



# **CITY COUNCIL AGENDA**

## ***For the Joint Meeting of Red Deer City Council And Red Deer County Council***

Monday, January 26, 2015 – Cascades West Room, iHotel 67 Street  
6500 – 67 Street, Red Deer

Call to Order: 4:00 PM  
Public Hearing(s): 4:00 PM

### **I. PUBLIC HEARINGS**

- I.1. Inter-Municipal Development Plan (IDP): Seventh Annual Review  
Bylaw Amendment 3393/A-2014  
Consideration of Second and Third Reading of the Bylaw

(Agenda Pages 1 – 20)



January 14, 2015

## Intermunicipal Development Plan (IDP): Seventh Annual Review

### Bylaw Amendment 3393/A-2014

Legislative Services

#### **Report Summary & Recommendation:**

---

**Summary:**

A Supplementary Report, dated January 13, 2015, on Intermunicipal Development Plan Minor Amendments from administration is attached. The report from the Tuesday, October 14, 2014 Council Meeting is also attached for your information.

**Recommendation:**

That Council consider second and third reading of Intermunicipal Development Plan Bylaw Amendment 3393/A-2014

#### **City Manager Comments:**

---

I support the recommendations of Administration that Council consider second and third reading of the bylaw.

Craig Curtis  
City Manager

#### **Proposed Resolutions:**

---

That Council consider second and third readings of Intermunicipal Development Plan Bylaw Amendment 3393/A-2014.

#### Report Details

##### **Background:**

---

At the Tuesday, October 14, 2014 Council Meeting, Council gave first reading to Intermunicipal Development Plan Bylaw Amendment 3393/A-2014.

**Public Consultation Process:**

A Joint City/County Public Hearing has been advertised for Intermunicipal Development Plan Bylaw Amendment 3393/A-2014 to be held on Monday, January 26, 2015 at 4:00 p.m. Advertisements were placed in the Red Deer Advocate on January 9 and January 16, 2015.



January 13, 2015

## Supplementary Report on Intermunicipal Development Plan Minor Amendments

Planning department

### **Report Summary & Recommendation:**

---

This Report is provided to Council for information prior to considering second and third reading of Bylaw 3393/A-2014 to adopt proposed amendments to the Red Deer County and City of Red Deer Intermunicipal Development Plan. The report summarizes and responds to comments at the December 1, 2014 IDP Open House. Planning staff continues to recommend the proposed changes to the IDP as set out in the Report of October 1, 2014.

### Report Details

#### **Background:**

---

City Council held first reading on Bylaw 3393/A-2014 to adopt proposed amendments to the Red Deer County and City of Red Deer Intermunicipal Development Plan on October 14, 2014. County Council held first reading on October 7, 2014.

An informational open house was held on December 1, 2014. Approximately six members of the general public signed the open house attendance sheet. A number of elected officials and administration from both Red Deer County and The City of Red Deer were also in attendance. Display boards described the proposed minor amendments. Staffs from both municipalities were available for any questions or discussion.

#### **Discussion:**

---

One submission (See Attachment A) was received from ISL Engineering, attaching a letter which had originally been sent to the County Director of Planning and Development on December 19, 2013. Their client has land within the Collaborative Planning Area of the IDP and within the existing Calgary and Edmonton Trail Area Structure Plan as amended December 3, 1996. ISL Engineering also indicated verbally to County staff that the proposed amendments met some of their concerns. However, they were still concerned that there was no ability to speak to the matter with The City, there was no right of appeal, and the process might stop with The City.



The amendments proposed to Section 3.4 Long Range Planning are to clarify the process for private applications for new area structure plans, amendments to existing plans and redesignations.

The responses to the concerns raised are as follows:

**A. Concern: No ability to speak to the matter with The City.**

**Response:** The Collaborative Planning Area protocol would be followed if this became an application. The landowner would make application to the County. The City Manager would receive a completed application from the County outlining the requested amendment. The applicant would have the opportunity to provide any written material that would assist the City and the City Manager in the evaluation to, as set out in proposed Policy 3.4.3 (2), “determine whether the City supports or objects to the application being considered based on the applications compliance with the IDP...”

**B. Concern: There is no right of appeal.**

**Response:** These amendments have not changed any of the previous rights that may have been available. In general, there is no appeal ability except to the Courts on matters related to statutory plans.

