

# COUNCIL REQUEST FOR DECISION

**MEETING DATE:** August 22, 2022

**SUBMITTED BY:** D. Peck, Manager, Planning and Development

**PREPARED BY:** D. Peck, Manager, Planning and Development

**REPORT TITLE:** Bylaw No. 1118-2022 - A Bylaw to Repeal Bylaw No. 772-2011 – City of Leduc/Leduc County Intermunicipal Development Plan (IDP) (3rd Reading)

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## EXECUTIVE SUMMARY

Bylaw No. 1118-2022 will repeal Bylaw No. 772-2011 - City of Leduc / Leduc County Intermunicipal Development Plan (IDP). As members of the Edmonton Metropolitan Region Board, the City of Leduc and Leduc County are not mandated under the Municipal Government Act (MGA) to have an IDP. The repeal will allow the City of Leduc (City) to focus its resources on the review of the Growth Plan and the maintenance of its own statutory plans.

## RECOMMENDATION

That Council give Bylaw No.1118-2022 third reading.

## COUNCIL HISTORY

At the August 16, 2021, Council meeting, Administration presented a report examining the necessity of the IDP considering that the City and Leduc County are members of the Edmonton Metropolitan Region Board (EMRB). The report identified the concerns associated with reviewing and maintaining the IDP while both municipalities are investing significant resources at the regional level.

At its November 8, 2021, meeting, Council passed a resolution to initiate the repeal of the IDP, the process for which is described in section 6.3.5 of the IDP. In accordance with the IDP, a notification letter was sent to Leduc County (see Attachment 2) and a joint Council meeting was held on Thursday, February 10, 2022. At that meeting, City Council had the opportunity to hear from Leduc County Council and Administration as to their position on the IDP (Attachment 3).

At the February 28<sup>th</sup>, 2022 Council Meeting, Council gave first reading to this bylaw to repeal the IDP.

At their meeting of April 26<sup>th</sup>, 2022, the County of Leduc Council adopted a motion that “Leduc County waive the requirement for mediation prior to the City of Leduc considering second reading of the bylaw to repeal the City of Leduc/Leduc County Intermunicipal Development Plan (IDP) as outlined in Section 6.3.5 of the IDP subject to the City of Leduc agreeing to engage in constructive discussion with Leduc County to address intermunicipal issues in the respective municipalities’ Municipal Development Plan.” Within the City’s Municipal Development Plan, this is addressed by Policy 4.1, which mandates that the City undertake effective and collaborative planning as a regional partner, and further specifies under 4.1.6 that the City will “pursue opportunities to work with regional partners to plan for major transportation corridors, energy corridors, and infrastructure utility corridors, transit, and transit related infrastructure, both within and outside the City of Leduc.”

At the June 27<sup>th</sup>, 2022 Council Meeting, Council held a Public Hearing on this bylaw and there were no public presentations or written representations made with respect to the matter of repealing the IDP. Later on in the same meeting, Council gave second reading to this same bylaw to repeal the IDP.

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On July 29, 2022, the City agreed to further discussions in September with Leduc County to find alternative mechanisms to achieve desired outcomes for each municipality. The City of Leduc remains committed to intergovernmental cooperation, collaboration, communication, and coordination along our shared boundary with Leduc County and the subregion as a whole. Both municipalities intend to amend their Municipal Development Plans in the near term. Opportunities for amendments to our respective Municipal Development Plans to address our shared interests and understanding of each municipality's aspirations over the long-term will be discussed. These shared interests include mutually agreeable development referral process, conflict resolution process, coordination of land use and infrastructure along our boundaries, and our respective long-term growth needs.

### BACKGROUND / RATIONALE

As per Order in Council 355/2017, EMRB Regulation, the City and Leduc County are mandatory members of the EMRB. The mandate of the EMRB comprises many elements, including:

- Promoting the long-term sustainability of the Edmonton Metropolitan Region;
- Ensuring environmentally responsible land-use planning, growth management and efficient use of land; and
- Developing policies regarding the coordination of regional infrastructure investment and service delivery.

