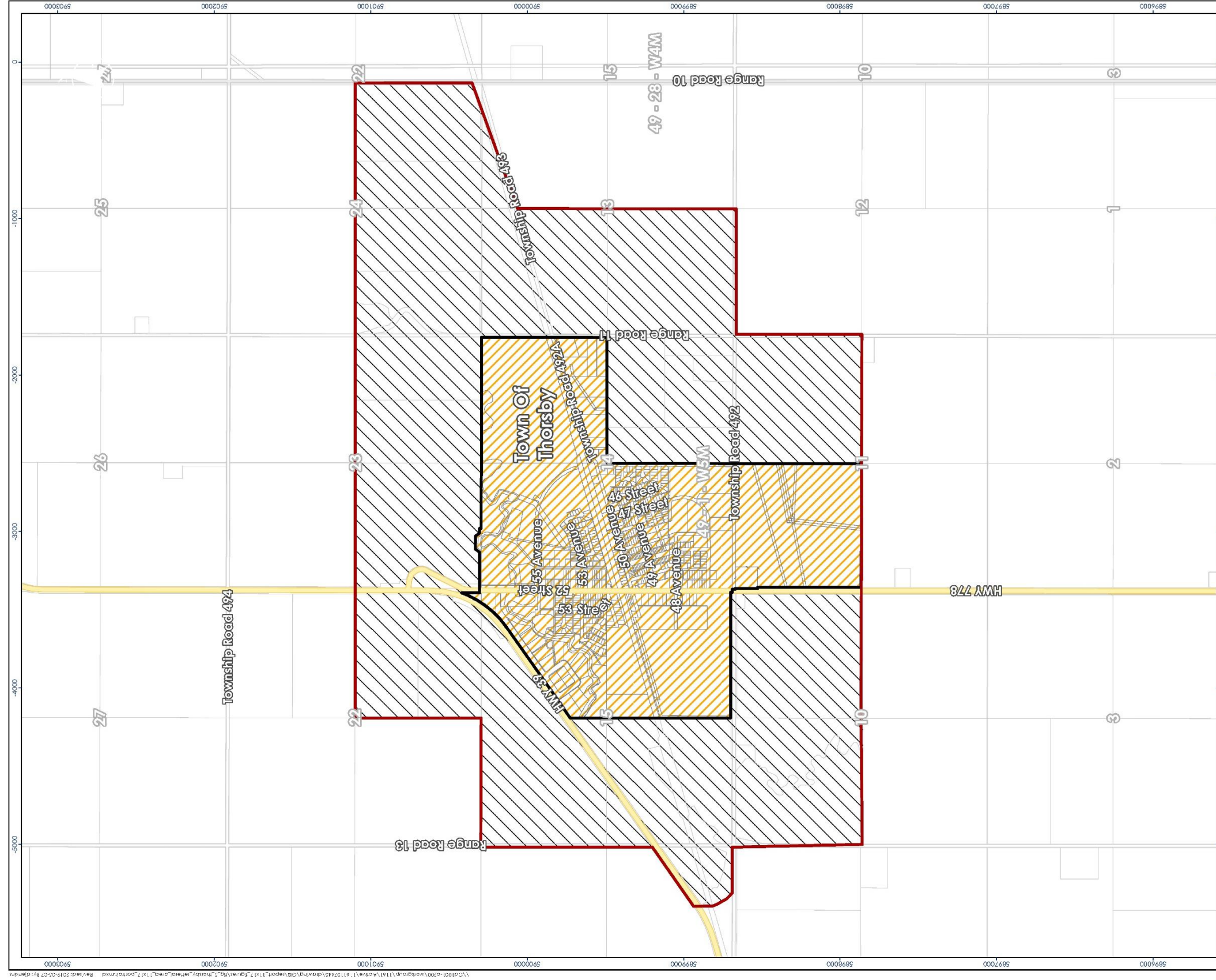
Page 01 of 01



# MAP 4 - LAND USE CONCEPT



# MAP 5 – REFERRAL AREA



Scale: 0 500 1,000 metres  
1:25,000 (At Original document size of 11x17)

Project Location: Thorsby, Alberta  
Client/Project: Leduc County Inter municipal Development Plan  
Figure No.: 5  
Title: Referral Area

Legend:

- IDP Boundary
- Town of Thorsby
- Highway
- Parcels
- Township Grid
- Section
- Referral Area - County
- Referral Area - Town

Notes:

- Coordinate System: NAD 1983 31M 114
- Base Features: Geographics: ©Department of Natural Resources Canada. All rights reserved.
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## 7.0 GLOSSARY

### A

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**Alberta Environment and Parks (AEP)**

Provincial ministry responsible for environmental policy.

