



**Special Council Meeting Agenda
for Wednesday, November 25, 2020 at 12:45 p.m.
to be held via electronic communications,
through the Town of Olds Council Chambers,
at 4512 – 46 Street, Olds, AB**

This Special Council Meeting will be conducted through electronic communications.

The Town of Olds Council will open the Town of Olds Special Council Meeting being held through **ZOOM Meetings** on November 25, 2020 at 12:45 p.m. and then recess the meeting to join the Mountain View County ZOOM Meeting to participate in the **Joint Public Hearing** that MVC is Chairing. Upon completion of the Joint Public Hearing, the Town of Olds Council will leave the MVC meeting and reconvene the Town of Olds Special Council meeting.

NOTE: A copy of Bylaw 2020-13 can be viewed on the Town of Olds website.

Please access: www.olds.ca/statutoryplans and clicking on the tab labelled "Inter-Municipal Development Plan & IDP Update." It is also available at www.olds.ca/planning-development/notice-public-hearings.

TO JOIN THE TOWN OF OLDS ZOOM MEETING

<https://us02web.zoom.us/j/3379488245?pwd=WmhhUGUrcmlLckZyRzNwL2NjYncvUT09>

Meeting ID: 337 948 8245

Passcode: 943170

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1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

3. NEW BUSINESS

3A) Joint Public Hearing for the Intermunicipal Development Plan (IDP)

This hearing will begin at 1:00 p.m.

TO JOIN THE MOUNTAIN VIEW COUNTY ZOOM MEETING to hear the public hearing

<https://mvcounty.zoom.us/j/99407045539?pwd=Wmg1RDRYY2ZuNE5RbzFBbjRNWmxpUT09>

Meeting ID: 994 0704 5539

Passcode: 942778

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You are encouraged to Pre-Register to speak by contacting Gail Eysers no later than 4 p.m. the day before the Public Hearing at geyers@mvcountry.com or 403-335-3311 with your contact information (email or phone number) that you will use to participate in the electronic meeting; your legal; and if you are speaking in favour or opposition of the IDP. Providing your contact details as part of the Pre-Registration will ensure a reasonable attempt is made to re-connect in the event that you are disconnected.

3B) Town of Olds Bylaw 2020-13 Intermunicipal Development Plan (IDP)

(Consideration be given for second and third reading.)

TO JOIN THE TOWN OF OLDS ZOOM MEETING

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This portion of the meeting will begin at 3:00 p.m.

3C) Town of Olds Bylaw 2020-20 Mask Bylaw

(Consideration be given for second and third reading.)

You are encouraged to Pre-Register to speak by contacting Marcie McKinnon no later than 10 a.m. the day of the meeting at legislative@olds.ca with your contact information (email or phone number) that you will use to participate in the electronic meeting; your address; and if you are speaking in favour or opposition of the Mask Bylaw. Providing your contact details as part of the Pre-Registration will ensure a reasonable attempt is made to re-connect in the event that you are disconnected.

CLOSED SECTION

FOIP Section 16 Disclosure harmful to business interests of a third party

3D) Public at Large Appointment

(Added Item to the November 23, 2020 Regular Council meeting, was then deferred to November 25, 2020 Special Council Meeting.)

4. ADJOURNMENT



Request for Decision

Bylaw No. 2020-13 – Adoption of the Mountain View County and Town of Olds Intermunicipal Development Plan

November 25, 2020

RECOMMENDATION

That Council gives second reading to Bylaw No. 2020-13;

That Council gives third reading to Bylaw No. 2020-13.

STRATEGIC ALIGNMENT

Goal: The Town of Olds will respect people and the process ensuring a healthy environment where great decisions are made.

LEGISLATIVE AUTHORITY

Municipal Government Act – Chapter M-26, Part 17, Division 4 Section 631 two or more Councils that have common boundaries must, by each passing a bylaw, adopt an intermunicipal development plan

BACKGROUND

The proposed "Mountain View County and Town of Olds Intermunicipal Development Plan" attached to Bylaw No. 2020-13 is an update to the 2007 intermunicipal development plan (IDP) between the Town and the County. If approved, the plan that is attached to the bylaw will replace the plan adopted in 2007.

The purpose of the IDP is to document the policies and processes that the Town and County have agreed upon to:

- Coordinate planning matters such as future land uses, change in municipal boundaries, environmental matters, transportation and infrastructure planning; and
- Provide for ongoing dialogue, decision making, and, if necessary, resolution of any points of disagreement.

The IDP is related to the Intermunicipal Collaboration Framework (ICF) adopted by the Town and County as a separate document. Where the IDP addresses the "physical" aspects of planning between the two municipalities, the ICF addresses the operational or service delivery aspects of the relationship between the Town and County.

Work to update the IDP started in 2018. It was undertaken to account for changes to the Municipal Government Act, changes to the long range planning of the County and the Town, and the need to review a plan that was 10+ years old. The update was prepared jointly by Town and County staff under the direction of the Town and County Council members appointed to the Inter-Municipal Collaboration Committee (ICC). Over the course of the review several key topics

were discussed at ICC meeting to achieve consensus on the approach to be taken. This included review of 3 draft versions of the plan by the ICC and a public review process. The plan that is being presented for Council's consideration is recommended for approval by the ICC.

Key changes that have been made in comparison to the 2007 Intermunicipal Development Plan are as follows:

- The area included in the IDP, and subject to its policies, has been updated. It excludes most of the lands in the Town and includes only those lands in the County necessary to coordinate land uses, infrastructure and future urban expansion;
- The Intermunicipal Planning Commission and the Intermunicipal Subdivision and Development Appeal Board for the IDP area have been eliminated in favour of focused discussion on planning policy decisions such as area structure plan and Land Use Bylaw amendment decisions;
- A short term annexation area involving three quarter sections northeast of the current Town boundaries has been identified;
- Long term growth areas for the Town have been updated based on the Town's draft Municipal Development Plan review;
- More direction has been added regarding coordination between the County, Town and Olds College with respect to the College owned lands;
- Two agricultural growth areas, which will remain in the County, have been added at the existing rail sidings north and south of Olds to ensure these lands are available for agriculture related shipping facilities and supporting industries;
- Specific long term land uses are not assigned in the IDP and are to be determined through the Town's and County's respective Municipal Development Plans and area structure plans;
- More direction has been added to assist in the evaluation of future annexations and boundary adjustments
- Consideration of the appearance along entrance corridors into and through the IDP Area by both municipalities has been added;
- The referrals process no longer includes a requirement for circulation of development permit applications;
- Use of municipal water and/or wastewater services for development of lands in the County is no longer mandatory and the option to extend these services remains.

The IDP that is being proposed serves the long term planning interests of the Town in a manner that is respectful of the County's land use planning efforts and vice versa. Specifically, lands are identified to accommodate future growth and expansion of Olds over the next 50-70 years. Processes will also be in place to talk through any unforeseen opportunities or issues that may emerge.

County Council gave first reading of Bylaw No. 19/20 on October 14th and Town Council gave first reading of Bylaw No. 2020-13 on October 13th.

Advertising and referrals of the proposed IDP joint public hearing were done. Standard responses were received from ATCO Gas and Alberta Health Services. Copies are not attached to this report.

A response from Trans Canada (TC) Energy includes three (3) recommendations: add TC Energy pipelines to maps; and add policies that identify referral and consent requirements. Administration is not recommending any amendment. When applications are submitted, circulations will identify pipelines and facilities and circulation responses will include any consent requirements.

A response from the Mountain View Regional Water Services Commission (MVRWSC) includes requirements for "expropriation" that is interpreted by Administration as referencing the short-term annexation lands. Administration is not recommending any amendments and the Agreement between the County and MVRWSC outlines requirements.

A response from NRCB identified that the County MDP should address land use policies for CFOs. The County's proposed MDP policy states that no new CFOs shall be supported within an IDP with an adjacent urban municipality.

Alberta Health Services provided a detailed response and Administration is not recommending any changes.

Written comment was received from one (1) landowner and is included as an attachment.

RISK/CONSEQUENCES



1. Council may request further information from Administration prior to proceeding with second reading of the bylaw.
2. Council may provide direction to on changes to the proposed bylaw with the amended bylaw coming before Council for second reading at a later date. Discussions with Mountain View County would be required on any changes.
3. Council may defeat second reading of the bylaw. An alternative or revised intermunicipal development plan would need to be created with Mountain View County.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENTS

1. Bylaw No. 2020-13 and Schedule "A" being the Mountain View County and Town of Olds Intermunicipal Development Plan (September 2020)
2. Comments by TC Energy, MVRWSC, NRCB and Alberta Health Services
3. Landowner comment received
4. Joint Public Hearing Presentation

Author: Craig Teal, RPP MCIP, Director, PCPS	Date: November 18, 2020
Director Signature: 	Date: Nov 18/2020
CAO Signature: 	Date: Nov 18/2020

**TOWN OF OLDS
BYLAW NO. 2020-13**

**A BYLAW OF THE TOWN OF OLDS, IN THE PROVINCE OF ALBERTA, BEING A BYLAW
TO ADOPT THE MOUNTAIN VIEW COUNTY AND TOWN OF OLDS
INTERMUNICIPAL DEVELOPMENT PLAN**

WHEREAS, Section 631(1) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, provides that two or more Councils that have common boundaries must, by each passing a Bylaw, adopt an Intermunicipal Development Plan;

AND WHEREAS, the Intermunicipal Development Plan that has been jointly prepared by the County and the Town provides a basis for cooperation and communication on matters of mutual interest;

AND WHEREAS, notice of the proposed Bylaw and Public Hearing was given pursuant to Section 606(2) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta;

AND WHEREAS, a Joint Public Hearing into the proposed Bylaw was scheduled for and held on November 25, 2020 commencing at 1:00 pm at the Mountain View County Office;

NOW THEREFORE, the Council of the Town of Olds duly assembled enacts as follows:

1. **THAT** the "Mountain View County and Town of Olds Intermunicipal Development Plan" dated September 2020, as attached and forming part of this Bylaw, is adopted;
2. **THAT** Bylaw No. 2007-27 and all amendments thereto are repealed.

Read a first time on the ____ day of _____, 2020.

Joint Public Hearing held on the ____ day of _____, 2020.

Read a second time on the ____ day of _____, 2020.

Read a third and final time on the ____ day of _____, 2020.

Michael Muzychka, Mayor

Michael Merritt, Chief Administrative Officer

SIGNED by the Chief Elected Officer and the Chief Administrative Officer this ____ day of _____, 2020.

MOUNTAIN VIEW COUNTY and TOWN OF OLDS

INTERMUNICIPAL DEVELOPMENT PLAN



SEPTEMBER 2020

Document History

This Document: Final for Council Consideration – September 2020

Previous Documents:

Edited for Public Input and ICC Review in September 2020

Edited based on ICC Review on June 17, 2020

Draft for Joint Council Review sent May 29, 2020

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A. INTRODUCTION

- 1) The Town and the County have agreed to prepare and adopt an intermunicipal development plan (IDP) as described in the Municipal Government Act.
- 2) The Town and the County have agreed to enter into the Town of Olds and Mountain View County Inter-municipal Cooperation Master Agreement (Master Agreement) relating to the sharing of costs for the provision of services by the Town to the residents of the County and for the sharing of revenue in exchange for the extension of water and wastewater services by the Town to the County.
- 3) The Master Agreement constitutes the Intermunicipal Collaboration Framework (ICF) between the Town and the County that is required under the Municipal Government Act.
- 4) Together, the IDP and the Master Agreement form the basis of cooperative efforts between the Town and the County to serve the needs of their communities.
- 5) In preparing the IDP, the Town and the County recognize that all municipalities are equals and have:
 - a) the right to growth and development; and
 - b) the right to plan and build the type of community desired by their residents and ratepayers in accordance with their respective Municipal Development Plan.
- 6) The purpose of the IDP is to:
 - a) provide a policy framework for planning matters requiring coordination between the Town and County, such as future land uses, environmental matters, and transportation and infrastructure planning; and
 - b) provide processes for ongoing communication, cooperation, decision making and, if needed, dispute resolution related to land use planning matters in the IDP area.

B. IDP GOALS

- 1) To reinforce and enhance the positive and mutually beneficial relationships between the Town and County recognizing that the town and surrounding rural areas function as one diverse, mutually supporting community;
- 2) To achieve a common purpose for growth and development in the area around Olds which recognizes the importance of agricultural preservation, supports

intermunicipal agreements, and is consistent with cooperative initiatives in the effective and efficient provision of municipal services;

- 3) To encourage dialogue to reduce the potential for land use conflicts and foster a better understanding of each other's interests and views on land use planning matters while considering the effects that development in one municipality might have on the other;
- 4) To confirm future Town growth directions and land requirements and protect the identified areas in the IDP to enable the efficient, orderly and economical expansion of the Town;
- 5) To establish a direction for attracting new economic opportunities and improve existing opportunities to secure a long-term economic base for the region;
- 6) To provide for effective coordination of transportation systems and protection of required land for future road network developments; and
- 7) To plan for utility corridors to support future growth and development of the IDP area, and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the region.

C. IDP INTERPRETATION

- 1) This IDP contains "shall", "should" and "may" policies which are interpreted as follows:
 - a) "shall" policies must be complied with,
 - b) "should" policies mean compliance in principle is required but it is subject to the discretion of the applicable authority on a case by case basis, and
 - c) "may" policies indicate support in principle but it is subject to the applicable authority determining the level of compliance that is required.
- 2) In the hierarchy of statutory plans, the policies of the IDP shall take precedence over any other municipal statutory plan and document except where the IDP specifically defers to the policy direction provided under a more detailed, adopted statutory plan or Land Use Bylaw.

D. IDP AREA AND MAP 1

- 1) The lands that are subject to the policies and agreements under the IDP are shown on Map 1. The IDP Area includes all lands identified as:
 - a) Short Term Annexation;
 - b) Urban Fringe;
 - c) Agricultural Growth Area;
 - d) College Area; and
 - e) Referral Area.

- 2) Map 1 also breaks the IDP Area into different categories with each category subject to different policies and long term expectations. The categories and symbols shown on Map 1 and their meaning are as follows:

“Town of Olds” means the area falling within the present boundaries of the Town and consisting of existing built areas and lands available to accommodate growth over the next 20-30 years.

“Short Term Annexation” means the area that shall be included in an annexation application to the Province following adoption of the IDP. It includes three quarter sections agreed to in principle by the County and the Town and the abutting road allowances on the west and east sides of these quarter sections.