**C. Concern: The process would stop if the City objects to the processing of the application.**

**Response:** The two scenarios below demonstrate the process and potential outcomes.

Scenario A: In this example, the City provides a written objection to the County stating that the **City objects to the County proceeding** with the application, based on its non-compliance with the policies of the IDP. If the County Administration agrees with the position of the City then an Administration Report would be prepared for County Council outlining those concerns and other concerns based on other statutory documents such as the County’s Municipal Development Plan. County Council, as the municipal body having jurisdiction, would then make a determination on their course of action.

Scenario B: In this example, the City **does not provide any objection** to the application proceeding based on its compliance with the policies of the IDP. With that input, County Administration would prepare a recommendation to County Council on the application. County Council, as the municipal body having jurisdiction, would then make a determination on their course of action.

**Attachment A**

**From:** Dave McRae |  
**Sent:** December-01-14 9:45 AM  
**To:** Richard Moje  
**Cc:**  
**Subject:** RD IDP Amendment

Hi Richard:

Good to speak with you this morning. As discussed, attached is our original letter to the County regarding the need to amend the IDP.

Our concern is that the proposed amendments clarify administrative protocols respecting amendments, but our key concern relating to Policy 3.4.3 looks to remain unaddressed.

FYI, Robert Perrault of our Red Deer office will be attending today's open house to follow up further.

**Dave McRae, RPP, MCIP** | *Land Use Planning Manager, Grande Prairie*  
**ISL Engineering and Land Services Ltd.**  
#202, 10537 – 98 Avenue  
Grande Prairie, AB T8V 4L1

Dave McRae, RPP, MCIP | Land Use Planning Manager, Grande Prairie

***We're Growing! We have added offices in the Kootenay Region and Saskatoon.***  
ISL is: *Bullfrog Powered | A Green 30 Employer | One of Canada's Best Small and Medium Employers*

**Please consider the environment before printing this email.**

This communication is intended for the sole use of the recipient to which it was addressed and may contain confidential, personal, and/or privileged information. Please contact the sender immediately if you are not the intended recipient of this information and do not copy, distribute, or take action relying on it. Any communication received in error should be deleted or destroyed.

Inspiring sustainable thinking 

Suite 100, 7909 – 51 Avenue Edmonton, AB T6E 5L9 T: 780.438.9000 F: 780.438.3700

December 19, 2013

Our Reference: 13873

**Red Deer County**  
38106 Range Road 275  
Red Deer County, AB  
T4S 2L9

Attention: Cynthia Cvik, Director of Planning and Development

Dear Madam:

**Reference: C & E Trail Area Structure Plan Amendment**

---

ISL represents the owners of Pt. NW 23-37-28-4, a 23 ha site located within the C & E Trail Area Structure Plan (ASP). The owners are seeking an amendment to the ASP in order to develop the subject land for country residential use. The site in question is illustrated on the attached map for your reference.

In previous discussions with the County, we have been advised that an ASP amendment is not possible at present due to limitations placed on such amendments by the Red Deer Intermunicipal Development Plan (RDIDP). The particular policy of concern reads as follows:

3.4.3(2)(c) Effective from the date of the adoption of this Intermunicipal Development Plan, until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance, existing area structure plans shall be implemented and existing concept plans and outline plans shall be considered. Unless otherwise agreed to by The County and The City, consideration of the following types of applications shall be deferred until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance: ...amendments to existing area structure plans, concept plans or outline plans.

We draw your attention to the clause "*unless otherwise agreed to by The County and The City*", which suggests that there is in fact an opportunity to pursue an ASP amendment, but there is no direction provided as to how this "exception provision" might be enacted.

In this specific case, the subject land is located in the "Collaborative Planning Area" of the RDIDP, is not situated in a "City Growth Area" or "County Growth Area", and is outside of the "Agriculture or Open Space Area" as defined in the RDIDP's Future Land Use map. In addition, the site in question is severed from other agricultural lands by the C&E Trail, and is bounded to the north and south by existing country residential development or lands identified for future country residential use in the ASP. We appreciate that the site may have other challenges which would have to be addressed, but based on the points noted the development of the site for country residential use could potentially be supported. In addition, as the site is not a likely candidate for future annexation into the City of Red Deer due to surrounding land conditions, it is our view that permission to proceed with an ASP amendment application can be justified.