**Alberta Transportation (AT)**

Provincial ministry responsible for all provincial highway policy.

**Annexation**

The process of transferring municipal jurisdiction over land from one municipality to another.

**Area Structure Plan (ASP)**

Statutory plan which provides long range land use planning for large areas of undeveloped land within the municipality. The plans identify major roadways, land uses, infrastructure requirements, parks, trails, and school sites. ASPs are approved and adopted by Council and must conform to the Intermunicipal Development Plan and Municipal Development Plan.

### B

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**Bog**

a type of wetland ecosystem characterized by wet, spongy, poorly drained peaty soil.

**Buffer**

An area (landscaped, natural, or a separate use) set aside or maintained to provide visual or physical, or auditory separation between lots, public roadway, and/or uses.

**Bylaw**

A law made by a local authority in accordance with the powers conferred by or delegated to it under the Municipal Government Act. Bylaws are enforceable through penalties, able to be challenged in court and must comply with higher levels of law.

### C

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**Chief Administrative Officer (CAO)**

A position within a municipality, established by bylaw, which is the administrative head of the municipality.

**Confined Feeding Operations (CFO)**

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. CFOs require a permit regulated by the NRCB, in accordance with the Agricultural Operation Practices Act.

**Conservation Reserve (CR)**

A new type of reserve category, called Conservation Reserve (CR), has been created in the MGA to protect environmentally significant lands such as wildlife corridors, significant tree stands or other environmentally significant features a municipality may wish to conserve but that do not meet the definition of Environmental Reserve. The municipality must provide appropriate compensation for dedication of CR.

**County**

Refers to Leduc County.

**D**

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**Development Permit**

A document that is issued under a land use bylaw and authorizes a development.

**E**

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**Easement**

A privilege to pass over the land of another, whereby the holder of the easement acquires only a reasonable and usual enjoyment of the property and the owner of the land retains the benefits and privileges of ownership consistent with the easement.

**Environmental Reserve (ER)**

Land dedicated to a municipality during the subdivision process, where it is determined to be undevelopable due to environmental conditions, in accordance with Section 664 of the Municipal Government Act. This may include swamps, gullies, wetlands, ravines, flood-prone areas, or land adjacent to a watercourse or waterbody.

**Environmental Reserve Easement (ERE)**

Where land is determined to be undevelopable due to environmental conditions, in accordance with Section 664 of the Municipal Government Act, but where circumstances dictate that instead of dedicating and transferring the land to the municipality, an environmental reserve easement is registered on the land title preventing development and destruction of these lands.

**Extensive Agriculture**

Refers to those agricultural operations producing crops or livestock which require large tracts of land.

**F**

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**Fen**

A type of wetland ecosystem characterized by peaty soil, dominated by grasslike plants, grasses, sedges, and reeds. Fens are alkaline rather than acid areas, receiving water mostly from surface and groundwater sources.

## **G**

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### **Gross**

Consisting of an overall total area of land exclusive of deductions resulting from any development constraints, or lands needed for roads, rights-of-way, Municipal or Environment Reserves, etc.

## **I**

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### **Incompatible Development**

Uses that by their permanency (once built cannot be easily removed or redeveloped) or would unduly impact on existing or future development (noise, dust, smell, traffic, etc.).

### **Intermunicipal Collaboration Framework**

A requirement under Section 708.28 of the MGA that must be undertaken by all Municipalities in Alberta.

### **Intermunicipal Development Plan Committee (IDPC)**

The Intermunicipal Development Plan Committee comprised of equal number of members, to a maximum of 3 from each municipal Council, in addition to the Chief Administrative Officers (CAO) from each municipality, supported by administrative staff who administer the IDP.

## **L**

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### **Land Use**

The various ways in which land may be used or occupied. Typically, these are broadly categorized as residential, commercial, industrial, institutional, agricultural, etc.