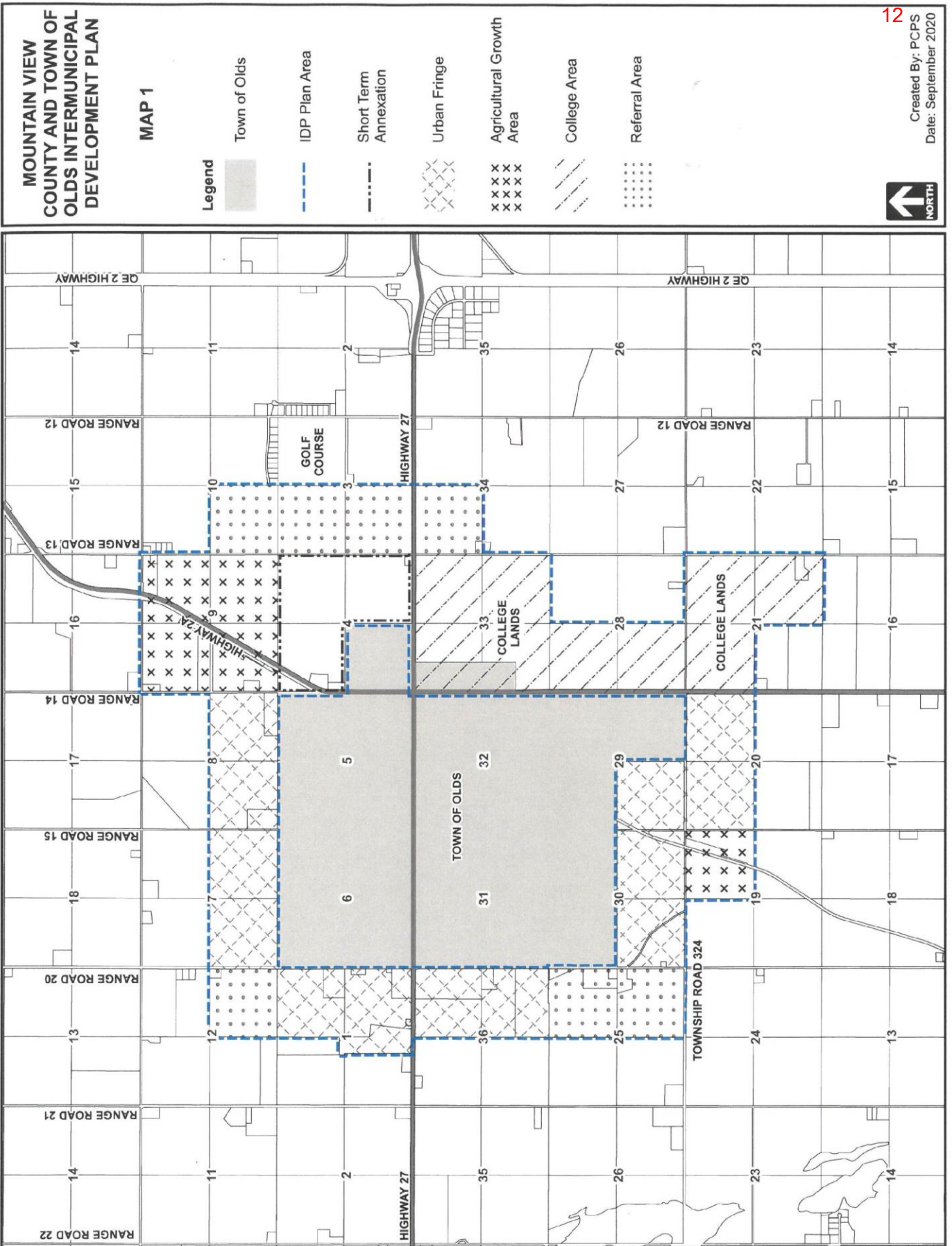
“Urban Fringe” means that area in the County that shall be set aside to accommodate future town expansion and shall be annexed to the Town as the Town’s need for additional residential, commercial and industrial lands emerges and can be justified.

“Agricultural Growth Area” means the areas in the County that shall be set aside for agricultural uses and agriculture support uses that are important to the area’s agricultural industry or other complementary uses requiring rail access. This area is not intended to be annexed by the Town.

“College Area” means the lands owned by the College, in the Town and County, where the Town and County wish to pursue further discussions with Olds College before establishing specific policies in the IDP.

“Referral Area” means that area in the County that is not meant to accommodate future Town expansion or be annexed to the Town and where planning matters shall be referred to the Town to ensure coordination of planning and servicing decisions.

- 3) The role and expectations of each category assigned under Map 1 is described in greater detail in the sections that follow.



E. TOWN OF OLDS

- 1) The Town of Olds area shown on Map 1 contains the lands that are within the present boundaries of the Town.
- 2) With the exception of the portion of the College Lands located in the Town of Olds area, the policies of the IDP do not apply to lands within the Town of Olds.
- 3) The future intended uses for the Town of Olds area are found in the Town of Olds Municipal Development Plan.

F. SHORT TERM ANNEXATION

- 1) The Short Term Annexation area shown on Map 1 consists of three quarter sections located in Section 4-33-1-W5, a one mile portion of Range Road 13 along the east side of Section 4, and a quarter mile portion of Range Road 14 along the west side of Section 4.
- 2) The Short Term Annexation area shall be addressed in a formal application to the Province for annexation following adoption of this IDP.
- 3) No land use bylaw amendments or subdivisions shall be approved for lands within the Short Term Annexation area. Development approvals shall be limited to those allowed under the current designation under the County's Land Use Bylaw.
- 4) The future intended uses for the Short Term Annexation area, once annexed into the Town, are found in the Town of Olds Municipal Development Plan, and consist of commercial and industrial land uses. The land uses shown in the Town's Municipal Development Plan do not apply and have no direct bearing on planning approvals until the lands have been annexed into the Town's jurisdiction.
- 5) Following a decision on the formal annexation application by the Province, the IDP shall be amended to show the annexed portions of the Short Term Annexation area as part of the Town of Olds area on Map 1. Any portions of the Short Term Annexation area that are not approved for annexation shall be changed to Urban Fringe on Map 1.

G. URBAN FRINGE

- 1) The Urban Fringe is those lands within the County that have been identified for future Town growth beyond the Town's current boundaries. The selection of the Urban Fringe areas is based on the projected land area needed for the Town to be able to grow to a future population of 36,000 (expected in 2076 based on current projections). When the Urban Fringe area is added to the lands available in the current Town boundaries (Town of Olds area on Map 1) and the Short Term Annexation area shown on Map 1 it provides for approximately 60 years projected Town residential growth, 50 years projected Town commercial growth and 70 years projected Town industrial growth.
- 2) The Urban Fringe shall be the priority areas for future annexations by the Town. It is expected that the Urban Fringe will be annexed to the Town in blocks (one or more quarter sections at a time) based on justified need for additional residential, commercial and industrial lands in accordance with Section Q of this IDP. The timing and identification of portions of the Urban Fringe for future annexations shall be determined through consultations between the Town and County.
- 3) To preserve large blocks of land for efficient, economical design as part of a future urban area and to avoid impeding the ability of the Town to grow, subdivision and development in the Urban Fringe shall be limited.
- 4) Use and development of the lands identified as Urban Fringe on Map 1 shall be based on the current designations under the County's Land Use Bylaw that are in place as of the date the IDP is adopted. With the exception of the items under clause 6, changes in land use designation to allow for non-agricultural uses shall not be approved.
- 5) The approval of subdivision of the lands identified as Urban Fringe on Map 1 shall be limited to applications involving a first parcel out in the form of a fragmented parcel, or a farmstead separation, or a vacant country residential parcel, or an agricultural parcel in accordance with the Agricultural Land Use Policies of the County's Municipal Development Plan.
- 6) Changes in land use designation for lands identified as Urban Fringe on Map 1 shall only be approved to facilitate first parcel out subdivisions in accordance with the Agricultural Land Use Policies of the County's Municipal Development Plan.
- 7) No new or expanded confined feeding operations shall be permitted within the Urban Fringe areas shown on Map 1.

- 8) The future intended uses for the Urban Fringe, once annexed into the Town, are found in the Town of Olds Municipal Development Plan. The land uses shown in the Town's Municipal Development Plan do not apply and have no direct bearing on planning approvals until the lands have been annexed into the Town's jurisdiction.

H. AGRICULTURAL GROWTH AREA

- 1) The Agricultural Growth Areas shown on Map 1 are centered on the existing grain elevators and rail transshipment facilities that are north and south of Olds. These facilities are critical to the area's agricultural operations and agricultural economy.
- 2) The Agricultural Growth Areas shall be set aside for expansions of the current agricultural support facilities and the addition of new agricultural support uses or complementary uses requiring rail access.
- 3) Until such time as an area structure plan has been prepared for each of the Agricultural Growth Areas shown on Map 1, uses and development in each area shall be based on the current designations under the County's Land Use Bylaw and the current policies and land uses assigned under the County's Municipal Development Plan.
- 4) The process to prepare an area structure plan and the contents of the area structure plan shall be based on the requirements of the County's Municipal Development Plan and related planning policies.
- 5) As the Urban Fringe area and other lands that are adjacent each of the Agricultural Growth Areas is planned, subdivided and developed, suitable transition between uses shall be provided so that potential land use conflict does not limit the ability of the agricultural uses and agricultural support uses to operate or expand.
- 6) The Agricultural Growth Areas shall not be annexed into the Town of Olds.

I. COLLEGE AREA

- 1) The College Area shown on Map 1 contains the lands that are owned by Olds College within the Town of Olds and within Mountain View County and form the main campus area.
- 2) The College Area is of interest to both municipalities in terms of:
 - a) ensuring the ongoing success of a key public institution that benefits the larger community;
 - b) coordinating planning decisions as uses and activities on and around the College lands change; and
 - c) coordinating ongoing municipal service delivery to the College lands and the public on the College lands such as emergency services, municipal utilities, maintenance of access roads, etc.
- 3) The Town and County recognize the need to increase communication with the College. The proposed approach to achieve this shall be as follows:
 - a) the Town and County shall invite Olds College to participate in regular annual meetings that would serve as the main forum to identify issues and opportunities of interest to any of the parties;
 - b) the Town and County shall propose that these meetings be attended by:
 - (i) the Inter-Municipal Cooperation Committee or ICC appointees from the Town and County and senior administrator (or designates) of each municipality; and
 - (ii) 3 or more representatives of Olds College with at least one representative being an executive member;
 - c) the Town and County shall propose holding additional meetings as needed.
- 4) The Town and County shall recommend that the College prepare a Campus Master Plan, in consultation with the Town and County, to further understanding of the long term land use and servicing implications that may need to be coordinated between the Town and County.
- 5) Use and development of the College Area within the Town of Olds shall be based on the land use designations under the Town of Olds Land Use Bylaw. Use and development of the College Area within Mountain View County shall be based on the land use designations under the County's Land Use Bylaw.

J. REFERRAL AREA

- 1) The Referral Area shown on Map 1 identifies lands that are not intended to accommodate Town growth within the 50 -70 year horizon of this IDP. Planning matters such as proposed changes in land use and subdivision shall be referred to the Town to enable coordination of planning and servicing decisions that will be made for the adjacent Urban Fringe areas, Short Term Annexation area or Town of Olds areas.
- 2) Use and development of land within the Referral Area shall be based on the present land use designations under the County's Land Use Bylaw and the land uses and policies assigned under the County's Municipal Development Plan.
- 3) An area structure plan shall be required for any residential subdivision creating more than 3 lots or an industrial or commercial subdivision creating more than one industrial or commercial lot. The process to prepare an area structure plan and the contents of the area structure plan shall be based on the requirements of the County's Municipal Development Plan and related planning policies.
- 4) No new or expanded confined feeding operations shall be permitted within the Referral Area.

K. WATER AND WASTEWATER SERVICES

- 1) The County may apply to the Town for connection to water and wastewater services for new developments within the Urban Fringe, Referral Area or the Agricultural Growth Area that require these services.
- 2) The Town agrees that all development within the Urban Fringe, Referral Area or Agricultural Growth Area shall be permitted to connect to the Town's water and wastewater services based on agreement under the Master Agreement. If an application for connection to Town water and/or wastewater is made a sub-agreement shall be developed.

L. DRAINAGE

- 1) The Town and County agree to manage storm water run-off and drainage issues as development occurs in their respective jurisdictions so that lands in either municipality are not negatively impacted by changes in drainage volumes and patterns.

- 2) The Town and County recognize that storm water management facilities located in the Town and located in the County may require shared outfall routes and rights of way to reach an acceptable receiving body that meets Alberta Environment and Parks requirements. The Town and County agree to work together to secure outfall routes that may benefit both municipalities.

M. TRANSPORTATION SYSTEMS

- 1) The Town and County shall share information to ensure a safe and efficient transportation network can be developed and maintained to service the residents and businesses within the IDP area.
- 2) The Town and County may work with Alberta Transportation to establish a Highway Vicinity Management Agreement that facilitates intersections along Highway 27 and Highway 2A to give access to commercial and industrial areas.
- 3) Both municipalities shall coordinate the planning of major transportation links. Where these links involve Provincial highways the two municipalities shall work in concert with Alberta Transportation.
- 4) Both municipalities shall share their respective capital plans for transportation improvements to coordinate road upgrades.
- 5) As subdivision occurs, lands required for future transportation corridors shall be protected. This may take the form of dedication of road right-of-way, registration of land acquisition agreements on title, additional building setback requirements, or a combination of these measures.

N. ENTRANCEWAY CORRIDOR

- 1) Both the Town and County shall consider the impact developments may have on the aesthetic appearance of the entrance corridors to the Town.
- 2) The County shall apply the Land Use Bylaw and Business, Commercial and Industrial Design Guidelines when considering new development permit applications.

O. UTILITY CORRIDORS

- 1) The Town and County acknowledge that future development within the area is dependent on access to water and wastewater services. The Town and County agree to work together to ensure the corridors for the Mountain View Regional Water Services Commission and the South Red Deer Regional Wastewater Commission are protected.
- 2) The Town and County also acknowledge that the development of the oil and gas industry has played an integral part in the development of the region. The Town and County shall endeavour to work with the oil and gas industry to ensure that the orderly development of the area is not unduly restricted by the development of oil and gas infrastructure, including pipelines.
- 3) The County and the Town shall work together to protect municipal utility corridors.

P. ECONOMIC DEVELOPMENT

- 1) The municipalities have agreed to work together to promote and support economic development that is good for both municipalities.
- 2) Both municipalities shall work towards diversification of local economic sectors to increase employment opportunities and increase the size of the non-agricultural and non-residential assessment base. Activities that are not related to the oil and gas sector, such as value added agriculture, value added manufacturing or processing of resources, and tourism, shall be strongly encouraged in addition to accommodating ongoing investment in the oil and gas sector.
- 3) Through their respective Municipal Development Plan, the Town and County shall ensure that their combined land use patterns provide a suitable inventory of lands for commercial and industrial development. This includes a range of choice for potential commercial and industrial activities in terms of parcel sizes, access and visibility along major travel corridors, available municipal services, and levels of servicing.
- 4) While a broad range of commercial and industrial (which includes value-added agriculture) uses and development is desirable, those uses and developments which may detract from the community's character, quality of life for area residents, unduly impact on the environment, or cause negative social implications may not be allowed.

Q. ANNEXATION

- 1) The County recognizes and agrees that annexation of lands from the County by the Town to provide additional land for Town growth shall be needed from time to time.
- 2) Either municipality may put forward an annexation proposal.
- 3) Where annexation is proposed by either municipality, efforts shall be made to ensure that affected landowners, meaning those whose land is proposed to be transferred to the Town jurisdiction, are notified prior to the general public.
- 4) Annexation proposals shall be reviewed by the ICC prior to submission of a Notice of Intent to the respective Councils and the Municipal Government Board.
- 5) If deemed necessary by the ICC, at least one joint meeting of the two Councils to discuss the rationale for the annexation shall be held prior to submission of the annexation application to the Municipal Government Board.
- 6) The Town and County shall endeavour to reach an inter-municipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.
- 7) In evaluating the appropriateness of an annexation proposal, the following criteria shall be taken into account and documented in a supporting report:
 - a) justifiable based on projected growth rates reflecting historic trends or anticipated economic stimulus;
 - b) availability and cost of providing municipal services including consideration of economies of scale related to the financing of municipal service extensions;
 - c) adequacy of transportation systems and ability to expand to accommodate demands resulting from annexation including consideration of economies of scale related to the financing of transportation infrastructure;
 - d) landowner interest in pursuing development and as high a degree of concurrence among affected landowners as possible;
 - e) measures to mitigate the impacts of annexation relating to such aspects as change in taxation levels, service provisions and treatment of and continuation of existing, approved uses and development;
 - f) consistency with adopted statutory plans;
 - g) logical extension of jurisdictional boundaries including consideration of long term responsibilities for maintenance and service delivery and the establishment of rational planning units or boundaries;
 - h) the financial impact on both municipalities and any means of mitigating impacts; and

- i) legislation as provided for in the Municipal Government Act Section 76 and the Municipal Government Board's Annexation Principles.