Based on this rationale, we respectfully request guidance as to how to proceed with an ASP amendment request in accordance with the exception provision contained in Policy 3.4.3(2) of the IDP. Further, if discussions between the City and County determine that an ASP amendment is not to be entertained by the municipalities at this time that the reasons for such a decision be clearly articulated so we can advise the landowners accordingly.

Inspiring sustainable thinking 

In the event that discussions between the City and County determine that we are unable to proceed under the existing IDP policy, we would request that the RDIDP be amended to read as follows:

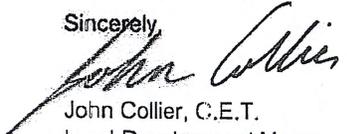
- (c) amendments to existing area structure plans, concept plans or outline plans ***unless said area structure plan, concept plan, or outline plan is located outside of a City of Red Deer Growth Area.***

The intent of this amendment is to allow ASP amendments where warranted while at the same time not jeopardizing the City's long term growth aspirations.

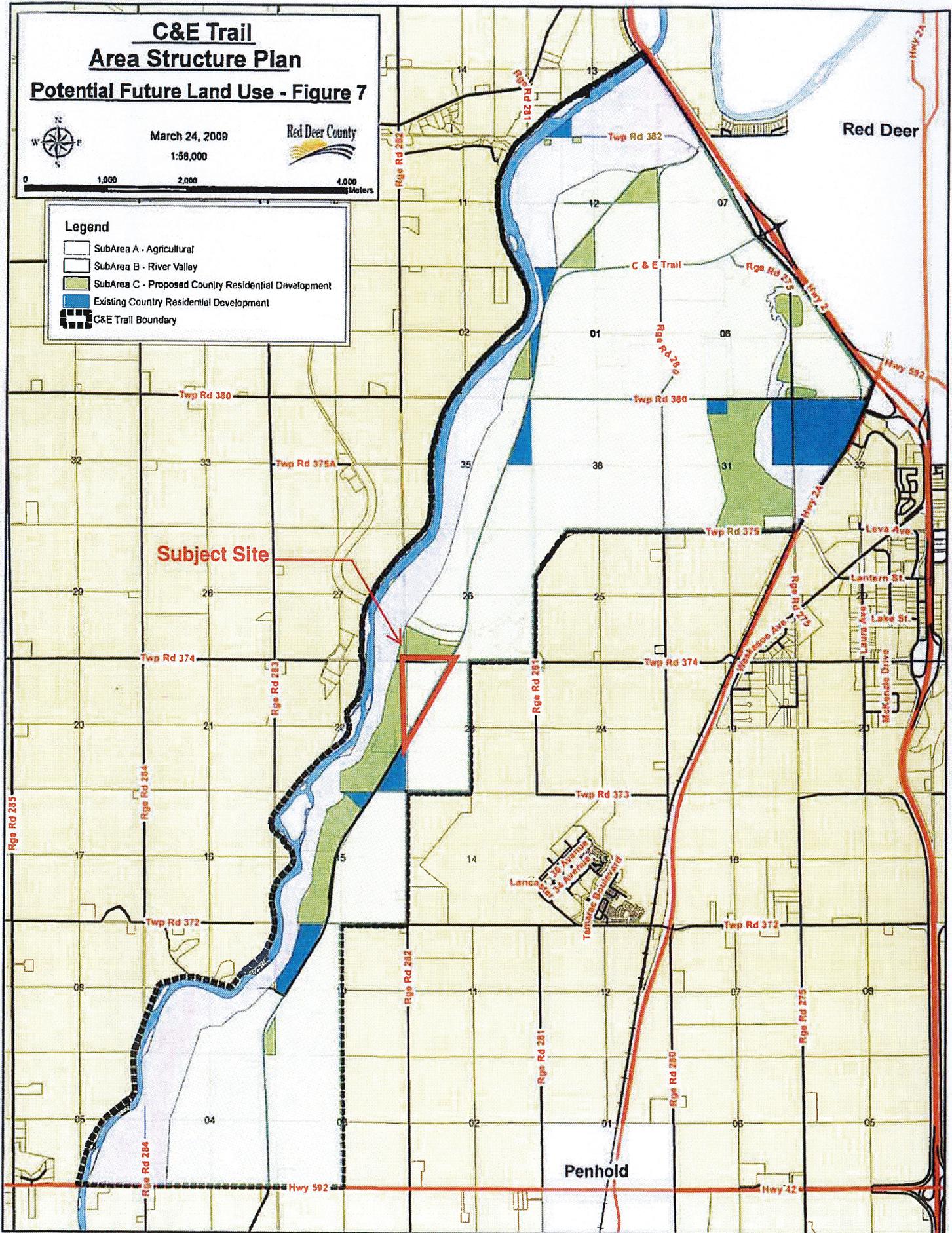
We understand through previous inquiries that potential amendments to the RDIDP are reviewed annually with the City, with the next opportunity coming in June 2014. We wish to have our amendment proposal placed on the agenda for consideration at that meeting. In the meantime, we would appreciate an opportunity to meet with County planning staff to discuss our proposal, including possible strategies to move forward under the exception clause more fully.