### **Land Use Bylaw (LUB)**

A planning document (approved by bylaw) that divides the municipality into Land Use Districts (Zones) and establishes procedures for processing and deciding upon applications for development. It sets out rules which affect how each parcel of land in the municipality may be used and developed. It also includes a zoning map.

### **Land Use District/Zone**

Regulations for development for an area of land, as set out in the Land Use Bylaw.

## **M**

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### **Marsh**

a type of wetland ecosystem characterized by poorly drained mineral soils and by plant life dominated by grasses.

### **Municipal Development Plan (MDP)**

Statutory plan adopted by a Municipal Council, under the authority of Section 632 of the Municipal Government Act. The plan outlines the direction and scope of future development, the provision of required transportation systems and municipal services, the coordination of municipal services and programs, environmental matters, and economic development.

**Municipal Government Act (MGA)**

Provincial legislation that outlines the power and obligations of a municipality.

**Municipal Government Board (MGB)**

An independent and impartial quasi-judicial board established under the Municipal Government Act to make decisions about land use planning and assessment matters. The MGB considers applications which relate to annexation of lands, subdivision appeals which are adjacent to water, highways, landfills, waste treatment or storage sites, and intermunicipal or linear (e.g., pipelines, wells, etc.) disputes.

**Municipal Reserve, Municipal and School Reserve, and School Reserve (MR, MSR, SR)**

Lands to be owned by a municipality and/or school authority to provide for park, recreation, or school authority purposes. Such lands are generally obtained at the time of subdivision, where the applicant is required to provide up to 10% of the developable area as reserve lands or cash in lieu, as determined by the municipality.

**Must**

An interpretive clause that directs that the policies stated have to be followed.

**N**

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**Natural Resources Conservation Board (NRCB)**

A body within Alberta that reviews proposed major natural resource projects and regulates confined feeding operations in the province.

**Non-Statutory Plans**

Are land use planning documents that do not fall under the definition of Statutory Plans under the authority of the Municipal Government Act. These may include the Land Use Bylaw, Outline Plans, Conceptual Schemes, Master Plans, guidelines, and policy statements.

**O**

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**Off-Site Levy**

A development levy that a Council may impose by bylaw in accordance with the Municipal Government Act, to be used to pay for identified offsite infrastructure capital costs by those who gain a direct or indirect benefit of that infrastructure. This helps to ensure that new growth helps pay for new infrastructure required for that growth.

**P**

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**Policy**

A specific statement or plan to achieve an objective, which when part of a statutory plan, provide direction and instruction for a proposal.

**Public Hearing**

As part of a bylaw amendment, the public shall be notified of an opportunity to submit representation (written or oral) to be heard by Council, at a specified date and time, per the Municipal Government Act's notification requirements.

## **R**

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### **Rights-of-Way (ROW)**

Agreement that confers to an individual, company or municipality the right to use a landowner's property in some way. Also see Easement.

### **Riparian**

Transitional areas between upland and aquatic ecosystems, bordering streams, lakes, rivers, and other watercourses. These areas have high water tables and support plants requiring saturated soils during all or part of the year. Riparian areas usually have soil, biological and other physical characteristics that reflect the influence of water and hydrological processes.

## **S**

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### **Setback**

The distance between a property line and part of a site, governed through the Land Use Bylaw.

### **Shall**

An interpretive clause that directs that the policies stated must be followed.

### **Should**

A directive term that indicates a preferred outcome or course of action but one that is not mandatory.

### **Statutory Plan**

A plan identified as statutory under the authority of the Municipal Government Act. being: an Intermunicipal Development Plan, a Municipal Development Plan, Area Structure Plans, and Area Redevelopment Plans.

### **Stormwater Management Facility (SWMF)**

An area which gathers rainfall and surface water runoff to help reduce the possibility of flooding and property damage, slowing and filtering storm water runoff.

### **Subdivision**

The creation or separation of new titled parcels of land from an existing parcel of land.

### **Swamp**

a wetland ecosystem characterized by mineral soils with poor drainage and by plant life dominated by trees

## **T**

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### **Town**

Refers to the Town of Thorsby

**W**

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**Will**

An interpretive clause that directs that the policies stated must be followed.