R. REFERRAL AND CIRCULATION PROCESS

- 1) Notwithstanding that the policies of the IDP only apply to the lands contained within the IDP Area, the Town of Olds agrees to refer planning matters to the County. The matters to be referred shall include:
 - a) subdivision applications;
 - b) land use bylaw amendments and re-designations;
 - c) new area structure plans or amendments to an existing area structure plan;
 - d) new area redevelopment plans or amendments to an existing area redevelopment plans; and
 - e) amendments to the Town's Municipal Development Plan;
 where the lands subject to one or more of the items listed above is adjacent the Town boundary or is within the College Area shown on Map 1.
- 2) The County agrees to refer planning matters to the Town. The matters to be referred shall include:
 - a) subdivision applications;
 - b) land use bylaw amendments and re-designations;
 - c) new area structure plans or amendments to an existing area structure plan;
 - d) new area redevelopment plans or amendments to an existing area redevelopment plans; and
 - e) amendments to the County's Municipal Development Plan;
 where the lands subject to one or more of the items listed above is within the Urban Fringe, Agricultural Growth Area, College Area, or Referral Area shown on Map 1.
- 3) The Town and County have agreed that they shall not refer development permit applications to each other.
- 4) Circulations shall be sent to each Administration with the expectation that comments shall be provided from an Administrative perspective. Each municipality shall offer comments from the perspective of specific implications that have a high likelihood of affecting their own planning efforts around land uses, development, and infrastructure. General observations and advice on issues that have no bearing on the planning efforts of the commenting municipality shall be avoided.
- 5) The Administration receiving the circulation shall be given at least 14 calendar days to submit their comments and shall make their comments in writing within the 14 calendar day period. The CAO of the municipality sending the referral may

agree to an extension of the review period and where an extension is provided it shall be communicated in writing.

- 6) When issues are raised through the referral and circulation process, they shall be addressed using the process steps described below. While these steps are underway, the municipality having jurisdiction over the matter should not proceed with making a decision.

Step 1: Once an issue is identified, the Administration of the municipality having jurisdiction shall provide the other municipality's Administration with all available information concerning the matter.

Step 2: The Administration of the commenting municipality shall evaluate the matter and provide written comments to the other municipality.

Step 3: Every attempt shall be made to discuss the issue with the intent of arriving at a mutually acceptable resolution.

Step 4: If an agreement or understanding on how to approach the issue is reached, the Administration of the commenting municipality shall indicate same to the Administration of the other municipality in writing. If no agreement can be reached, the matter shall be referred to each Council to determine if the dispute resolution process is to be used. This step shall not apply to referrals of subdivision applications.

S. PLAN ADMINISTRATION AND IMPLEMENTATION

Inter-Municipal Cooperation Committee (ICC)

- 1) The Inter-Municipal Cooperation Committee (ICC) formed under the Town of Olds and Mountain View County Inter-municipal Cooperation Master Agreement shall be the primary forum for discussing matters relating to the IDP.
- 2) The mandate of the ICC with respect to the IDP shall include discussion and consideration of the following:
 - a) making recommendations to both Councils on intermunicipal matters related to land use planning and development that are referred to the ICC by either municipality;
 - b) monitoring the progress of the IDP including overseeing any implementation actions and follow up identified in the IDP;
 - c) reviewing any proposed annexations;
 - d) reviewing any proposed amendments to the IDP; and

- e) if necessary, assisting with the resolution of disputes in accordance with the IDP.
- 3) The ICC shall conduct their meetings and decision making based on the protocols and processes outlined in the Master Agreement.
- 4) At least once annually, the ICC shall discuss progress on any initiatives arising out of the IDP or required to implement the full intent of the IDP and any issues and opportunities related to the IDP.

Approving Authorities

- 5) The Town shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaws, amendments thereto, subdivision applications and development applications falling within the boundaries of the Town.
- 6) The County shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaws, amendments thereto, subdivision applications and development applications falling within the boundaries of the County.

Plan Amendments

- 7) An amendment to the IDP may be proposed by either municipality. Any proposed amendment should first be presented to the Administration of the other municipality to facilitate review prior to discussion of the proposed amendment at an ICC meeting.
- 8) Following the conclusion of any annexation process or change in municipal boundaries, the IDP map and text impacted by the change in municipal boundaries shall be amended.
- 9) An amendment to the IDP has no effect if not adopted by both municipalities by bylaw pursuant to the Municipal Government Act.

Plan Review

- 10) At the end of five years from the date that the IDP is adopted by both Councils, the two municipalities shall consider the need for a review of the IDP. If deemed necessary, the IDP shall be updated and revised. Thereafter the IDP shall be

considered for review every five years unless an alternative timeframe is agreed to by both Councils.

Procedure to Repeal

- 11) If either municipality deems the current IDP is no longer workable or not in their interests, the municipality may initiate the process to repeal the current IDP.
- 12) The following procedure to repeal the current IDP shall be applied:
 - a) the municipality wishing to repeal the current IDP shall give the other municipality written notice of its intention to repeal its bylaw adopting the current IDP;
 - b) within 30 days of the date of written notice being forwarded to the other municipality, an ICC meeting shall be convened at which meeting the municipality initiating the repeal process shall provide its reasons for doing so;
 - c) following the ICC meeting, the municipality initiating the repeal process may either withdraw its intention to repeal the current IDP by giving written notice to the other municipality or proceed to consider a bylaw to repeal the current IDP;
 - d) once one municipality has given first reading to a bylaw repealing the current IDP, the two municipalities shall start the process to create a replacement IDP and the bylaw to repeal the current IDP shall not advance to consideration of second reading;
 - e) until such time as the replacement IDP has been agreed to by both municipalities, the current IDP remains in effect;
 - f) once a replacement IDP has been agreed to, the bylaws adopting the replacement IDP shall repeal the current IDP;
 - g) in the event that a replacement IDP cannot be agreed upon, the municipalities shall notify the Minister of Municipal Affairs and seek guidance on how to proceed in accordance with the Municipal Government Act.

Dispute Resolution Process

- 13) The Town and County agree that disputes relating to matters covered by the IDP shall be restricted to the following:
 - a) lack of agreement on any proposed amendment to the IDP;
 - b) lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the IDP Area; or
 - c) lack of agreement on an interpretation of the IDP.

- 14) Lack of agreement on the matters listed above is defined as a statutory plan, land use bylaw or amendment to either where first reading of a bylaw is given by one Council and which the other Council deems to be inconsistent with the policies of this IDP or detrimental to their planning interests as a municipality.
- 15) A dispute on a matter not listed above may be referred to the appropriate authority or appeal board that deals with that issue.
- 16) The dispute resolution process of the IDP may only be initiated by Town Council or County Council.
- 17) Identification of a dispute and the desire to go through the dispute resolution process may only occur within 30 calendar days of first reading being given to the item that is in question. The Council wishing to go through the dispute resolution process shall provide written indication of their desire and reasons to the other Council before the end of the 30 calendar day period.
- 18) Once either municipality has received written notice of a dispute, the dispute resolution process must be started within 15 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
- 19) In the event the dispute resolution process is initiated the municipality having authority over the matter shall not give any further approval in any way until the dispute has been resolved or an attempt to reach a mediated resolution has been concluded.
- 20) A dispute shall be addressed using the process described below. At any stage the dispute may be resolved:

Stage 1: ICC Review - The ICC shall convene to consider and attempt to resolve the dispute. Both Administrations shall present their perspectives and views on the issue. The ICC may:

- a) provide suggestions to both Administrations on how to address the issue and refer the matter back to both Administrations for further discussion between them;
- b) seek additional information and alternatives for consideration at a future meeting of the ICC;
- c) if possible, agree on a consensus position that resolves the issue and provide the details of the consensus to each municipality in writing; or
- d) conclude that no initial agreement can be reached and communicate their conclusion to the two Councils.

Stage 2: Mediation – If the ICC Review does not resolve the dispute, the dispute shall then be referred to mediation. The services of an independent mediator shall

be retained to mediate/facilitate discussions by the ICC based on an approved mediation process and schedule. The mediator shall present written recommendations to both Councils.

- 21) In the event mediation does not resolve the dispute, the Municipality that gave first reading to the item in question, may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality may appeal to the Municipal Government Board.
- 22) The municipality initiating a dispute may withdraw their objections at any time. The municipality initiating the dispute shall provide written confirmation that the dispute is withdrawn to the other municipality.
- 23) Both municipalities agree that time shall be of the essence when working through the dispute resolution process.

Mountain View Regional Water Services Commission

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*Anthony Henday Water Treatment Plant
35566 Rge Rd 10, Red Deer County, Alberta T4G 0H5
Bus: 403-227-5828 - Fax: 403-227-5831
E-mail Address: mtnwater@telusplanet.net*

October 7, 2020

Mountain View County
P.O. Bag 100
Didsbury, AB T0M 0W0

Attention: County Manager

Dear Sir,

RE: Town of Olds/Mountain View County Inter-Municipal Development Plan

In response for comments on the Inter-Municipal Development Plan and Expropriation, the Mountain View Regional Water Services Commission has made a motion to make both the County and Town aware of the process of acquisition of water in the subject lands.

1. Agreement for Water Line Capacity
Mountain View County has entered into an agreement for capacity of water in the MVRWSC water line (Agreement attached).
2. Agreement for Water Supply
The next step for supply of water is the supply agreement between the Commission and County as per agreement.
3. Agreement between the Town and County has to be approved by the Commission for the approval of the supply of water to the effected areas. This agreement will be required in the application to Alberta Environment.
4. Approval by Alberta Environment
Application by the Commission must be made to Alberta Environment authorizing the supply of water to supply effected land.

CAO Office	
Reviewed	_____
Date	_____
Action	_____

"Quality Water Always"

Please contact the MVRWSC Commission offices at 403-227-5828 when the County is prepared to address supply of water.

Yours truly,

A handwritten signature in blue ink, appearing to read 'John Van Doesburg', is written over the 'Yours truly,' text.

**John Van Doesburg
Manager**

**CC: Craig Teal
Michael Merritt**

THIS AGREEMENT entered into as of the 9 day of ^{SEPT.}~~October~~, 2013.

BETWEEN:

MOUNTAIN VIEW COUNTY
A Municipal Corporation Incorporated pursuant
to the Laws of the Province of Alberta
(hereinafter referred to as the "County")

OF THE FIRST PART

- and -

MOUNTAIN VIEW REGIONAL WATER SERVICES COMMISSION
A Regional Services Incorporated pursuant
to the Laws of the Province of Alberta
(hereinafter referred to as the "Commission")

OF THE SECOND PART

WHEREAS:

- A. The County is not a member of the Commission;
- B. Only members of the Commission are entitled to supply of water from the Commission;
- C. Commission members are not entitled to supply water to non-member municipalities without the Commission's consent;
- D. The County wishes to obtain supply of water from a Commission member and requires the Commission's consent;
- E. The Commission has agreed that the County may be supplied as a customer with water distributed by the Commission to one or more members of the Commission or as a direct customer of the Commission ;
- F. The supply of water to the County from a member of the Commission will be subject to a separate water supply agreement;
- G. The Commission will design a new waterline as illustrated and with the approximate alignment shown on the attached Schedule "A" (the "Commissions Waterline");
- H. The capacity of the Waterline will be as described in Schedule "B";
- I. In consideration of the County contributing Ten (10%) Percent of the net project costs for " the Commissions" Waterline, the Commission will consent to the County

obtaining supply of water from one or more members of the Commission or as a direct customer of the Commission, subject to the terms of this Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH the parties hereto in consideration of the mutual covenants and agreements hereinafter set forth covenant and agree with each other as follows:

1. Approvals

The County shall maintain a long term water license with the Province of Alberta, and all other required licenses, permits and approvals from the Province, in relation to this Agreement (collectively referred to as the "Approvals"). Upon request, the County shall provide the Commission with copies of all Approvals issued in relation to this Agreement including all amendments, extensions, replacements or renewals of such Approvals.

2. Payment by County

- (a) The County shall pay the Commission Ten (10%) Percent of the Net Project Costs of designing and constructing the Commissions Waterline, to be determined in accordance with Schedule "C", as follows:
 - (i) Within thirty (30) days of receiving the actual Net Project Costs (with supporting documentation) from the Commission, the County shall pay the Commission Five (5%) Percent of the Net Project Costs (the "Initial Payment"); and
 - (ii) The County shall pay the Commission the remaining Five (5%) Percent of the New Project Costs in Ten (10) equal annual installments commencing on the one year anniversary date of the initial payment by the County to the Commission as set out above (the "Annual Payments").
- (b) The County shall pay GST on any amounts payable to the Commission.
- (c) The Annual Payments shall bear interest at the same interest rate payable by the Commission pursuant to the Alberta Capital Finance Authority debenture for construction of the Commissions Waterline. The interest that has accrued on the Annual Payments shall be paid annually at the same time as each Annual Payment is made.

3. Commission Consent

- (a) Effective upon receipt of the Initial Payment, the Commission consents to the County obtaining supply of water from one or more members of the Commission.
- (b) The Commission's consent is automatically revoked if the County:
 - (i) fails to make any of the Annual Payments or any other payment due under this Agreement; or
 - (ii) otherwise is in breach of this Agreement.

The County acknowledges and agrees that in the absence of the Commission's consent, the County will no longer be entitled to supply of water from a member of the Commission.

- (c) The Commission's consent is only for the purpose of allowing the County to supply water to users within the County. The Commission does not consent to the County supplying water to users outside the County and the County agrees that it shall not supply water to users outside the County.

4. Direct Connection

Although it is anticipated that the County will connect to the Commission water line through a member of the Commission, which will be subject to a separate water supply agreement, if for any reason, after reasonable efforts to reach an agreement with a member, an agreement cannot be reached, the County may connect directly to the Commission's water line (provided appropriate infrastructure is in place to facilitate the connection) and the Commission hereby consents to such a direct connection. If there is a direct connection to the Commission's water line, the County will enter into a separate water supply agreement with the Commission. The separate water supply agreement shall be on the same terms, and subject to the same rates charged, among other things, as agreed with other institutional members. For clarity, institutional members are other counties and the Bowden Correctional Institution.

5. Waiver and Indemnity

- (a) The Commission does not make any representations or warranties relative to the quantity, quality or condition of the water supplied to the County.
- (b) The Commission shall not be liable to the County for and the County hereby releases the Commission from any losses, liabilities, causes of action, expenses of any kind (including costs on a solicitor and his own client basis), damages, suits or claims, in any

– 4 –

way connected with or related to the supply of water, including but not limited to, partial or absolute interruption or cessation in the supply of water or the quality or condition of the water supplied to the County.

- (c) The County hereby indemnifies the Commission from and against all losses, liabilities, causes of action, expenses of any kind (including costs on a solicitor and his own client basis), damages suits or claims arising from any claim, action, suit or proceeding in any way connected with or related to the supply of water or this Agreement. This indemnity shall survive the expiration or termination of this Agreement.