Thank you for your consideration of this request.

Sincerely,



John Collier, C.E.T.  
Land Development Manager



Amended by: Bylaws 20/96 and 2009/9



Report Originally  
Submitted to the  
Tuesday, October 14,  
2014 Council Meeting

October 1, 2014

## Inter-Municipal Development Plan (IDP): Seventh Annual Review

### Bylaw Amendment 3393/A-2014

### Consideration of First Reading

Planning Department

#### **Report Summary & Recommendation:**

---

Annually Red Deer County and City of Red Deer review the Intermunicipal Development Plan (IDP), originally adopted in July 2007. This Seventh Annual review has recommended minor amendments to three policy sections of the IDP:

1. Section 3.4 Long Range Planning to clarify the application process for private applications for new area structure plans, amendments to existing plans and re-designations. Secondly to clarify the process for Red Deer County to initiate amendments to bring existing plans in to conformance with legislation;
2. Section 3.7 Communication to clarify some of the wording that defines the role of the City and County Joint Administrations committee; and
3. Section 3.8 Intermunicipal Subdivision and Development Appeal Board (ISDAB) to add policy to deal with quorum and chairman appointments in unforeseen circumstances.

Planning administration recommends Council consider first reading of Bylaw 3393/A-2014 to adopt proposed amendments to the Red Deer County and City of Red Deer Intermunicipal Development Plan.

Planning administration also recommend Council follow the Minor Amendment Public Involvement Protocol.

#### **City Manager Comments:**

---

I support the recommendation of Administration that Council consider first reading of Inter-Municipal Development Plan Bylaw Amendment 3393/A-2014. If first reading of the bylaw amendment is given, an open house will be held on Monday, December 1<sup>st</sup> at 4:00 p.m. and a Public Hearing would be advertised to be held on Wednesday, January 28 2014 at 4:00 p.m. at the Sheraton Hotel.

Craig Curtis  
City Manager



## Proposed Resolution

---

That Council consider first reading of Inter-Municipal Development Plan Bylaw Amendment 3393/A-2014 at this time.

## Report Details

### Background:

---

The Intermunicipal Development Plan requires an annual review:

*“Annually, The City and County Managers shall review this Plan to determine the advisability of an amendment. The results of this review shall be presented to an Intermunicipal meeting of the two Councils in June of each year. The Councils shall direct which amendments, if any, are to be proceeded with.” Policy 3.9.3 (2)*

On July 8, 2013 City Council directed administration to prepare Intermunicipal Development Plan (IDP) policy amendments as agreed to by Red Deer County and City of Red Deer Councils. These amendments were presented at the June 12, 2014 Joint Red Deer County and City of Red Deer Workshop.

