

## BYLAW NO. 10-2019

### MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133 PROVINCE OF ALBERTA

**A BYLAW OF THE MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW 10-2010, THE MUNICIPAL DEVELOPMENT PLAN.**

**WHEREAS:** Section 632(2) of the Municipal Government Act, RSA 2000, Chapter M-26 as amended, allows a municipality with a population of less than 3,500 to adopt a Municipal Development Plan; and

**WHEREAS:** The Council of the Municipal District of Spirit River No. 133 deems it to be in the public interest to amend the Municipal Development Plan, Bylaw 10-2010;

**NOW THEREFORE** The Council of the Municipal District of Spirit River No. 133, in the Province of Alberta, duly assembled hereby enacts as follows:

1. That the definition of "Statutory Plan" in Section 1.2 (Interpretation) be amended by deleting "Joint General Municipal Plan".
2. That Policy 1.2.3 (Interpretation) be amended by deleting "or Joint General Municipal Plan".
3. That Section 1.3.3 (Population and Demographics) be deleted and replaced with the following:

As of 2016, the Municipal District's population was 700. Since 1966, the Municipal District's population has decreased by almost 50% as shown in Table 1.

**Table 1: Historic Population Growth, 1966-2016**  
(Source: Statistics Canada, 1966-2016 Federal Census)

Federal Census Year	Population	Net Change	% Change
1966	1,243	-	-
1971	1,052	-191	-15.4
1976	857	-195	-18.5
1981	891	34	4.0
1986	848	-43	-4.8
1991	812	-36	-4.2

1996	809	-3	-0.4
2001	824	15	1.9
2006	662	-162	-19.7
2011	713	51	7.7
2016	700	-13	-1.8

4. That Section 2.1 (MDP Planning Process) be deleted and replaced with the following:

“A review of the MD’s 2010 Municipal Development Plan was undertaken in 2018-2019 as part of a joint project with the Village of Rycroft and Town of Spirit River to prepare new municipal planning documents that will help guide future growth and development in all three municipalities. These include an Intermunicipal Development Plan between the three partnering municipalities; updates to the Municipal Development Plan (MDP) for the MD and preparation of new MDPs for the Town and Village; and updates to the Land Use Bylaws for all three municipalities.

At the beginning of the planning process the municipalities hosted community open houses on October 23-24, 2018 at the Rycroft Community Hall and the Centennial Hall in Spirit River. The purpose of the open houses was to share information about the project and gather input on issues from residents. A total of 15 residents attended the sessions. A second round of open houses were conducted on October 8-9, 2019 in Rycroft and Spirit River to obtain input on the various draft plans, with total of 6 residents attending. An online survey was also conducted that solicited 3 responses.”

5. That Policy 2.5.1 (General Development Policies) be amended by deleting “when considering MDP updates, MDP amendments, Land Use Bylaw amendments” and replacing with “when considering updates or amendments to this Plan and the Land Use Bylaw”.
6. That Section 2.5 (General Development Policies) be amended by adding the following:
- 2.5.7 If an amendment to the Land Use Bylaw is required to accommodate a proposed subdivision or development, the amendment is required to receive third reading from Council prior to subdivision or development approval. Such amendments will not be considered unless accompanied by a subdivision or development permit application.
7. That Policy 3.2.3(c) (Agricultural Policies) be amended by deleting “the subdivision is”.
8. That Policy 3.2.12(b) (Agricultural Policies) be amended by deleting “amount” and replacing it with “size”).

9. That Policy 4.2.4 (Country Residential Policies) be amended by:

- a. Deleting “guidelines prepared by Alberta Environment” and replacing it with “provincial guidelines” in subsection (a);
- b. Deleting “Alberta Environment” and replacing it with “provincial” in subsection (d); and
- c. Replacing “at the cost of the Owner/Developer/Applicant to municipal standards” with “to municipal standards at the cost of the Owner/Developer/Applicant” in subsection (f).

10. That Policy 4.2.5 (Country Residential Policies) and Policy 6.2.9 (Environmental Stewardship Policies) be amended by deleting “Alberta Environment” and replacing it with “provincial”.

11. That Policy 5.2.8 (Commercial and Industrial Policies), Policy 7.2.2 (Crown Lands), and Policy 8.3.13 (Utility Policies) be amended by deleting “Energy Resources Conservation Board” and replacing it with “Alberta Energy Regulator”.

12. That Policy 6.2.5 (Environmental Stewardship Policies) be amended by deleting “guidelines prepared by Sustainable Resource Development” and replacing it with “provincial guidelines”.