6. General

(a) Notices

Any notice, demand, approval, consent, information, agreement, offer, payment, request or other communication (herein referred to as a "Notice") to be given under or in connection with this Agreement shall be in writing and shall be given by personal delivery or by telecopier or other electronic communication which results in a written or printed notice being given, addressed or sent as set out below or to such other address or electronic number as may from time to time be the subject of a Notice.

(i) to the County at:

Mountain View County
Bag 100
1408 TWP 320
Didsbury, AB T0M 0W0

Attention: CAO

Fax: (403) 335-9207

(ii) to the Commission at:

Mountain View Regional Water Services Commission
35566 Rge Rd 10
Red Deer County AB T4G 0H5

Attention: Manager

Fax: (403) 227-5831

or to such other address as each party may from time to time direct in writing.

Any Notice, if personally delivered, shall be deemed to have been validly and effectively given and received on the date of such delivery and if sent by telecopier or other electronic communication with confirmation of transmission, shall be deemed to have been validly and effectively given and received on the business day next following the day it was received.

(b) Captions

The caption and headings contained herein are for reference only and in no way affect this Agreement or its interpretation except for the pre-amble which is incorporated as part of this Agreement.

(c) Relationship of Parties

Nothing in this Agreement shall be construed as creating the relationship of partner, joint venturer or agent between the Commission and the County.

(d) Applicable Law

This Agreement shall be construed and enforced in accordance with the laws of the Province of Alberta and the laws of Canada applicable thereto and shall be treated in all respects as an Alberta contract. The courts of the Province of Alberta shall have exclusive jurisdiction over any dispute arising herefrom.

(e) Currency

All reference to currency in this Agreement shall be deemed to be reference to Canadian dollars.

(f) Time of Essence

Time shall be of the essence of this Agreement.

(g) Amendment of Agreement

No supplement, modification, waiver or termination (other than a termination pursuant to the terms of this Agreement) of this Agreement shall be binding unless executed in writing by the parties hereto in the same manner as the execution of this Agreement.

(h) Further Assurances

Each of the parties hereto shall from time to time hereafter and upon any reasonable request of the other, execute and deliver, make or cause to be made all such further acts, deeds, assurances and things as may be required or necessary to more effectually implement and carry out the true intent and meaning of this Agreement.

(i) Waiver

No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision (whether or not similar) nor shall any waiver constitute a continuing waiver unless otherwise expressed or provided.

(j) Successors and Assigns

All of the covenants and agreements in this Agreement shall be binding upon the parties hereto and their respective successors and assigns and shall enure to the benefit of and be enforceable by the parties hereto and their respective successors and their permitted assigns pursuant to the provisions of this Agreement.

(k) Counterparts

This Agreement may be executed in counterpart and by the facsimile transmission of an originally executed document.

(l) Failure to Enforce

If any term, covenant or condition of this Agreement or the application thereof to the parties shall be invalid or unenforceable to any extent the remainder of this Agreement or application of such term, covenant or condition to either party or circumstance other than those to which it is held invalid or unenforceable shall not be affected thereby and each remaining term, covenant or condition of this Agreement shall be valid and shall be enforceable to the fullest extent permitted by law.

(m) Severability

If any provisions of this Agreement are determined by a Court of competent jurisdiction to be unenforceable, such provisions shall be deemed to be severed from this Agreement, and of no force or effect whatsoever. All remaining terms and conditions of this Agreement shall remain in full force and effect between the parties, enforceable in accordance with their respective terms.

(n) Agreement Entire Relationship

This Agreement constitutes the entire agreement between the parties in relation to this subject matter of this Agreement and the parties acknowledge and agree that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to the subject matter of this Agreement save as expressly set out in this Agreement.

(o) Survival

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The parties acknowledge and agree that the provisions of this Agreement which, by their context, are meant to survive the termination shall survive the termination and shall not be merged therein or therewith.

(p) Remedies Generally

Mention in this Agreement of any particular remedy of a party in respect of a default by the other party does not preclude the first party from any other remedy in respect thereof, whether available at law or in equity or by statute or expressly provided for in this Agreement. No remedy shall be exclusive or dependent upon any other remedy, but a party may from time to time exercise any one or more of such remedies generally or in combination, such remedies being cumulative and not alternative.



(q) GST Exclusive

All amounts payable by the County to the Commission hereunder will be exclusive of any goods and services tax ("GST") and the County will, in addition to the amounts payable hereunder, pay to the Commission all amounts of GST applicable thereon. The Commission's GST number is 13432 1157 RT0001



(r) Assignment

The Commission may assign its interest in this Agreement without the County's consent. The County shall not assign its interest in this Agreement, nor any part hereof, in any manner whatsoever, without having first received written consent of the Commission, which may be unreasonably withheld in the County's sole discretion.

IN WITNESS WHEREOF the parties have executed this Agreement effective the date first above written.

MOUNTAIN VIEW COUNTY
Per: 
(c/s)
Per: 

**MOUNTAIN VIEW REGIONAL
WATER SERVICES COMMISSION**

Per: 
(c/s)
Per: 

SCHEDULE A

Illustration of New Waterline

{075832/0002 00094610.DOCX: }

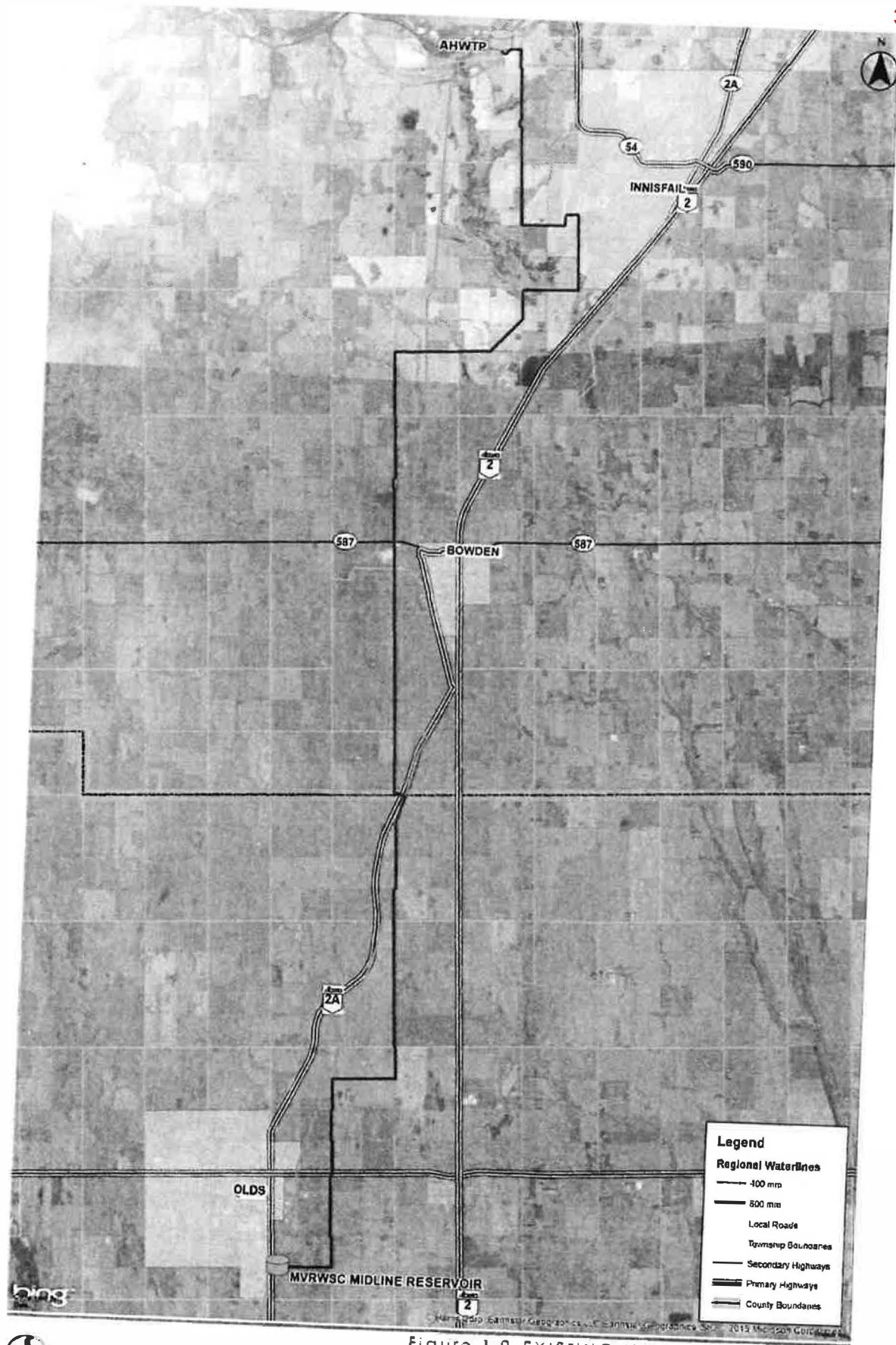


Figure 1.0-EXISTING MAINLINE ALIGNMENT
ANTHONY HENDAY WATER TREATMENT PLANT TO OLDS
MVRWSC MOUNTAIN VIEW COUNTY

SCHEDULE B

Capacity of New Waterline

Capacity of the Line is 20,000 cubic meters per day

SCHEDULE C**Net Project Costs**

Project Cost \$43,084,219.90

Grant \$10,000,000.00

Net Cost \$33,084,219

10% Cost \$3,308,421.00

From: Craig Teal <craig.teal@pcps.ab.ca>
Sent: November 10, 2020 12:26 PM
To: Margaretha Bloem
Subject: FW: Mountain View County and Town of Olds Intermunicipal Development Plan - Public Hearing Notice

Comment received for IDP

From: Andy Cumming [mailto:Andy.Cumming@nrcb.ca]
Sent: Wednesday, October 21, 2020 1:25 PM
To: Craig Teal
Subject: RE: Mountain View County and Town of Olds Intermunicipal Development Plan - Public Hearing Notice

Hello Craig

Thank you for the invitation to provide comments on the draft intermunicipal development plan (IDP) between Mountain View County and the Town of Olds. We take no position with respect to the proposed IDP, but offer the following for consideration.

When processing an application for a confined Feeding operation (CFO), the Agricultural Operation Practices Act (AOPA) requires that approval officers consider the land use provisions set out in the municipal development plan (MDP) in which the CFO is proposed. It is therefore important that for an IDP to be considered when a CFO application is being processed, that it is referenced in the Mountain View County MDP.

I trust this provides the input you are seeking. Should you have any further questions or would like to further discuss this, please feel free to contact me.

Sincerely

Andy Cumming
NRCB, Director Field Services
Tel: 403-381-5838

Andy

NRCB core values: Integrity; Fairness; Respect; Excellence; Service

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

From: Craig Teal [mailto:craig.teal@pcps.ab.ca]
Sent: Tuesday, October 20, 2020 9:32 AM
To: historical.lup@gov.ab.ca; setbackreferrals@aer.ca; implan@gov.ab.ca; robert.shorten@gov.ab.ca; waterapprovals.reddeer@gov.ab.ca; TransDevelopmentRedDeer@gov.ab.ca; 3rdpartyrequests@altalink.ca; srussell@cesd73.ca; CentralZone.EnvironmentalHealth@albertahealthservices.ca; innisfail_area@equs.ca; landserv@fortisalberta.com; swest@foothillsgas.ca; Suzanne Leshchyshyn <Suzanne.Leshchyshyn@nrcb.ca>; circulations@telus.com; pnrweb@tc.gc.ca; TCenergy@bapg.ca; land.admin@atcogas.com; circulations@atco.com; HP.Circulations@atco.com; rod.steeves@rdcrs.ca; cao@srdrwc.com; watermtn@telus.net; jeff.hanger@rdrwa.ca; osp@O-NET.ca; cyrus_njung@cpr.ca
Subject: Mountain View County and Town of Olds Intermunicipal Development Plan - Public Hearing Notice

Hello,

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Please find attached a referral letter regarding the proposed Intermunicipal Development Plan between the Mountain View County and the Town of Olds and a copy of the proposed plan.

We would appreciate hearing back from you by November 13, 2020. Please forward any comments you may have via email. If you do not have any comments please send me an email indicating that is the case.

Thank you for your time and attention.

Regards,

Craig Teal, RPP MCIP

Director

Ph: 403.343.3394

Unit B, 4730 Ross Street

Red Deer, AB T4N 1X2



www.pcps.ca

**** IMPORTANT NOTICE **** This email originates from outside our organization so please proceed with caution and check the email and/or attachments for possible threats. **** IMPORTANT NOTICE ****



October 22, 2020

Parkland Community Planning Services

RE: Town of Olds

Unit B, 4730 Ross Street

Red Deer, AB | T4N 1X2

Sent via email to: craig.teal@pcps.ab.ca

ATTN: Craig Teal, Director, PCPS

RE: Town of Olds and Mountain View County IDP

Your File #: N/A

Our Reference #: R01687AB

Thank you for sending B&A Planning Group notice of this project first on July 24, 2020 and again on October 20, 2020. B&A is the land use planning consultant for TC Energy (TC) in Western Canada. On behalf of TC, we work with municipalities and stakeholders regarding land use and development surrounding their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.

Description of Proposed Intermunicipal Development Plan (IDP)

We understand that this referral is for a new IDP between the Town of Olds and Mountain View County, and that it has received first reading at Council. As you can see in **Attachment 01 Approximate Location of TC Infrastructure** there is a TC Energy pipeline running along the West end of Olds and intersecting the plan area.

Assessment of Proposed Intermunicipal Development Plan (IDP)

From our review of the Draft IDP it appears that the pipeline intersects the Town of Olds and lands identified as "Urban Fringe". These lands have been identified for the future expansion of the Town of Olds and shall be the priority areas for future annexation.

According to the plan "To preserve large blocks of land for efficient, economical design as part of a future urban area and to avoid impeding the ability of the Town to grow, subdivision and development in the Urban Fringe shall be limited" (p.6). In addition, "The approval of subdivision of the lands identified as Urban Fringe on Map 1 shall be limited to applications involving a first parcel out, a fragmented parcel, or a farmstead separation in accordance with the Agricultural

 TCEnergy@bapg.ca



Land Use Policies of the County's Municipal Development Plan (p.6)". Based on these policies it appears that development within the IDP area is limited and therefore there should not be significant concerns for new development in proximity of the pipelines in the near future but will be considered in the long term.

Recommendations

Based on a review of the draft IDP, the following list represents TC Energy's recommendations for inclusion in the plan to ensure safe development adjacent to pipeline infrastructure:

1. We recommend that TC Energy's (and any other operators) pipelines and facilities be indicated on one or more maps within the IDP.
 - Both pipeline centreline and facility point data can be downloaded from the provincial AER website at <https://www.aer.ca/providing-information/data-and-reports/maps-mapviewers-and-shapefiles.html>
2. To ensure that all development within the Pipeline Assessment Area is referred to TC Energy for review and comment, we recommend inclusion of the following policy within Section O of the IDP:
 - "When an area structure plan, an outline plan, a concept plan, a subdivision application or a development permit application is proposed that involves land within approximately 220m of a pipeline, as demonstrated in Map ____ : _____, the municipality that has jurisdiction over approval of the plan or application shall refer the matter to the pipeline operator for review and input."
3. To ensure that developers and landowners are aware of the requirement for written consent by TC Energy for development within the 30m prescribed area, we recommend the inclusion of the following policy within Section O of the IDP:
 - "Any development within 30m of or crossings a pipeline shall require written consent from the pipeline operator."

Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC's pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to tcenergy@bapg.ca. Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Sincerely,

Kayla McCarthy

Community Planner | MPlan

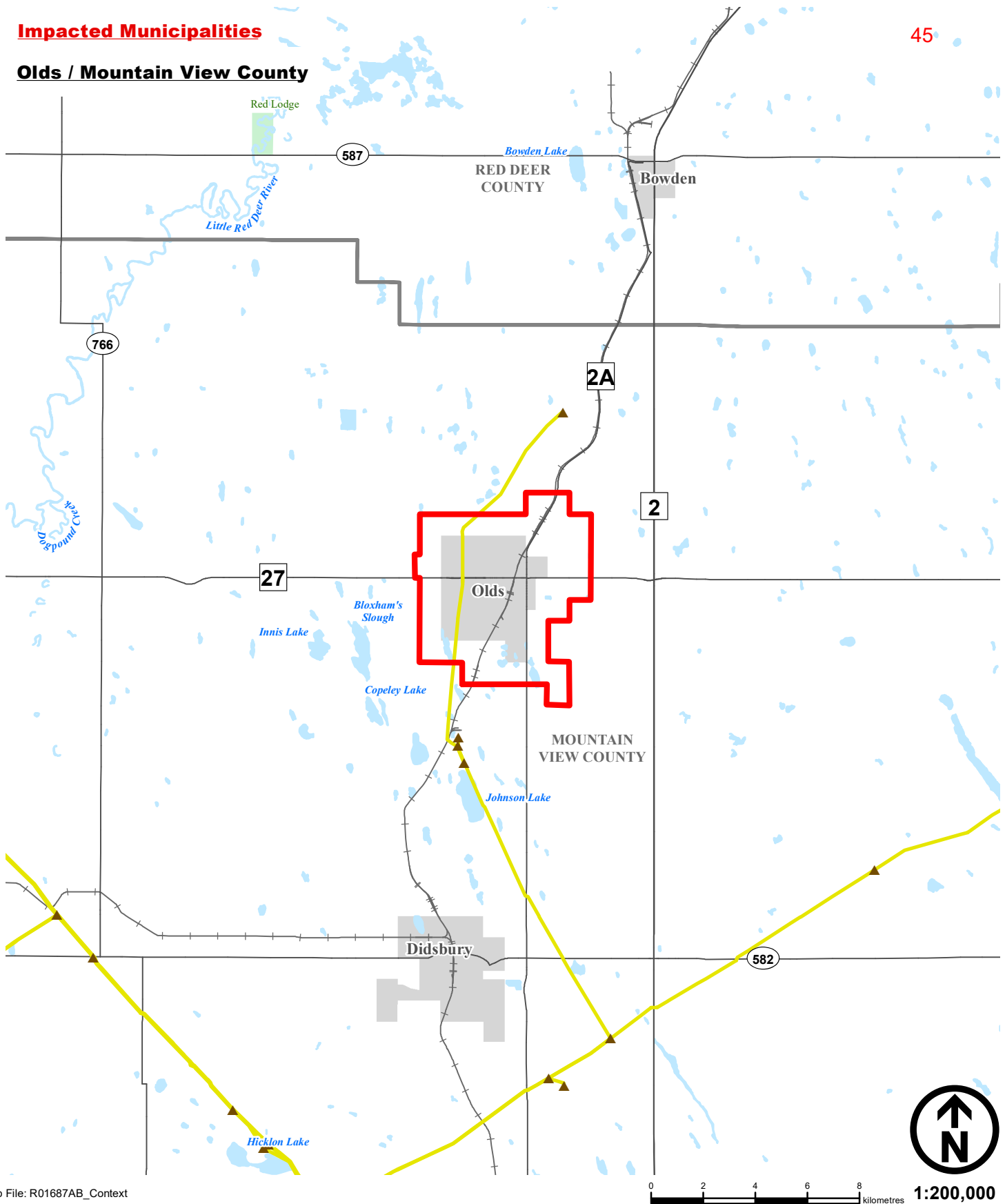
(403) 692 4531 | kmccarthy@bapg.ca

B&A Planning Group 600, 215 - 9 Avenue SW | Calgary, AB T2P 1K3 | www.bapg.ca

Impacted Municipalities

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Olds / Mountain View County



Map File: R01687AB_Context

Jul 24, 2020 - 14:27 PM W:\1969 Land Services Western Canada\Referrals and Responses\1600-1699\R01687AB\Olds_IDP1_Maps\R01687AB_Context.mxd



Legend

- Subject Site
- ▲ TC Energy Facility
- TC Energy Pipeline
- +— Railway
- Major Road
- Rural Municipality
- Urban Municipality
- Waterbody
- Park

Context Map Plan of Intermunicipal Development

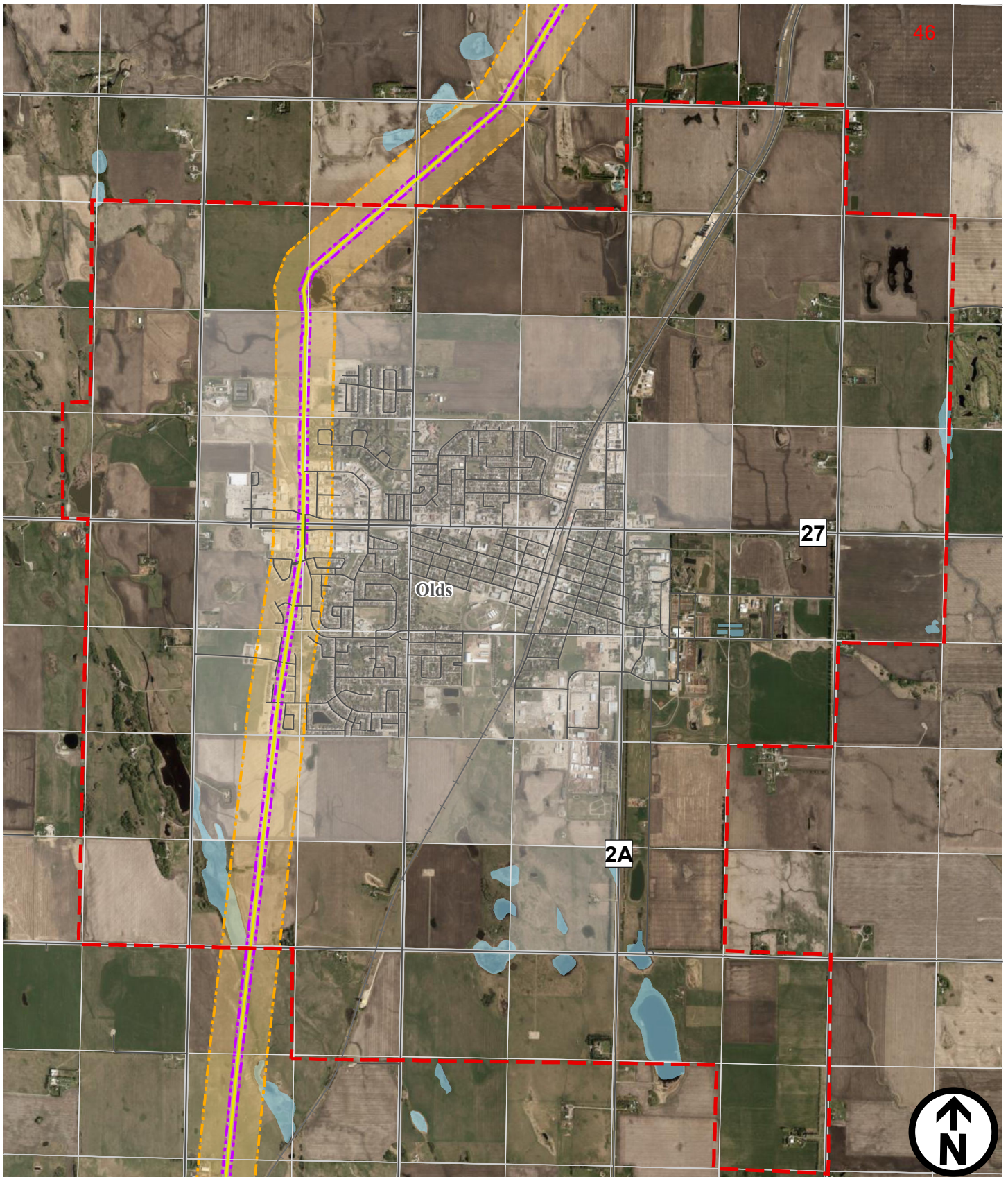
Olds / Mountain View County

Referral #: R01687AB

TC Region: Rocky Mountain

July 2020

Town of Olds Special Council Meeting, Wednesday, November 25, 2020



Map File: R01687AB_Concept

Jul 24, 2020 - 14:59 PM W:\19169 Land Services Western Canada\Referrals and Responses\1600-1699\R01687AB\Olds_IDP1_Maps\R01687AB_Concept.mxd

0 250 500 750 1,000
Meters

1:40,000



Legend

- Subject Site
- Pipeline Assessment Area (220m)
- Prescribed Area (30m)
- TC Energy Pipeline
- Quarter Section
- Urban Municipality
- Waterbody
- Road
- Railway

TC Energy Infrastructure

Plan of Intermunicipal Development

Olds / Mountain View County

Referral #: **R01687AB**

Map and data for informational and planning purposes only
Conceptual alignment only. Aerial Source: ESRI

July 2020

Town of Olds Special Council Meeting, Wednesday, November 25, 2020

November 13, 2020

Craig Teal
Parkland Community Planning Services
Unit B, 4730 Ross Street
Red Deer, AB
T4N 1X2

Sent via email: craig.teal@pcps.ab.ca

RE: Mountain View County – Town of Old Intermunicipal Development Plan

Thank you for the opportunity to comment on the aforementioned document. The review conducted by this office, on behalf of the Alberta Health Services- Central Zone Environmental Public Health (AHS), was completed using a public health lens that includes considerations for the design of healthy communities.

The plan area is predominantly agricultural on the county side and a mixture of all types within the Town. The IDP identifies goals to reduce the possibility of any potential conflicts between the town and the county, these include the use of logical orderly development, preservation of agriculture and effective and efficient provision of municipal services while ensuring that oil and gas developments do not hinder future development.

Review of the proposed IDP was done with the consideration of five health aspects: healthy neighbourhood design, transportation networks, natural environments, housing and food systems. The content of this letter includes a review of how these considerations are incorporated into the referral and any associate recommendations. These concepts are part of the 2018 [Healthy Built Environments Linkages Tool Kit](#).

Community Context:

According to the 2016 Census from Statistics Canada, 73.5% of Town residents and 86.8% of County residents own their home. In both regions, 97.8% felt their home was suitable. Approximately 21.4% of Town and 19.7% of county households were in core housing need, spending >30% of their income on shelter. 89.76% of town and 91% of county residents rely daily on vehicular modes of transportation. Within the town 7.9% walk and 1% bike. All of these statistics indicate a “better than average” level of housing affordability, quality and satisfaction as well as above average use of active transportation by area residents.

According to the [Olds Community Profile](#) on the Healthy Communities Hub:

- In line with regional averages, 14% of residents reported to sometimes or often be worried about running out of food before they can afford to buy more. 4% have experienced homelessness.
- A high level of social satisfaction and safety are reported, with 93% and 95% satisfaction rates reported respectively. More than half of residents are engaged in community associations, 64% and while only 50% provincially.
- 84% find their communities accessible to walking paths or green spaces and 92% agree that there are affordable recreational opportunities within their community and 53% of residents are not getting sufficient physical activity, compared to 70% of all Albertans.
- While 98% report that healthy food options are accessible within their community 51% of residents are not getting sufficient fruits and vegetables into their daily diet.

Natural Environments: *A built environment where natural environments are protected and natural elements are incorporated, and are experienced by and accessible to all.*

No specific mention is made regarding the protection and utilization of environmentally significant areas and natural features, however the goals of IDP do state priorities include reducing potential land use conflicts and protecting identified areas. Storm water management and the protection of natural drainage courses will be up to the respective municipalities under their land use bylaws to ensure that neither is negatively impacted by the other.

- Agricultural capacity is a key aspect of healthy food systems, some expert opinion indicates that agricultural land and workforce capacity are essential for a healthy food system, particularly at the regional or local level.
- Strategically zoning land in and around urban centers to protect agricultural land will prevent further urban sprawl and reduce the development of agriculture land for industrial activity, with a focus on long-term versus short-term returns.
- Diverse ecosystems are more resilient and able to recover from a variety of natural and human induced stressors (i.e., climate change, forest fire, urbanization). Ensuring the preservation of environmentally sensitive areas, and connecting human populations with natural environments can help protect existing ecosystems and promote a healthier human population.
- Parks and greenspaces provide areas for social interaction and may support community involvement reducing loneliness and associated health concerns. Residents in environments with visible greenery and vegetation are 3.3 times more likely to take up frequent physical activity than those in areas without.

The IDP makes no specific mention of when assessments for the impact on environmentally sensitive areas, watercourses/drainage, adjacent lands and the potential need for geotechnical reviews may be required, rather defers to the respective municipal land use bylaws for

determination. AHS requests the opportunity to review any such reports for future developments.

The County Business, Commercial Industrial Design Guidelines Policy #60187 will be used for developments in the Entranceway Corridor. These include requirements for the preservation of vegetation and natural areas, set back distances, the use of screening and buffers, sustainable design, pedestrian connections and the inclusion of vegetation and trees.

Housing: *Affordable, accessible and good quality housing for all that is free of hazards and enables people to engage in activities of daily living while optimizing their health.*

The plan makes no specific mention of objectives related to housing other than the prevention of incompatible land uses. Based on Map 1 of the IDP and the land use designations defined in the Town of Olds LUB 01-23, there is potential for land use conflicts in the Referral Areas where existing residential developments could be adjacent to future industrial developments. AHS recommends minimizing the residential-industrial interface and the use of strategies such as buffers and implementation of effective screening such as the use of berms and trees/vegetation and measures for mitigating noise, light and odour pollution that may be generated by the activities within the commercial or industrial districts and the vehicular traffic associated. Many of these measures are mentioned in the design guidelines.

- Acute effects of noise pollution include decreased sleep quality and quantity, increased annoyance and stress. Chronic effects include: hypertension, decreased learning and productivity and endocrine disruption.
- According to the International Institute for Sustainable Development the direct welfare costs of air pollution in Canada was estimated to be \$36 billion in 2015 due to premature death and illness with premature deaths numbering 7,712 people a year for particulate matter (PM2.5) and ground level ozone.

Food Systems: *A built environment that can support access to and availability of healthy foods for all.*

Preservation of agricultural infrastructure and lands for the expansion of agricultural purposes is highlighted in the IDP. As well, developments will not be permitted where conflicts which could limit agricultural uses or support uses. Area Structure Plans will be required for all developments within the Agriculture Growth Area, until then the County LUB will apply. Changes in use within the Urban Fringe area will not be considered for non-agricultural uses and no new or expanded Confined Feeding Operations will be allowed within either the Urban Fringe or Referral Areas.

Agricultural capacity is a key aspect of healthy food systems, some expert opinion indicates that agricultural land and workforce capacity are essential for a healthy food system, particularly at the regional or local level.

- Developing and maintaining sustainable food practices will help make better use of natural resources, lower greenhouse gas emissions, and create efficiencies and financial savings across the food system.