#### *Public Involvement Protocol*

Administration as part of the Fifth Annual Review (July 2012) developed a protocol for public consultation on minor and major amendments to the IDP. In general minor amendments are those that are considered to have minimal public interest or implications such as those of a more technical nature. Major amendments are those that are proposing more fundamental changes to the IDP and would be of greater interest to a landowners and residents. Administration is recommending that the minor amendment process is sufficient for the proposed amendments contained within this report as outlined below:

#### Minor Amendments Public Involvement Protocol

1) Before first reading:

- Updates posted to the City of Red Deer ([www.reddeer.ca](http://www.reddeer.ca)) and Red Deer County ([rdcounty.ca/](http://rdcounty.ca/)) websites to reflect possible changes

2) Following first reading:

- Public open house (informational)
- Article in *the Red Deer County News* to explain what changes may come
- Joint news release regarding proposed amendments



- Statutory requirements for public notice in *Red Deer Advocate* and *Red Deer Express*
- 3) Public hearing (six weeks or more from 1st reading)
- 4) After second/third reading
- Joint news release regarding approved amendments
  - Updates to The City of Red Deer ([www.reddeer.ca](http://www.reddeer.ca)) and Red Deer County ([rdcounty.ca/](http://rdcounty.ca/)) websites to reflect approved amendments
  - Article in *Red Deer County News* to explain approved amendments

### **Discussion and Analysis:**

---

The minor amendments are to three policy sections of the IDP-Section 3.4 Long Range Planning, 3.7 Communication and 3.8 ISDAB. A comparison of the existing IDP policy and the proposed amendments are included in Schedule A.

#### **I. Amendments to Section 3.4 Long Range Planning:**

- a. *Add in the original date of the IDP adoption, July 5, 2007, to clarify the wording “this IDP” in Policy 3.4.3(2).*

Policy 3.4.3(2) allows existing area structure plans and concept plans at the time of the original IDP adoption to be implemented. The amendment clarifies “this Intermunicipal Development Plan” in the wording to be the original plan adoption date in 2007 and hence considered “existing”.

- b. *Define who is meant by “The City” and “The County” when responding to applications in the City Growth Area, Collaborative Planning Area and Agriculture and Open Space Area.*

The current policies in the IDP do not permit amendments to existing area structure plans or allow consideration of new plans, for example, “unless agreed to by The County and The City” for the City Growth Area, the Collaborative Planning Area and Agriculture or Open Space Area. There has been confusion as this section does not set out who should provide speak on behalf of each municipality. These amendments would clarify procedure thereby clarifying who is authorized by the IDP to provide a position on behalf of The City.

For the Collaborative Planning and the Agriculture or Open Space Areas the City Manager would be given the authority to provide written confirmation of non-objection or objection to an amendment, redesignation, or a new area structure plan to the County Manager based on the policies of the IDP.



For the City Growth Area, City Council would be provided the authority to make a determination of non-objection or objection to an amendment, redesignation, or a new area structure plan. The process would involve the County Manager providing the appropriate documentation on the proposed application to the City Manager. The City Manager would take the proposed application to City Council for a decision of non-objection or objection based on compliance with the policies of the IDP.

- c. *Allow Red Deer County to bring existing area structure plans into conformance with Provincial Legislation, IDP and County MDP without needing to get authorization from City Council or the City Manager. These conformance amendments would still go to the Joint Administrations Committee for review. This amendment does not apply to external or developer applications for ASP amendments or new ASPs. This is a separate process in the IDP that is not changing.*

Administration is proposing text to allow Red Deer County to initiate amendments that bring existing ASPs in to compliance with Provincial Legislation, the IDP or the County MDP without the requirement for position statement by The City. The County's area structure plans within the Collaborative Planning Area, County Growth Area and City Growth Area are out of date as the policies were developed based on a much earlier policy framework. These documents need to be reviewed and brought into alignment with the IDP, County's Municipal Development Plan (MDP) Land Use Bylaw and Provincial legislation. County planning staff would bring forward these amendments. This amendment does not apply to external or developer applications for ASP amendments or new ASPs. This is a separate process in the IDP that is not changing.

These conformance amendments would still go to the Joint Administrations Committee for review (Policy 3.7.3.1). This approach allows proposed changes to be considered based on compliance with IDP policies. This would be the focus of The City's comments. Any amendments would need to comply with County statutory documents, policies and the IDP.

## **2. Amendments to Section 3.7 Communication**

Policy 3.7.3.1(2) describes the role of the City and County Joint Administrations committee. The amendment makes minor changes for clarification:

- a) *Addition of the wording "and make recommendation"*  
Wording has been added to better clarify the role of joint administrations is to provide a recommendation to the deciding body in addition to the review.