13. That Policy 6.2.6 (Environmental Stewardship Policies) be deleted.

14. That Policy 6.2.8 (Environmental Stewardship Policies) be amended by deleting:

“... unless the developer provides:

- a. A certificate from a qualified professional engineer to confirm that the development has been properly flood proofed.... to confirm the 1:100 year flood level of the affected river, stream or lakeshore.
- b. indicates to the satisfaction of the Municipal District that the flood hazard has been mitigated; and
- c. notwithstanding the above policies ...”

with

“... unless the developer:

- a. provides a certificate from a qualified professional engineer to confirm that the development has been properly flood proofed.... to confirm the 1:100 year flood level of the affected river, stream or lakeshore; and
- b. indicates to the satisfaction of the Municipal District that the flood hazard has been mitigated.

Notwithstanding the above policies ...”

15. That Policy 6.2.11 (Environmental Stewardship Policies) be amended by deleting “Area occur, the” and replacing it with “Area, the”.
16. That Policy 6.2.12 (Environmental Stewardship Policies) be amended by deleting “Alberta Environment” and replacing it with “the province”.
17. That Section 7.0 (Crown Lands) be amended by deleting paragraph #1 and replacing it with the following:

“A portion of the Municipal District is owned by the Provincial Crown and is commonly referred to as public lands. These lands, which are classified as the Green Area, are managed by several Provincial departments and boards that set the rules for land use.”
18. That Section 8.0 (Transportation and Utilities) be amended by deleting “roads, railways and airports play” and replacing it with “transportation system plays”.
19. That Policy 8.2.3 (Transportation Policies) be amended by deleting “specifications of” and replacing it with “specifications of the”.
20. That Policy 8.3 (Utility Policies) be amended by deleting Policy 8.3.1 and replacing it with the following:
  - 8.3.1 With the exception of development located in areas where municipal water and/or sewer systems are present, all developments in the Municipal District are required to provide private water and sewer services in accordance with provincial standards.
  - 8.3.1A The Municipal District shall require developers to demonstrate proof of water supply if accessing groundwater, or identify the proposed method of water servicing, for all multi-lot country residential developments in excess of five lots, and all industrial, and highway commercial developments. Where water supply is not proven by the developer, the subject lots are to

be served by cisterns and restrictive covenants shall be registered as a condition of subdivision approval prohibiting the use of wells or other means of groundwater collection.

21. That Policy 8.3.11 (Utility Policies) be amended by deleting “different types of”, and deleting “are compatible” and replacing it with “is compatible”.
22. That Section 9.0 (Intermunicipal Planning) be amended by deleting the introductory paragraph and replacing it with the following:

“The Municipal District has a long history of cooperation with its municipal neighbours through the G3 (with the Town of Spirit River and Village of Rycroft) and G5 (the G3 partners plus Birch Hills and Saddle Hills Counties) partnerships, as well as the recent approval of Intermunicipal Development Plans. The Municipal District places great value on collaborative initiatives as it helps maintain its long term sustainability, as well as that of its municipal neighbours.”
23. That Section 9.1 (Intermunicipal Planning Objectives) be amended by deleting “any applicable Joint General Municipal Plan or” and replacing it with “all applicable”, and deleting bullet #3 and #4.
24. That Section 9.2 (Intermunicipal Planning Policies) be amended by deleting Policies 9.2.4, 9.2.5, 9.2.7 and 9.2.8.
25. That Section 9.2 (Intermunicipal Planning Policies) be amended by deleting Policy 9.2.1 and replacing it with the following:
  - 9.2.1 Once initiated by the Province, the Municipal District shall participate in the preparation of the Upper Peace Regional Plan.
  - 9.2.2 The Municipal District shall comply with the Provincial Land-use Framework and approved Intermunicipal Development Plans when considering Statutory Plan amendments, Land Use Bylaw amendments, subdivisions, and other development proposals.
26. That Policy 9.2.2 (Intermunicipal Planning Policies) be amended by renumbering it as Policy 9.2.3, and deleting “Joint General Municipal Plan or any”.
27. That Policy 9.2.3 (Intermunicipal Planning Policies) be amended by renumbering it as Policy 9.2.4, deleting “a Joint General Municipal Plan or ”, and deleting “then an amendment to the Plan may be pursued in accordance with the provisions of the Plan” and replacing it

with "then an amendment may be pursued in accordance with the provisions of the Intermunicipal Development Plan".

- 28. That Section 10.0 (Monitoring, Review and Implementation) be amended by renumbering it as Policy 9.2.4, deleting "a Joint General Municipal Plan or ", and deleting "then an amendment to the Plan may be pursued in accordance with the "Joint General Municipal Plan, Municipal Development Plan

**READ** a first time this 6<sup>th</sup> day of November , 2019.

**READ** a second time this 18<sup>th</sup> day of December, 2019.

**READ** a third and final time and finally passed this 18<sup>th</sup> day of December, 2019.

  
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Tony Van Rootselaar, Reeve

  
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Dan Dibbelt, Chief Administrative Officer