Transportation Networks: *Safe and accessible transportation systems that incorporate a diversity of transportation modes and place priority on active transportation over the use of private vehicles.*

Trails and sidewalks provide connectivity and easy access to resources and facilities through active transportation and encourages social capital and community engagement, as residents are more likely to engage socially, trust their neighbours, and get involved in local decision making. The costs for governments to develop and maintain infrastructure for walking and cycling are significantly lower than the costs associated with the infrastructure needed to support motorized traffic. The IDP states that it will ensure a safe and efficient transportation network is developed and maintained for both residents and businesses, it was not clear if this included non-motorized means of transportation. AHS recommends inclusion of policies that promote the incorporation of non-vehicular and pedestrian pathways throughout and between developments.

- The estimated annual economic burden of inactivity in Canada is \$10 billion. A 1% relative annual reduction in the risk factors of physical inactivity would result in a \$2.1 billion savings over a 20 year period.
- Reliance on private vehicles limits opportunities for in-person connections which can lead to feelings of isolation.
- Active transportation such as cycling or walking promotes physical activity that has important health benefits, including significantly reducing the risk of all-cause mortality, cardiovascular disease, obesity, type-II diabetes, and certain types of cancer.

Neighbourhood Design: *Neighbourhoods where people can easily connect with each other and with a variety of day to day services.*

The industrial and commercial uses will be focused around the Highway corridor. This will limit heavy traffic in residential areas and thus reduce residential exposure to noise and air pollution generated by highway traffic in future developments. Additionally, the provision for the use of vegetation in the design guidelines will aid in reducing air pollution, while enhancing the amount of “green space” even within commercial areas.

- Air pollution, including PM10 and PM2.5 and ozone (O3) generated from vehicular emissions, is a significant problem that can affect human health and well-being. Trees remove pollutants through processes including dry deposition on the tree surface and stomatal uptake of gases.
- Green spaces have been linked to better mental and physical health through increased physical activity, decreased exposure to air pollution, more social interactions and/or feeling less stress.

Drinking and Wastewater

Protection of the private and communal drinking water supplies are important to the health and safety of all residents. The IDP states that developments will be permitted to connect to the municipal water and wastewater services within the Annexation, Urban Fringe, Referral and Agricultural Growth Area however there is no requirement to do so within the IDP. However, the Town of Olds LUB does state that all residential and direct control district developments are required to connect to municipal services. For industrial and commercial developments, AHS supports connection to, or deferred services agreements for future connection to, Alberta Environment & Parks licensed drinking water and wastewater systems and discourages long term reliance on pump and haul holding tanks.

Mapping of the location of the drinking water wells and existing sewage systems within and adjacent to the plan area are recommended in order to protect drinking water sources and prevent negative health impacts on residents. Additionally, these will be essential to ensure compliance with setbacks listed under Section 15 of the [Nuisance and General Sanitation Regulation \(AR 243/2003\)](#).

General Land Use

All residential developments with 3 or more lots and all commercial and industrial developments with 2 or more lots will require an area structure plan. The creation of a College Campus Master Plan is recommended in the plan to facilitate long term planning and ensure coordination with the town of Olds. AHS requests the opportunity to review such plans in the future.

It was unclear from the LUB and associated maps if there are any current brownfield or contaminated sites within the county. Where development applications require Traffic Impact Assessments, Phase 1 Environmental Impact Assessments, geotechnical assessments, environmental reviews, reclamation or nuisance mitigation plans, AHS supports these measures and requests the opportunity to review them.

If you have any questions or concerns regarding this letter, please contact the undersigned.

Sincerely,



Pamela Kutuadu CPHI(C)

Public Health Inspector/Executive Officer

Redesignate for RV Storage and Self Storage

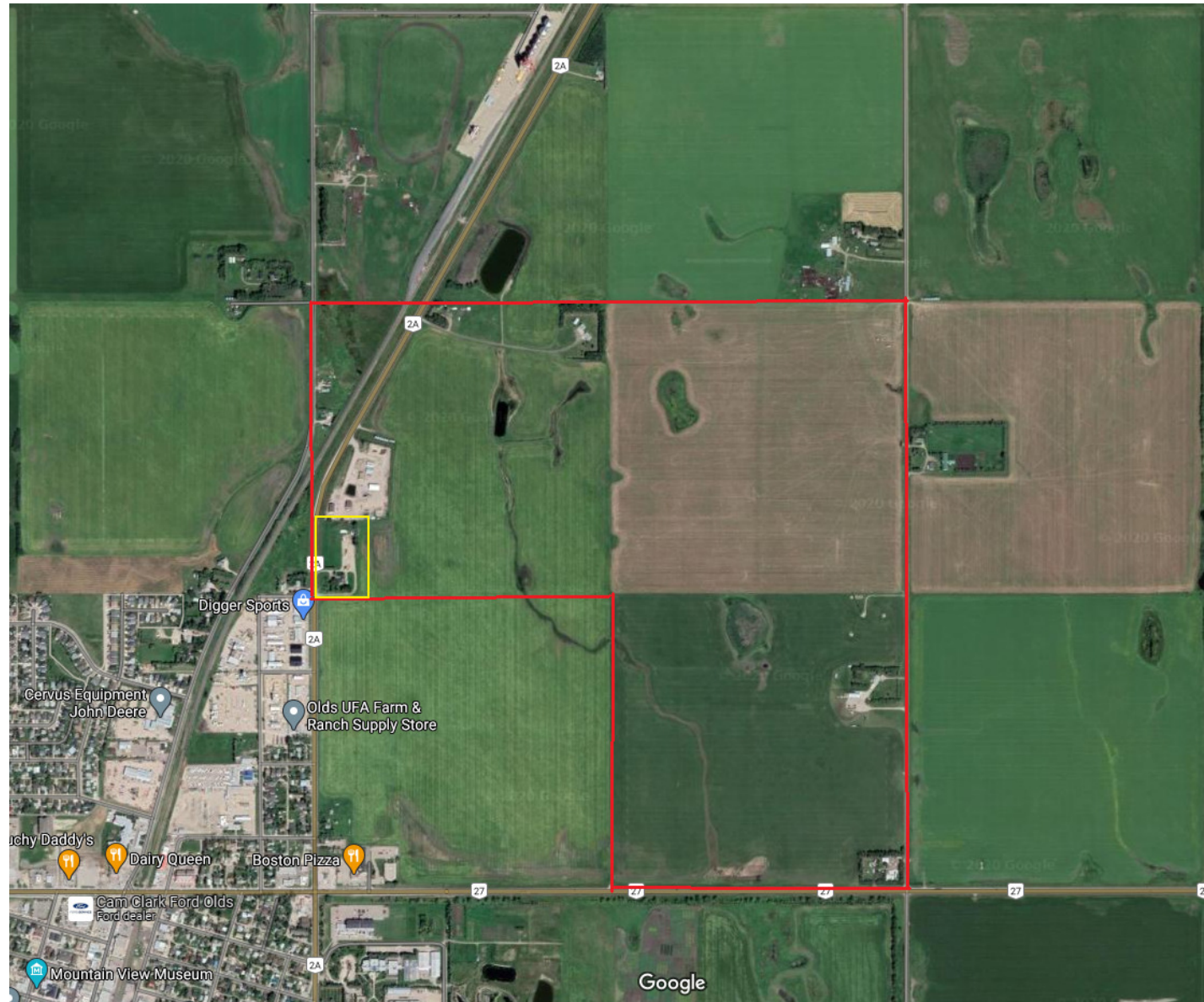
NW 4-33-1W5
(4.36 acres)

33043 Hwy 2A
Mountain View
County

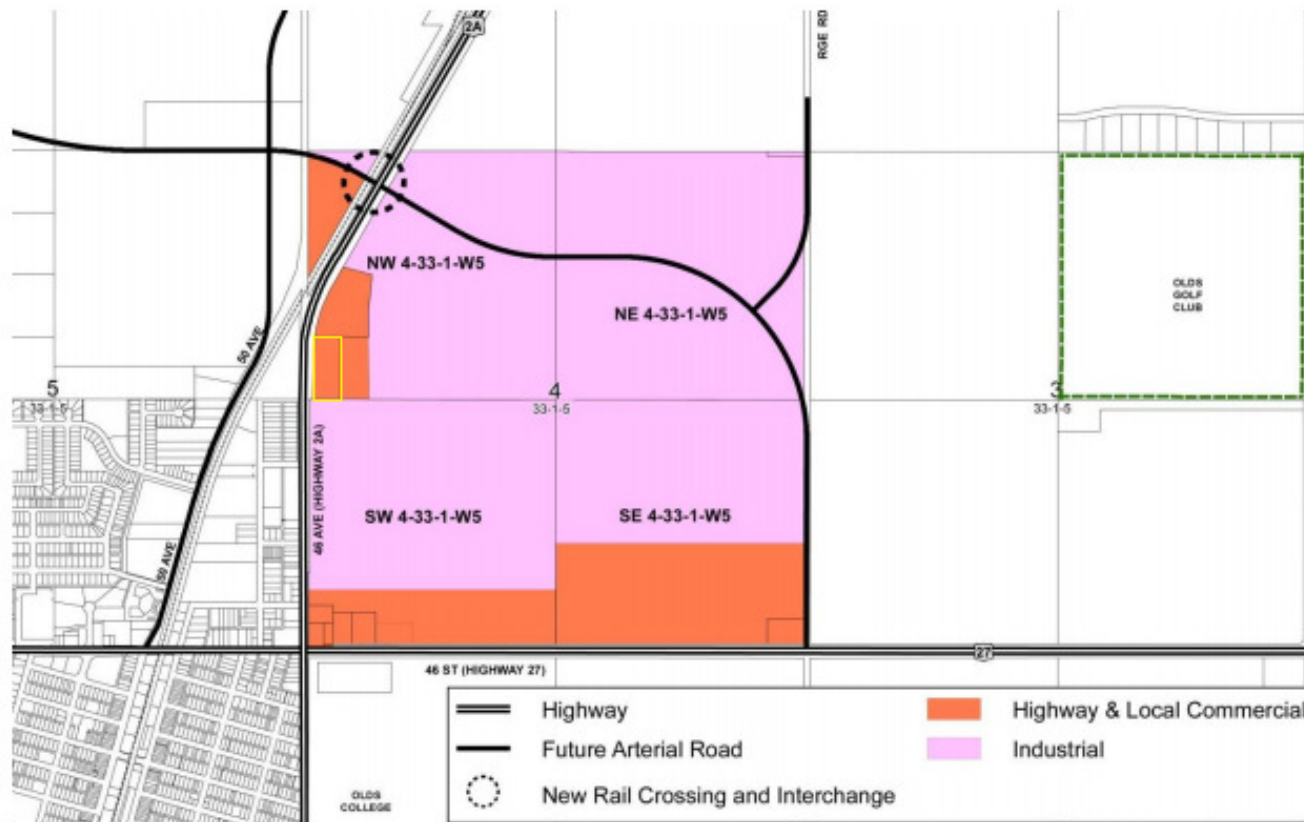


Town of Olds
Proposed
Annexation
Area Outlined
in Red

Subject
Property
Outlined in
Yellow



Town of Olds Proposed Land Use



Subject Property
to be Annexed
-request to be
Direct Control
with Mountain
View County
until annexed by
the Town of Olds
-request to be
Light Industrial
with the Town of
Olds



Aerial Photo of
Subject Property
-RV storage/self
storage area is
outlined
-consists of
+/-3 acres



Municipal County Building to the North of the Subject Property



View to the South:
Land currently zoned
Urban Reserve
-proposed to be
Industrial (Town of
Olds)

View to the West:
Buildings currently
zoned Industrial
Business and Light
Industrial (Town of
Olds)



Property to the West is zoned Industrial Business (Town of Olds)



SUMMARY

Subject property is currently located in Mountain View County and is zoned Agricultural.

Proposal is to redesignate to Direct Control for RV Storage and Self Storage with Mountain View County.

After annexation into the Town of Olds, we request the subject property to be zoned Light Industrial.

References:

- 1) [https://www.olds.ca/sites/default/files/docs/august 27 2020 open house information boards.pdf](https://www.olds.ca/sites/default/files/docs/august%2027%202020%20open%20house%20information%20boards.pdf)
- 2) <https://www.glstorage.ca>

**Intermunicipal Development Plan (IDP)
between Mountain View County and the Town of Olds**

JOINT PUBLIC HEARING

**November 25th, 2020 at or after 1 pm
Jointly prepared, presented by Margaretha Bloem**



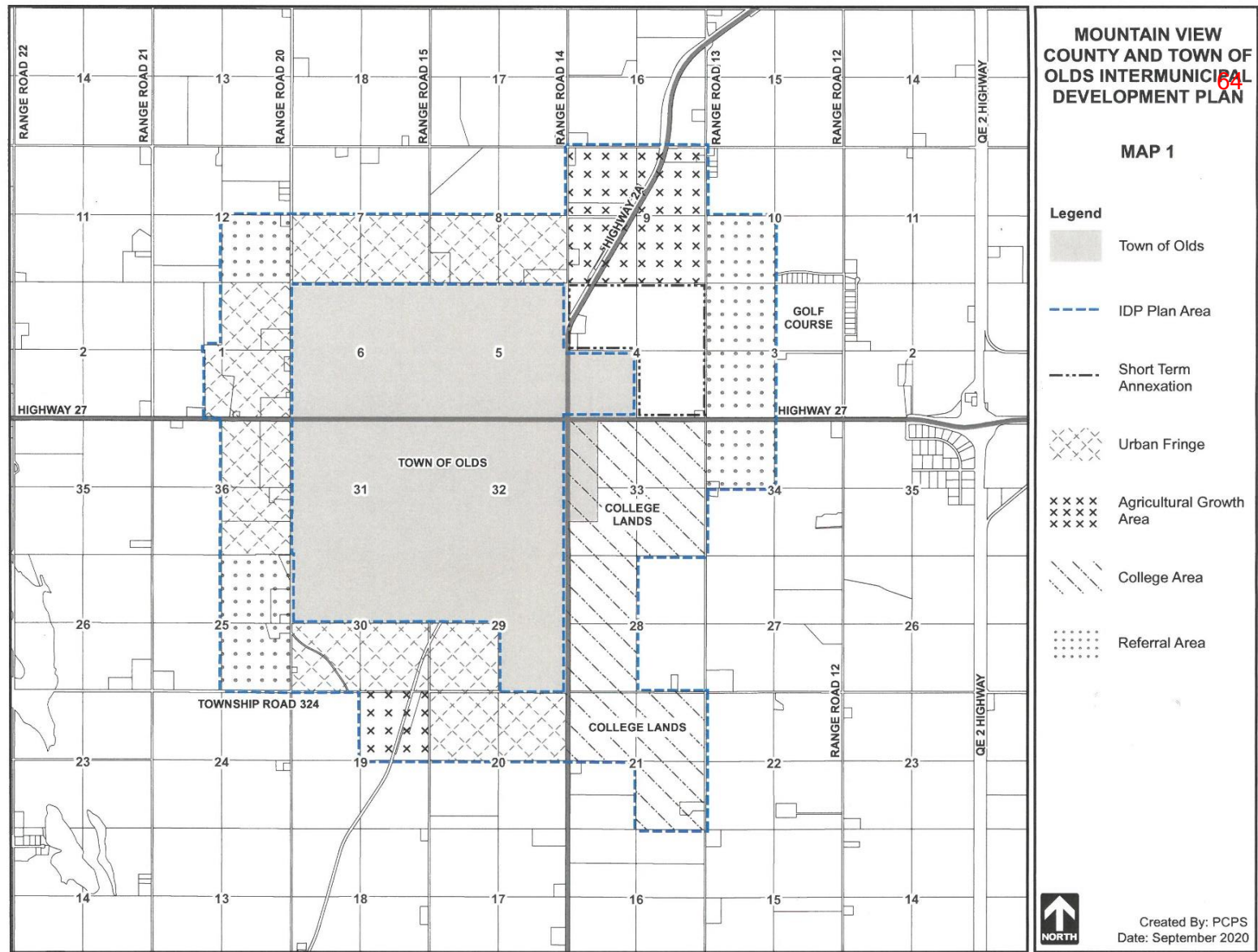
The IDP covers the 50-70 year horizon and include policies intended to deal⁶³ with expected or future growth. The policies ensure development takes place in an environmentally responsible and sustainable manner, one that is beneficial to both municipalities.