- b) *Addition of the word “Discretionary” in front of development permit applications*  
Permitted uses within a district must be approved if they conform to the Land Use Bylaw, subject only to such conditions as are set out in the Land Use Bylaw. Recognizing this, it is recommended that the scope of Policy 3.7.3.1 be restricted so that only discretionary use applications must be reviewed jointly; and permitted use applications can be processed by the County.
  
- c) *Delete the words “prior to annexation”*  
Delete the words “prior to annexation” as they are unnecessary and confusing. An area annexed by The City is no-longer governed by the IDP as indicated in another section of the Plan.
  
- d) *Delete the word “major”*  
There are no existing area structure plans or proposed area structure plans by Red Deer County are called “major.” Therefore the word “major” is proposed for deletion in Policy 3.7.3.1 (2).

### **3. Amendments to Section 3.8 Intermunicipal Subdivision and Development Appeal Board (ISDAB) for Unforeseen Circumstances.**

Section 3.8 of the IDP provides for the establishment of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) and the Intermunicipal Disagreement Resolution Board. Currently this Board consists of seven members, the Chairman who is appointed by both municipalities and three members appointed by each municipality. A quorum for the Board consists of equal members of the County and City designated members plus the Chair.

On a couple of occasions, after a meeting has been set to hear an appeal, the Chair has been unable to attend due to weather or other reasons. This makes holding the board hearing within the 30 days after receiving a notice of appeal, as required by the Municipal Government Act, very difficult if the hearing date has to be moved. Therefore a change to the quorum section for the ISDAB **only** is proposed to deal with such unforeseen circumstances.

Attachments:

Schedule A: Proposed Amendments to the Red Deer County and City of Red Deer IDP

Schedule "A"

**Proposed Amendments to the Red Deer County and City of Red Deer  
Intermunicipal Development Plan (IDP)**

Proposed deletions shown in ~~strikeout~~

Proposed additions shown in **bold**

Existing IDP Policy	Proposed Amendment
<p data-bbox="170 266 586 296">Section 3.4 Long Range Planning</p> <p data-bbox="170 333 321 363">Policy 3.4.3</p> <p data-bbox="170 411 781 919">(2) Effective from the date of the adoption of this Intermunicipal Development Plan until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance existing area structure plans shall be implemented and existing concept plans and outline plans shall be considered. Unless otherwise agreed to by The County and The City, consideration of the following types of applications shall be deferred until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance:</p> <ul style="list-style-type: none"> <li data-bbox="235 963 781 1140">(a) additional area structure plans, concept plans or outline plans, except those outline plans that are required to implement existing area structure plans;</li> <li data-bbox="235 1150 781 1251">(b) redesignation applications that are inconsistent with existing area structure plans; and</li> <li data-bbox="235 1262 781 1362">(c) amendments to existing area structure plans, concept plans or outline plans.</li> </ul> <p data-bbox="170 1432 781 1608">Specifically excluded from these prohibitions is redesignation applications to allow for first parcel out subdivisions within the Collaborative Planning Areas and Agriculture or Open Space Area.</p>	<p data-bbox="808 266 1214 296">Section 3.4 Long Range Planning</p> <p data-bbox="808 333 954 363">Policy 3.4.3</p> <p data-bbox="808 432 1419 940">(2) Effective from the date of the adoption of this Intermunicipal Development Plan <b>(July 5, 2007)</b> until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance existing area structure plans shall be implemented and existing concept plans and outline plans shall be considered. Unless otherwise agreed to by The County and The City, consideration of the following types of applications shall be deferred until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance:</p> <ul style="list-style-type: none"> <li data-bbox="852 984 1419 1161">(a) additional area structure plans, concept plans or outline plans, except those outline plans that are required to implement existing area structure plans;</li> <li data-bbox="852 1171 1419 1272">(b) redesignation applications that are inconsistent with existing area structure plans; and</li> <li data-bbox="852 1283 1419 1350">(c) amendments to existing area structure plans, concept plans or outline plans.</li> </ul> <p data-bbox="808 1432 1419 1608">Specifically excluded from these prohibitions is redesignation applications to allow for first parcel out subdivisions within the Collaborative Planning Areas and Agriculture or Open Space Area</p> <p data-bbox="852 1709 1419 1885"><b>For any application within the Collaborative Planning Area and Agriculture and Open Space Area, the City Manager will determine whether the City supports or objects</b></p>