The Edmonton Metropolitan Region Growth Plan (EMRGP) establishes the framework by which every municipality must manage its growth. This is achieved by ensuring compliance between all statutory plans adopted by any member municipalities through the Regional Evaluation Framework (REF) approval and appeal process. The IDP is non-compliant with the EMRGP. When discrepancy between the EMRGP and any statutory plans exist, the EMRGP requirements and policies prevail. The hierarchy of plans therefore creates an overlap and redundancy if the IDP was to remain in place, which is, by definition, unnecessary red tape.

As the EMRB evolves, so too do the tools that are at the disposal of member municipalities to work together more effectively. The recently adopted Metropolitan Region Servicing Plan (MRSP), Regional Agriculture Master Plan (RAMP), Integrated Regional Transportation Master Plan (IRTMP), and other strategic initiatives allow municipalities to better manage their own growth as well as the interface with their neighbours. The Edmonton Metropolitan Region's Dispute Resolution and Appeal Bylaw also establishes a conflict resolution process available to member municipalities, outside of the REF process for the purpose of resolving disputes arising from actions taken or decisions made by the Board through mediation and appeal.

### STRATEGIC / RELEVANT PLANS ALIGNMENT

The recommendation is aligned with the provisions of the MGA which states that municipalities that are both members of a regional growth board do not need to have IDPs. Furthermore, rescinding the IDP that is non-compliant with the EMRGP will enable the City of Leduc to achieve compliance with the MGA and the EMRGP.

Repealing the IDP will also allow for time and resources to be allocated to the upcoming interim review of the EMRGP, on amending the City's MDP, and other statutory plans that will plan the growth of our community and help us collaborate more effectively with the County than revising an adopting a new IDP. This aligns with the City's Strategic Plan value of "A Regional Focus". The cost saving also aligns with the value of "Financial Responsibility".

### ORGANIZATIONAL IMPLICATIONS

#### ADMINISTRATION:

Rescinding the IDP would eliminate excessive red tape and enable Administration to focus its efforts on the EMRGP's review and the City's Municipal Development Plan (MDP) and other related (and needed) statutory plans. Should Council

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choose not to proceed with the repeal of the IDP, the City will have to update the IDP to bring it in compliance with the EMRGP. It will also require further updates as other statutory plans are amended from time to time as well as when the EMRGP is being reviewed.

### **RISK ANALYSIS: FINANCIAL / LEGAL:**

As noted, the IDP prescribes a repeal process that mandates the parties' engagement in mediation prior to passing a proposed repealing bylaw. Leduc County approved a motion conditionally waiving the mediation requirement subject to discussion of mutual interests. These were discussed at the July 29 meeting discussed above and no mediation will be required.

As for financial implications, repealing the IDP will create significant savings over time. The first savings will be \$40,000 (capital) which was anticipated in the budget for the 2022 review. The City would also save in the future the cost of redoing the IDP every 7-10 years which could be in the magnitude of \$125,000 - \$200,000 per IDP.

### **IMPLEMENTATION / COMMUNICATIONS:**

As per the requirements of Section 606 of the *Municipal Government Act*, a Public Hearing in front of Council is required prior to Council giving Second and Third Reading to a bylaw. The Public Hearing was held on the June 27<sup>th</sup>, 2022 meeting of Council for Bylaw No. 1118-2022 and was advertised in accordance with the *Municipal Government Act* and the Advertising Bylaw No. 1043-2019.

### **ALTERNATIVES:**

Council could decide to keep the IDP. This option would require Administration to dedicate significant resources over the next two years to update the currently obsolete IDP.

### **ATTACHMENTS**

Bylaw No. 1118-2022 - Repeal Bylaw No. 772-2011 - IDP

IDP - Notification Letter

IDP - Leduc County February 10, 2022 Report