THE AREA COVERED BY THE IDP

The area that is included in the IDP is broken into five policy areas:

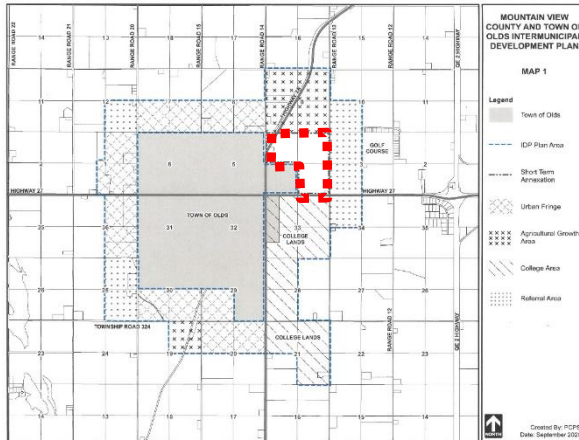
- Short Term Annexation
- Urban Fringe
- Agricultural Growth Area
- College Area (that include lands in the County and the Town)
- Referral Area

A unique set of policies applies to each of these areas and they are summarized on the following slides.

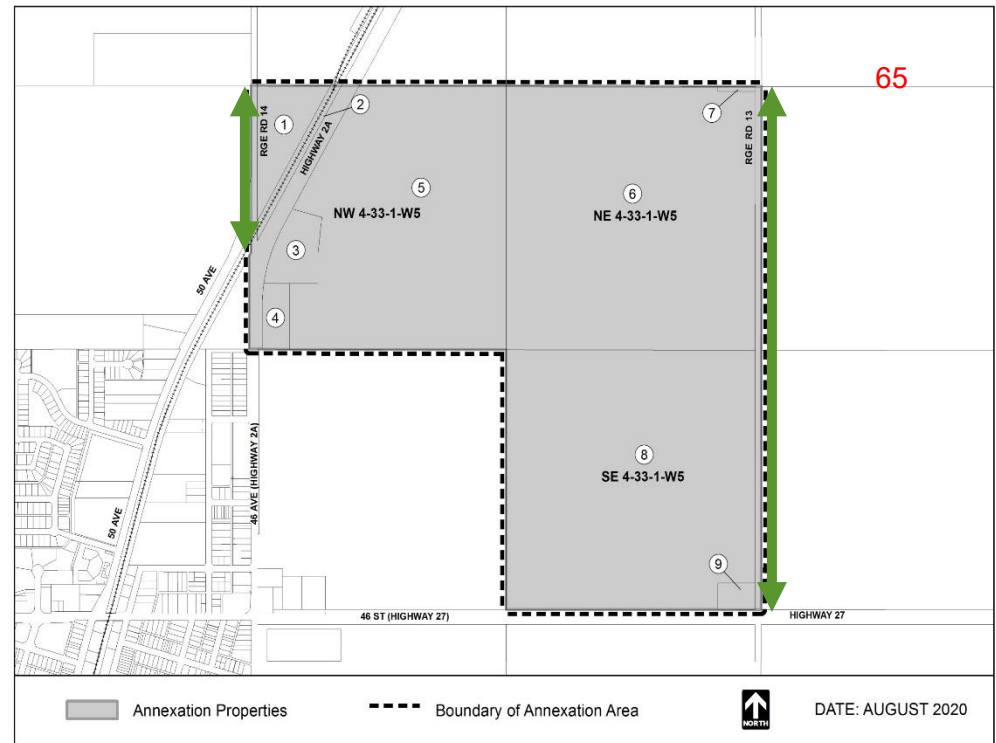


SHORT TERM ANNEXATION

The area that shall be included in an annexation application to the Province



TOWN OF OLDS - PROPOSED ANNEXATION AREA

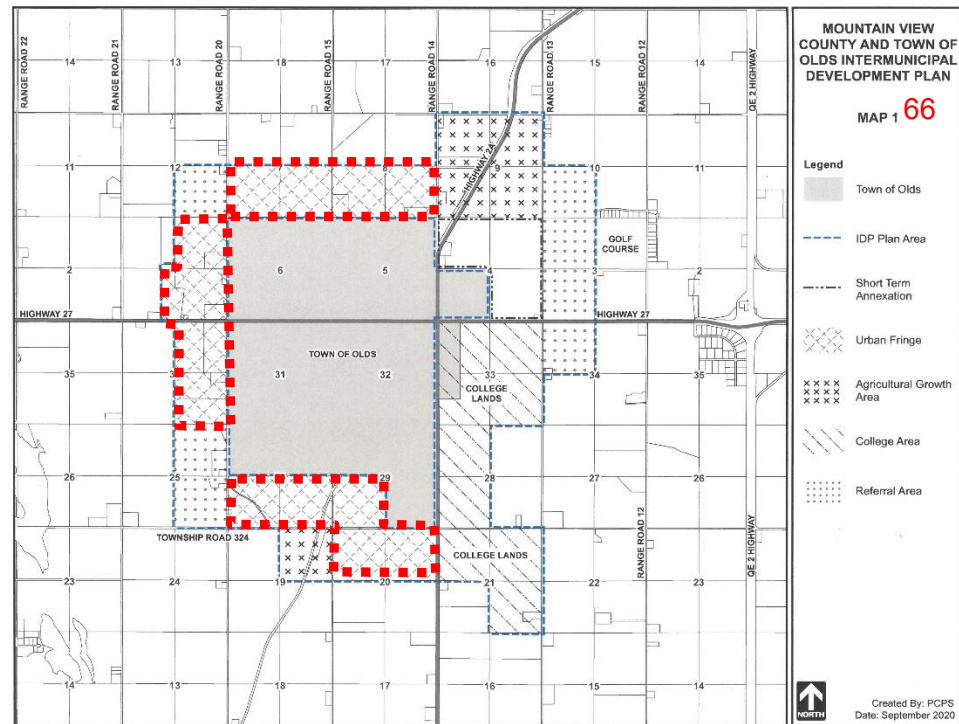


POLICIES

- Consists of three quarter sections in Section 4-33-1-W5M, along with a one mile portion of Range Road 13 and quarter mile portion of Range Road 14.
- No land use bylaw amendments or subdivisions shall be approved for lands within the Short Term Annexation area. Development approvals shall be limited to those allowed under the current designation under the County's Land Use Bylaw.
- Following a decision on the formal annexation application by the Province, the IDP shall be amended.

URBAN FRINGE AREA

The priority areas for future Town annexations to accommodate growth.

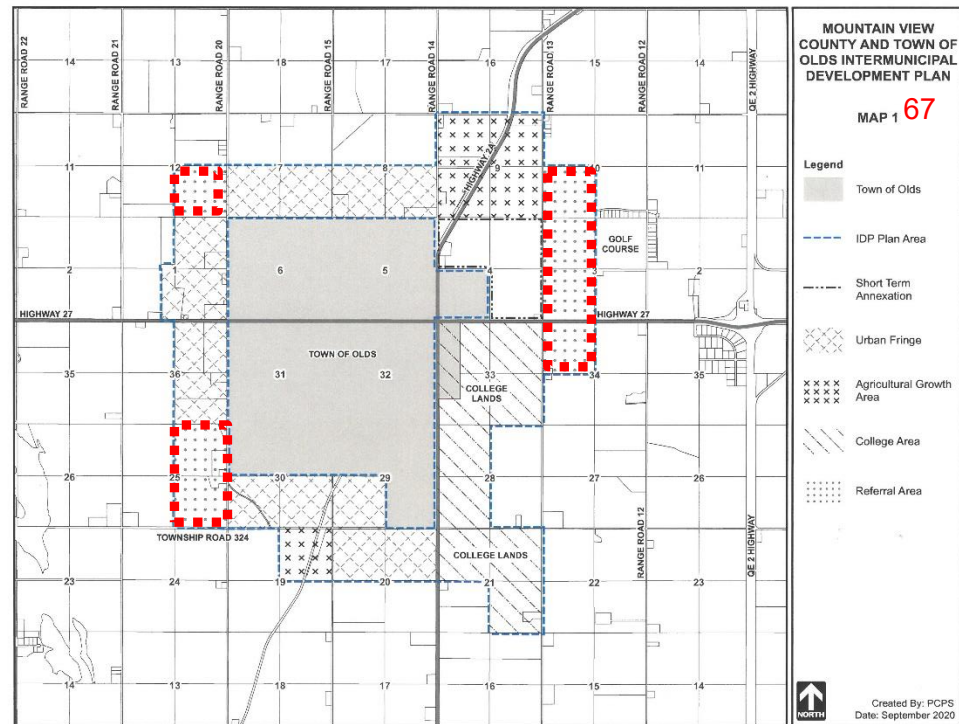


POLICIES

- Intended to be kept as large blocks of land for efficient, economical design of future urban areas, and avoid impeding the ability of the Town to grow
- Until added to the Town, development of lands will be based upon the current designations under the County's Land Use Bylaw and subdivision will be limited to first parcel out as a fragmented parcels or farmstead separation or country residential or agricultural applications
- Limit changes in land use designation (zoning) to those for residential first parcel out, fragmented parcels or farmstead operations
- No new or expanded confined feeding operations will be allowed
- Future intended uses are outlined in the Town's Municipal Development Plan (MDP)

REFERRAL AREA

Not meant to accommodate future Town expansion or be annexed to the Town and where planning matters shall be referred to the Town to ensure coordination of planning and servicing decisions.

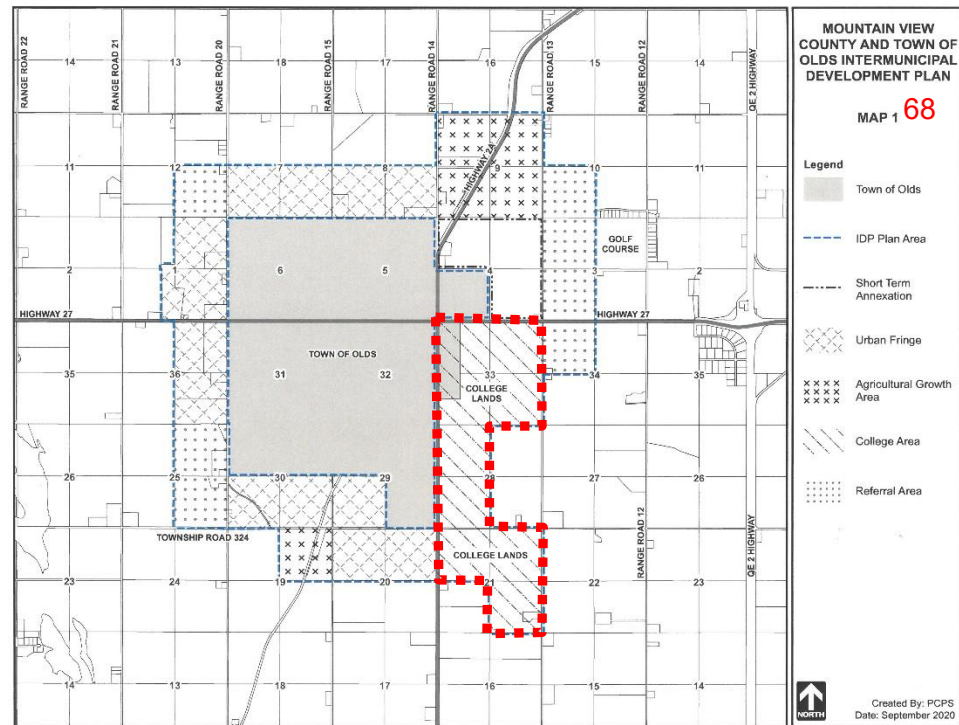


POLICIES

- Planning matters such as proposed changes in land use designation and subdivision applications, will be referred to the Town to enable coordination of planning and servicing
- Use and development will be based on the current land use designation under the County's Land Use Bylaw and Municipal Development Plan
- No new or expanded confined feeding operations will be permitted.
- An Area Structure Plan (ASP) will be required for any residential subdivision creating three (3) or more lots or an industrial or commercial subdivision creating more than one (1) lot

COLLEGE AREA

College owned land located in the County and located in the Town.

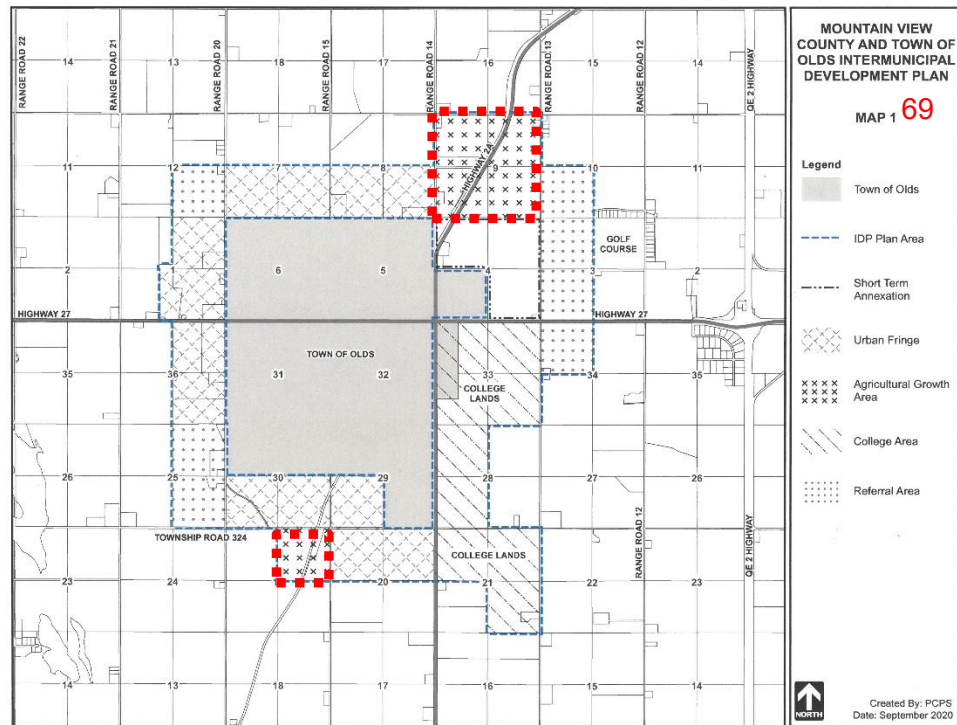


POLICIES

- Coordinating planning decisions as uses and activities on and around the College Area change
- Coordinating ongoing municipal service delivery to the College lands and the public on the College lands such as emergency services, municipal utilities, maintenance of access roads, etc.
- Increasing communication with Olds College, Town and County through regular meetings to identify issues, opportunities and approaches
- Encouraging the creation of a Campus Master Plan to further understanding of the long term land use and servicing implications

AGRICULTURAL GROWTH AREA

Areas set aside for agricultural uses and agriculture support uses or other complementary uses requiring rail access. This area is not intended to be annexed by the Town.



POLICIES

- Priority for expansions of the current facilities and new complementary support uses that require rail access
- Uses and development will be based upon the current land use designations under the County's Land Use Bylaw and planning policies in the Municipal Development Plan
- Area Structure Plan is to be prepared for each area
- To prevent potential land use conflicts, suitable transitions between uses will be provided

Water and Wastewater

- County's ability to apply to the Town for connection to water and wastewater services.

Transportation Systems

- Share information and may work with Alberta Transportation to develop a Highway Vicinity Management Agreement to facilitate intersections along Highway 27 and Highway 2A.

Storm Water Management

- Both manage drainage and run-off from development so lands in either municipality are not negatively impacted.

Entranceway Corridor

- Both the Town and County shall consider the impact developments may have on the aesthetic appearance of the entrance corridors to the Town.
- The County shall apply the Land Use Bylaw and Business, Commercial and Industrial Design Guidelines when considering new development permit applications.

PLAN ADMINISTRATION: REFERRAL AND CIRCULATION PROCESS

Land use planning proposals that the Town and County agree to refer to each other include:

71

- Subdivision application,
- Land use bylaw amendment and re-designations,
- New area structure plans or amendments to existing plans,
- New area redevelopment plans or amendments to existing plans, and
- Amendments to their respective Municipal Development Plans.

Development permit applications are not included in the expected referrals, as the Town and County have agreed they will not refer each other development permit applications.

DISPUTE RESOLUTION

The Dispute Resolution Process is initiated by either municipal Council with the following stages:

- Committee Discussions - The ICC will convene and review the dispute and attempt to resolve it. They can provide suggestions to both Administrations, seek additional information and alternatives for future meetings, agree on a consensus position and provide details in writing, or conclude no agreement can be reached.
- Mediation - If the ICC doesn't resolve the dispute it will be referred to mediation and an independent mediator will be retained.
- Appeal to Municipal Government Board - If the issue is not resolved at mediation and the municipality deciding the matter proceeds, then the other municipality can appeal to the Municipal Government Board.



Request for Decision

Bylaw 2020-20 Indoor Public Spaces Mask Bylaw

November 25, 2020

RECOMMENDATION

That second reading be given to Bylaw 2020-20 Indoor Public Spaces Mask Bylaw.

That third reading be given to Bylaw 2020-20 Indoor Public Spaces Mask Bylaw.

STRATEGIC ALIGNMENT

The Town of Olds will provide the necessary resources to ensure a safe, secure and healthy community.

LEGISLATIVE AUTHORITY

Municipal Government Act, R.S.A. 2000, Chapter M-26 provides that a municipal council may establish a bylaw respecting the safety, health, and welfare of people and protection of people and property.

BACKGROUND

That first reading to Bylaw 2020-20 Indoor Public Spaces Mask Bylaw was passed November 23, 2020.

Per the MGA, Part 1, 3(c), a primary purpose of a municipality is to develop and maintain a safe and viable community. During the COVID-19 public health crisis the Town of Olds has attempted to follow the recommendations of the Chief Medical Officer of Health for Alberta by implementing Alberta Health guidelines and regulations to the best of our ability.

Alberta Health encourages all Albertans to wear masks in public places as one of the measures to slow the virus's spread. It is the strong recommendation of the Chief Medical Officer of Health to use of face coverings when physical distancing may not be possible. A requirement to wear face coverings in indoor public places supports the safety, health, and welfare of people during the COVID-19 pandemic.

As proposed this bylaw mandates that face coverings be worn in all Town of Olds owned/leased buildings, and in public indoor spaces if the trigger point has been initiated. It is recommended this bylaw come into full effect based on trigger points of data as reported by Alberta Health. The community wide provisions will remain in force until the data reported by Alberta Health is below the set thresholds for 30 consecutive days. Peace Officers will issue warnings when necessary, when a warning is not deemed sufficient, or for repeat offenders, enforcement of the bylaw can include penalties through ticketing. The bylaw allows for bona fide exemptions. Proof of exemption is not required, notwithstanding the resolution of a ticket in the courts. Businesses are not expected to deny services moreover they are required to inform individuals of the Town Bylaw. The primary focus will be on educating on the importance of wearing face coverings in indoor public spaces rather than punitive enforcement, however, failure to wear a face covering where required can result in a penalty of \$100.

RISK/CONSEQUENCES

1. Neither the Chief Medical Officer of Health Dr. Deena Hinshaw, nor the Alberta government itself, have mandated the wearing of masks provincially, though both continue to stress the importance of voluntary compliance when in public settings where distancing cannot be readily and consistently achieved. Health is a provincial responsibility, however, provincial authorities have been clear they expect local authorities to decide on how best to achieve these efforts.
2. Strong encouragement requiring the use of face coverings in Town facilities only goes so far. Though compliance via self-responsibility is the main mechanism of enforcement in recreation facilities like the Sportsplex, a bylaw requiring masks in Town facilities would provide a tangible consequence for front line staff to refer to for support in compliance.
3. There is a time lag between when people get infected and when new cases are identified. This means the cases we see today were infected up to 2 weeks ago. Waiting for 10 reported cases to trigger a mask bylaw may be a risk of reacting to circumstances already spiking verses providing a preemptive approach with a mask bylaw being immediately implemented.
4. Currently Community Peace Officers are not provided the authority to enforce provincial public health orders. A local approach with a mask bylaw will address only one portion of the preventative health measures. Regardless the Province may need to consider another Ministerial Order to assist with the broader enforcement measures.
5. Masks are only one preventative measure, individuals are encouraged to continue to be vigilant about maintaining two metres of physical distance, avoiding large gatherings, frequently washing hands, and staying home if you are sick.

Alternative options for Council



1. Council can direct Administration to make changes on this bylaw. Council would need to be specific in the requested changes.
2. Council can receive this RFD for information.

FINANCIAL IMPLICATIONS

OFFENCE	PENALTY
Failure to wear Mask in Indoor Public Place	\$100.00
Failure to display sign at Indoor Public Place	\$200.00

ATTACHMENTS

1. Bylaw 2020-20 "Indoor Public Spaces Temporary Mask Bylaw"; Schedule "A" – Signage; Schedule "B" – Specified Penalties.
2. COVID-19: Masks information www.alberta.ca/masks.aspx
3. Chief Medical Officer of Health Dr. Deena Hinshaw Twitter posts

Author:	Doug Wagstaff Director Community Services	Date: November 23, 2020
Director Signature:		Date: 2020 Nov 23
CAO Signature:		Date: Nov 23, 2020



Dr. Deena Hinshaw ✓

@CMOH_Alberta



For the next 2 weeks, I encourage Albertans to re-double their efforts:

- ✓ Stay home if you are sick;
- ✓ Wash your hands regularly & don't touch your face w/unwashed hands;
- ✓ Maintain distance from those outside your household, & wear a mask when in indoor public spaces.

(1/3)

10:35 AM · 2020-11-17 · [Twitter Web App](#)

**TOWN OF OLDS
BYLAW 2020-20**

**BEING A BYLAW OF THE TOWN OF OLDS TO REQUIRE
THAT MASKS BE WORN IN INDOOR PUBLIC SPACES TO
LIMIT THE SPREAD OF COVID-19**

WHEREAS, COVID-19 was declared a pandemic by the World Health Organization on March 11, 2020;

AND WHEREAS, COVID-19 continues to pose a health risk to persons in Alberta, including those in the Town of Olds;

AND WHEREAS, Alberta Health Services encourages the use of masks and physical distancing as some of the methods to reduce the risk of the spread of COVID-19;

AND WHEREAS, physical distancing may not be possible in Indoor Public Places and in Public Vehicles;

AND WHEREAS, pursuant to section 7 of the *Municipal Government Act* a council may pass bylaws for municipal purposes respecting:

- a) the safety, health and welfare of people and the protection of people and property;
- b) people, activities and things in, on or near a public place or place that is open to the public; and
- c) businesses, business activities and persons engaged in business;

AND WHEREAS, Council deems it prudent to require people to wear Masks in Indoor Public Places and Public Vehicles for the purpose of promoting the safety, health, and welfare of people during the COVID-19 pandemic;

NOW THEREFORE the Council of the Town of Olds, in the Province of Alberta, duly assembled, enacts as follows:

1. SHORT TITLE

1.1. This Bylaw shall be cited as the "COVID-19 Mask Bylaw".

2. DEFINITIONS

2.1. In this Bylaw:

- (a) **"Indoor Public Place"** means all or part of a building, structure, or other enclosed area to which the public has access as of right or by invitation, express, or implied, regardless of whether a fee is charged for entry.
- (b) **"Mask"** means a medical mask, cloth, or paper non-medical mask, or other face covering that fully covers the nose, mouth and chin, and creates a barrier that limits the transmission of respiratory droplets.

- (c) **“Municipal Tag”** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution of the offence.
- (d) **“Operator”** means the person who controls, owns, manages, or is in charge of any Indoor Public Place or Public Vehicle., and includes an employer, operator, agent or proprietor,
- (e) **“Peace Officer”** has the same meaning as in the *Provincial Offences Procedure Act*.
- (f) **“Public Vehicle”** means a bus, taxi, or other vehicle that is used to transport members of the public for a fee.
- (g) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*.

3. IN EFFECT

3.1. Sections 4 to 6 of this Bylaw come into effect when:

- (a) the total number of active cases of COVID-19 in the Town, as reported by Alberta Health Services, are ten (10) or more; and
- (b) shall remain in effect until thirty (30) days after the number of cases in the Town is less than ten (10) or the Watch designation is rescinded, whichever is later.

4. REQUIREMENT TO WEAR MASKS

4.1. Every person shall wear a Mask at all times while in an Indoor Public Place or in a Public Vehicle.

4.2. Section 4.1 does not apply to the following persons:

- (a) children under the age of nine (9) years;
- (b) persons unable to wear a Mask due to a mental or physical concern or limitation, or protected ground under the *Alberta Human Rights Act*;
- (c) persons who are unable to safely put on, use, or remove a Mask without assistance;
- (d) persons who are actively consuming food or drink at an Indoor Public Place that offers food or beverage services; or
- (e) persons who have temporarily removed their Masks for the purposes of:
 - (i) receiving or providing services that require removal of the Mask;
 - (ii) actively engaging in an athletic or fitness activity, where the Indoor Public Place has expressly permitted the removal of Masks for such purposes; or
 - (iii) emergency or medical purposes.

4.3. Section 4.1 does not apply to the following places:

- (a) schools, post-secondary institutions, and educational programs;
- (b) daycares and other childcare facilities;
- (c) hospitals, independent health facilities, and offices of regulated health professionals; and
- (d) areas exclusively accessed or used by the Indoor Public Place's employees or a Public Vehicle operator, provided physical barriers or physical distancing practices are implemented between any persons not required to wear a Mask and any other person.

5. DUTY OF OPERATOR

5.1. An Operator shall prominently display a sign, in the form as set out in Schedule "A", in a location visible to persons immediately upon entering an Indoor Public Place or Public Vehicle.

6. ENFORCEMENT, OFFENCES, AND PENALTIES

6.1. A Person who contravenes any provision of this Bylaw is guilty of an offence.

6.2. A Person who is guilty of an offence is liable to a fine in an amount not less than that established in Schedule "B" and not exceeding \$10,000.00.

6.3. Without restricting the generality of section 6.2, the fine amounts set out in Schedule "B" are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.

6.4. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

6.5. A Municipal Tag shall be served:

- (a) either personally; or
- (b) by mailing a copy, via registered mail, to such Person at their last known postal address.

6.6. Where a Municipal Tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the Municipal Tag.

6.7. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

6.8. Notwithstanding section 6.7, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

6.9. A Violation Ticket issued in respect of an offence may:

- (a) state the specified penalty for the offence as set out in Schedule "B" herein; or
- (b) require the person to appear in Court without the option of making a voluntary payment.

6.10. A Person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

6.11. When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to section 6.10 and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

7. RULES OF INTERPRETATION

7.1. Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or licence.

7.2. The headings in this Bylaw are for guidance purposes and convenience only.

7.3. Every provision in this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

7.4. Any reference to the provisions of a statute of Alberta is a reference to that statute as amended, from time to time.

8. COMING INTO FORCE

8.1. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

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

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

Unanimous consent given to present for third reading this day of November ____. 2020.

Read a third and final time this day of November ____, 2020

Michael Muzychka
Mayor

Michael Merritt
Chief Administrative Officer

Signed by the Chief Elected Official and the Chief Administrative Officer on this day
____ of November, 2020.

SCHEDULE "A" – SIGNAGE

Colour version of the sign to be displayed by an Operator in a location visible to persons immediately upon entering an Indoor Public Place or Public Vehicle.

NOTICE

Mask is Required!

All persons must wear a mask
on these premises as required under
Town of Olds Bylaw No. 2020-20



Masks must fit securely against the face,
cover the mouth and nose, and
create a barrier that filters respiratory droplets.

Exemptions include children aged 8 years and under, anyone who has temporarily removed their mask to participate in an athletic or fitness activity or people with a medical condition or disability that inhibits their ability to safely wear a mask.
For a complete list of all exemptions go to olds.ca/masks

Visit **olds.ca/covid-19** for more information.

Town of
OLDS

Greyscale black and white version of the sign to be displayed by an Operator in a location visible to persons immediately upon entering an Indoor Public Place or Public Vehicle.

NOTICE

Mask is Required!

All persons must wear a mask
on these premises as required under
Town of Olds Bylaw No. 2020-20



Masks must fit securely against the face,
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SCHEDULE "B" – FINES AND PENALTIES

82

SECTION	OFFENCE	PENALTY
4.1	Failure to wear Mask in Indoor Public Place	\$100.00
5.1	Failure to display sign at Indoor Public Place	\$200.00

www.alberta.ca/masks.aspx

COVID-19: Masks

How to choose and wear a non-medical mask to help prevent the spread of COVID-19.

Why use a mask

Albertans are encouraged to wear non-medical masks in public places or if they have a higher risk of severe illness from COVID-19.

Wearing a homemade or non-medical mask in public is another tool to help prevent the spread of COVID-19. It hasn't been proven that masks protect the person wearing it, but it can help protect people from being exposed to your germs.

Masks should complement – not replace – other prevention measures. Continue physical distancing and good hand hygiene, and stay home when sick.

When to use a mask

- When you're in public and might come within 2 metres of others for a prolonged period of time: public transit, retail stores, hair salons
- When you're in shared indoor spaces with people from outside your immediate household
- Masks are mandatory for Grade 4 to 12 students and all school staff, as part of the school re-entry plan
- When mask use is mandatory by municipal bylaw, check your local community for details

When not to use a mask

- If it's dirty or damaged in any way
- If it gaps or doesn't fit well
- If it's been used by another person
- Children under 2 years of age
- Anyone that has trouble breathing
- When you are only with people from your own household

↺ Dr. Deena Hinshaw Retweeted



Alberta Government ✓
@YourAlberta

...

We're all tired of [#COVID19](#), but this fight is far from over.

💧 Keep washing/sanitizing your hands

😊 🏠 Stay home if you're sick

😊 ↔️ 😊 Maintain a physical distance

😊 🧴 Wear a mask

We're all in this together. Stay safe.
Stay informed: [Alberta.ca/COVID19](https://alberta.ca/COVID19)