	<p><b>to the application being considered, based on the application's compliance with the IDP and will advise the County Manager in writing accordingly.</b></p> <p><b>For any applications that are completely or partially within the City Growth Area, City Council will determine whether the City supports or objects to the application being considered, based on the application's compliance with the IDP and will advise the County Manager in writing accordingly.</b></p> <p><b>Exempt from these requirements are amendments proposed by Red Deer County that brings existing ASP's into conformance with Provincial Legislation, the IDP and the County MDP. These may be considered without position statements from the City; however, they will still be subject to review as per Section 3.7 of the IDP</b></p>
<p><b>Section 3.7 Communication</b></p> <p>Policy 3.7.3.1 Review of Area Structure Plan, Concept Plan or Outline Plan Proposals or Amendments and Redesignation, Subdivision or Development Permit Applications</p> <p>(1) The County and The City administrations shall jointly review all area structure plan, concept plan or outline plan proposals or amendments and redesignation, subdivision or development permit applications:</p> <p>(a) within The City's Growth Area prior to annexation; and</p>	<p>Policy 3.7.3.1 Review of Area Structure Plan, Concept Plan or Outline Plan Proposals or Amendments and Redesignation, Subdivision or Development Permit Applications</p> <p>(1) The County and The City administrations shall jointly review <b>and make recommendation on</b> all area structure plan, concept plan or outline plan proposals or amendments and redesignation, subdivision or <b>discretionary</b> development permit applications:</p>

- (b) within the Collaborative Planning Areas and Agriculture or Open Space Area until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance.

An area structure plan, concept plan or outline plan proposal or amendment and a redesignation, subdivision or development permit application that is inconsistent with an adopted major area structure plan shall be refused or not considered further

- (a) within The City's Growth Area ~~prior to annexation~~; and

- (b) within the Collaborative Planning Areas and Agriculture or Open Space Area until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance.

An area structure plan, concept plan or outline plan proposal or amendment and a redesignation, subdivision or development permit application that is inconsistent with an adopted ~~major~~ area structure plan shall be refused or not considered further

<p>Section 3.8 Intermunicipal Subdivision and Development Appeal Board and Intermunicipal Disagreement Resolution Board</p> <p>Section 3.8.3 Policies</p> <p>No current policy to address appointing a Chair of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) in the event the designated Chairman is unable to attend a hearing of the board.</p> <p>(1) The Councils of Red Deer County and The City of Red Deer shall, by Bylaw pursuant to the Municipal Government Act, jointly appoint an Intermunicipal Subdivision and Development Appeal Board to hear appeals in accordance with the Municipal Government Act, relevant to subdivision or development permit applications within The City's Growth Area prior to annexation, and within the Collaborative Planning Areas and the Agricultural or Open Space Area until a Major Area Structure Plan has been adopted</p> <p>(2) The Intermunicipal Subdivision and Development Appeal Board shall be composed of seven members, consisting of three residents of each municipality, of which not more than one may be a member of each Council, and a chair mutually agreed upon by both Councils. If the two Councils cannot agree on a Chair, the two Councils shall submit their nominations to a judge at the Court of Queen's Bench of Alberta, whose decision shall be final</p> <p>(3) No person who is a staff member or a member of the Municipal Planning Commission or a member of the Subdivision Authority of</p>	<p>Section 3.8 Intermunicipal Subdivision and Development Appeal Board and Intermunicipal Disagreement Resolution Board</p> <p>Section 3.8.3 Policies</p> <p>(1) The Councils of Red Deer County and The City of Red Deer shall, by Bylaw pursuant to the Municipal Government Act, jointly appoint an Intermunicipal Subdivision and Development Appeal Board to hear appeals in accordance with the Municipal Government Act, relevant to subdivision or development permit applications within The City's Growth Area prior to annexation, and within the Collaborative Planning Areas and the Agricultural or Open Space Area until a Major Area Structure Plan has been adopted</p> <p>(2) The Intermunicipal Subdivision and Development Appeal Board shall be composed of seven members, consisting of three residents of each municipality, of which not more than one may be a member of each Council, and a chair mutually agreed upon by both Councils. If the two Councils cannot agree on a Chair, the two Councils shall submit their nominations to a judge at the Court of Queen's Bench of Alberta, whose decision shall be final.</p> <p>(3) No person who is a staff member or a member of the Municipal Planning Commission</p>
---	---

<p>either municipality shall be appointed as a member of the Intermunicipal Subdivision and Development Appeal Board.</p> <p>(4) The Intermunicipal Subdivision and Development Appeal Board shall also constitute the Intermunicipal Disagreement Resolution Board.</p> <p>(5) A quorum for the Intermunicipal Subdivision and Development Appeal Board/Disagreement Resolution Board shall consist of equal members of the County designated members and City designated members plus the Chair.</p>	<p>or a member of the Subdivision Authority of either municipality shall be appointed as a member of the Intermunicipal Subdivision and Development Appeal Board.</p> <p>(4) The Intermunicipal Subdivision and Development Appeal Board shall also constitute the Intermunicipal Disagreement Resolution Board.</p> <p>(5) A quorum for the Intermunicipal Subdivision and Development Appeal Board/Disagreement Resolution Board shall consist of equal members of the County designated members and City designated members plus the Chair.</p> <p><b>(6) Provided that there are an equal number of County members and City members in attendance, and notwithstanding section 3.8.3 (5), in the event that a hearing of the Intermunicipal Subdivision and Development Appeal Board has been scheduled and the Chairperson is not available to attend, the Panel Members shall choose a Chairperson from amongst those present and this shall constitute quorum</b></p>
--	--

Bylaw No. 3393/A-2014

### **BYLAW NO. 3393/A-2014**

Being a Bylaw to amend Bylaw No. 3393, the Red Deer County and City of Red Deer Intermunicipal Development Plan as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

I. Policy 3.4.3 (2) is deleted and replaced with the following:

(2) Effective from the date of the adoption of this Intermunicipal Development Plan (July 5, 2007) until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance existing area structure plans shall be implemented and existing concept plans and outline plans shall be considered. Unless otherwise agreed to by The County and The City, consideration of the following types of applications shall be deferred until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance:

- (a) additional area structure plans, concept plans or outline plans, except those outline plans that are required to implement existing area structure plans;
- (b) redesignation applications that are inconsistent with existing area structure plans; and
- (c) amendments to existing area structure plans, concept plans or outline plans.

Specifically excluded from these prohibitions is redesignation applications to allow for first parcel out subdivisions within the Collaborative Planning Areas and Agriculture or Open Space Area.

For any application within the Collaborative Planning Area and Agriculture and Open Space Area, the City Manager will determine whether the City supports or objects to the application being considered, based on the application's compliance with the IDP and will advise the County Manager in writing accordingly.

For any applications that are completely or partially within the City Growth Area, City Council will determine whether the City supports or objects to the application being considered, based on the application's compliance with the IDP and will advise the County Manager in writing accordingly.

Exempt from these requirements are amendments proposed by Red Deer County that brings existing ASP's into conformance with Provincial Legislation, the IDP and the County MDP. These may be considered without position statements from the City; however, they will still be subject to review as per Section 3.7 of the IDP.

2. Subsection (1) and subsection (2) of Policy 3.7.3.1 are deleted and replaced with the following:

- (1) The County and The City administrations shall jointly review and make recommendation on all area structure plan, concept plan or outline plan proposals or amendments and redesignation, subdivision or discretionary development permit applications:

Bylaw No. 3393/A-2014

- (a) within The City’s Growth Area; and
  - (b) within the Collaborative Planning Areas and Agriculture or Open Space Area until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance.
  - (2) An area structure plan, concept plan or outline plan proposal or amendment and a redesignation, subdivision or development permit application that is inconsistent with an adopted area structure plan shall be refused or not considered further.
3. Policy 3.8.3 is amended by adding Subsection (6) immediately after Subsection (5) as follows:
- (6) Provided that there are an equal number of County members and City members in attendance, and notwithstanding section 3.8.3 (5), in the event that a hearing of the Intermunicipal Subdivision and Development Appeal Board has been scheduled and the Chairperson is not available to attend, the Panel Members shall choose a Chairperson from amongst those present and this shall constitute quorum.

READ A FIRST TIME IN OPEN COUNCIL this 14<sup>th</sup> day of October 2014.

READ A SECOND TIME IN OPEN COUNCIL this day of 2015.

READ A THIRD TIME IN OPEN COUNCIL this day of 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK