

STRATEGIC PLANNING

Council Committee

April 15, 2019

9:00 am

Clearwater County Council Chambers

4340 – 47 Avenue

Rocky Mountain House AB

AGENDA

A. AGENDA ADOPTION

B. MINUTES

1. February 25, 2019 Strategic Planning Committee Meeting Minutes
-

C. PLANNING & DEVELOPMENT

1. Municipal Development Plan Review
-

D. PUBLIC WORKS INFRASTRUCTURE






CLOSED Session – * For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act.

1. DRAFT Community Broadband Opportunity Review *FOIP s.16 – Disclosure Harmful to Business Interests of a Third Party and s. 24 Advice from Officials*
-

E. ADJOURNMENT



COUNCIL STRATEGIC PLANNING COMMITTEE AGENDA ITEM

SUBJECT: Municipal Development Plan Review		
PRESENTATION DATE: April 15, 2019		
DEPARTMENT: Planning & Development	WRITTEN BY: Keith McCrae	REVIEWED BY: Rick Emmons
BUDGET CONSIDERATIONS: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation		
LEGISLATIVE DIRECTION: <input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation (cite) <input checked="" type="checkbox"/> County Bylaw or Policy (cite) MGA, Clearwater County MDP		
COMMUNITY BUILDING PILLAR (check all that apply):		
<input type="checkbox"/>  Economic Prosperity <input checked="" type="checkbox"/>  Governance Leadership <input type="checkbox"/>  Fiscal Responsibilities <input checked="" type="checkbox"/>  Environmental Stewardship <input type="checkbox"/>  Community Social Growth		
ATTACHMENT(S): Clearwater County Public Participation Policy & Appendix Template		

STAFF RECOMMENDATION:

That the Committee discuss whether to proceed with an amendment to the Municipal Development Plan (MDP) that would allow for “second parcel out” residential subdivisions.

BACKGROUND:

Administration has been asked to provide information to Council, for discussion purposes, as to what would be involved in amending the current Municipal Development Plan (MDP) to allow for the creation of “second parcel out” residential subdivisions in the County. As Council is aware, a full review of the MDP is on the horizon with budgeting in place to begin the project in 2020.

Our current MDP states “the Council of Clearwater County may initiate an amendment of the MDP” and that “when considering an amendment to the MDP, Clearwater County shall refer the amending bylaw to any adjoining municipality, school authority, provincial department and agency, and any other persons or agencies the County feels the amendment affects”.

The Municipal Government Act (MGA) sets out a minimum process for amending a statutory plan such as an MDP. This would require first reading of the proposed amending bylaw after which “a Council must hold a public hearing with respect to the proposed bylaw in accordance with section 230 after giving notice of it in accordance with section 606”.

Prior to giving first reading to an amending bylaw, Council may wish to consider having a workshop at the beginning of the amendment process in order to decide on the exact nature of the amendment and its wording. The Public Hearing would be Council's opportunity to hear comments or concerns from affected persons or parties. Upon consideration of the representations made at the Public Hearing, Council would consider granting second and third reading. This is a process that likely could be carried out in three months.

Some of the potential challenges with an amendment such as this now, as opposed to waiting for a full review of the MDP, may be:

- questions as to why this particular issue is being given priority over other MDP policy issues that need to be addressed such as; multi-lot residential subdivision, isolated industrial parcels, affordable housing, and small agricultural holding parcels or 80 acre splits.
- questions as to how this amendment fits within the current MDP's direction to "*conserve agricultural land*"
- the potential to be dragged into a process we are not really prepared for
- questions as to why we are not waiting for a full review of the MDP where the proposed amendments can be considered in context with the full policy document
- criticism that we are not giving this proposed amendment the public participation component or transparency that it deserves.

For Council's information on the background, the process used to prepare our current MDP (a full review) was divided into four phases:

Phase One – Issue Identification and Visioning

This included the review of background information on the County relevant to the preparation of the Municipal Development Plan, consulting key stakeholders on the nature of community development issues, community visioning workshops and the evaluation of public questionnaires. Reflecting the importance of community involvement in the planning process, in November 2008 six planning visioning workshops were held in Leslieville, Rocky Mountain House, Hardindell, Caroline, Evergreen, and Dovercourt, with a total of 205 attendees. At each workshop the attendees were randomly assigned to different groups to discuss the County's key characteristics and attributes, significant land uses and importance of the environment, economic development and infrastructure. A series of related questions asked participants to identify the key features and attributes of Clearwater County that should be maintained for the quality of life of residents 25 – 30 years into the future. Residents were also given questionnaires that allowed the deeper examination of particular planning issues. The 78 completed questionnaires greatly helped formulate planning goals and strategies.

The planning team reviewed with Council the Community Input Report summarized by thirty key planning considerations important to the residents of the County as the community evolves.

Phase Two – Plan Strategies

This phase focused on the preparation of a draft community vision, draft guiding principles and draft strategies to address the series of land use and community development topics likely to be contained in the Municipal Development Plan (2010). The draft strategies, including options, were outlined in a Draft Strategies Report. Five community meetings were held in Leslieville,

Rocky Mountain House, Caroline, Evergreen and Hardindell to give the public an opportunity to provide feedback on the draft planning vision, goals, and strategies, with 77 residents attending these meetings. A second public questionnaire was included in this phase and provided to meeting attendees and posted on the County's website. A Total of 52 responses were received, which helped identify the preferred strategies. A Strategies Response Report summarized the input received from discussions and returned questionnaires. In a follow-up meeting with Council the responses helped to outline a preferred land use strategy for the County.

Phase Three – Policy Development and Public Consultation

Based on the community input in Phase 2 a preliminary draft of the Plan was created and reviewed with Council and administration. The draft vision, guiding principles, goals and policies were reviewed and revised resulting in the preparation of a Preliminary (draft) Municipal Development Plan (2010) for review of the public and their feedback.

This phase of the public participation process involved presenting an overview of the preliminary Municipal Development Plan (2010) to the public at three open houses, held in Leslieville, Rocky Mountain House and Caroline. Total public attendance at these meetings was 68 persons.

Following the afternoon open house the planning team conducted a more formal presentation summarizing the key policy directives of the draft plan. The presentation was followed by a question and answer period allowing members of the public to ask more specific questions of the planning team related to specific sections of the Plan. This process was repeated with an evening open house followed by an evening presentation to allow for a wider segment of the population to attend the meetings. At each of the meetings participants were encouraged to provide their feedback on response forms. Another informal meeting, called by local residents, was held at Hardindell. A total of 134 response (comment) sheets were received and summarized.

Council reviewed the draft planning directions contained in the preliminary plan in the context of the public comments and suggestions received at these meetings. As a result of the review, Council requested that a number of changes be made to the draft plan, especially the policy directions related to rural residential development. Council also added another round of public meetings to the planning process.

The additional public meetings were held in Caroline and Rocky Mountain House in mid-September 2009. The intent of the community meetings was to provide the public with a broad overview of the contents of the revised draft Municipal Development Plan (2010), but also to focus on revisions to Section 6 of the MDP relating to rural residential subdivisions. At the Caroline meeting there were 43 attendees, then 90 attendees at the Rocky Mountain House meeting. In addition to the comments and suggestions made at these meetings, there were also 47 written responses. Following these meetings, Council reviewed the revised draft plan in the context of the public input and requested that a variety of changes be made to the draft plan.

Another round of three community meetings was held in March 2010, in Leslieville, Caroline and Rocky Mountain House. The primary purpose of these meetings was to introduce and receive feedback on potential changes to the draft rural residential polices. Ninety-one (91) community members attended these meetings and 34 response sheets were received. Council reviewed the Community Response Report (March 2010) and considered the responses in directing further changes to the draft Municipal Development Plan.

Phase Four – Plan Adoption

In April 2010 Council gave first reading of Bylaw No. 923/10 to adopt the Clearwater County Municipal Development Plan (2010).

Following referrals of the proposed Municipal Development Plan (2010) and notifications of the public hearing, pursuant to the *Municipal Government Act*, in June 2010 a public hearing was held on the proposed Municipal Development Plan (2010). In July the Council of Clearwater County passed the second and third reading of Bylaw No. 923/10, thus establishing the Municipal Development Plan (2010) as the new municipal development plan for Clearwater County.

For information purposes I have also attached a copy of the County's Public Participation Policy & Appendix Template.



**CLEARWATER COUNTY
Public Participation Policy**

EFFECTIVE DATE:	May 22, 2018
SECTION:	Governance/Administration
PURPOSE:	In accordance with section 216.1 of the <i>Municipal Government Act</i> , this Public Participation Policy has been developed to recognize the value of public engagement and to create opportunities for people affected by a decision to be involved, in an effort to help inform the overall decision-making process, while also considering the need to govern in an efficient manner.
POLICY STATEMENT:	<p>Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:</p> <ol style="list-style-type: none"> 1) Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision; 2) Promoting sustainable decisions by recognizing various Municipal Stakeholder interests; 3) Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and, 4) Recognizing that although Councillors are elected to consider and promote the welfare and interest of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision-making process.
DEFINITIONS:	<p>“CAO” means the Chief Administrative Officer of the Municipality or their delegate.</p> <p>“Municipal Stakeholders” means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.</p> <p>“Municipality” means Clearwater County.</p> <p>“Public Participation” or public engagement includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and/or provide input to the Municipality.</p>

**This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act* and is subject to any specific provision of the *MGA* or other relevant legislation.



CLEARWATER COUNTY Public Participation Policy

<p>DEFINITIONS:</p>	<p>“Public Participation Plan” means a plan which identifies which Public Participation Tools to be used to obtain public input in a particular circumstance.</p> <p>“Public Participation Tools” means the tools that may be used, alone or in combination, to create Public Participation opportunities including, but not limited to:</p> <ul style="list-style-type: none"> i. in-person participation which may include at-the-counter interactions, door-knocking, interviews, meetings, round-tables, town halls, open houses and workshops; ii. digital participation which may include online workbooks, chat groups, webinars, message boards/discussion forums, and online polls or surveys; iii. written participation which may include written submissions, email, and mail-in surveys, polls and workbooks; and, iv. representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.
<p>PRINCIPLES:</p>	<p>(1) Authentic Intent: A primary purpose of public engagement is to generate perspectives to help shape municipal action or policy.</p> <p>(2) Shared Responsibility: Public participation allows for informed decision-making and is a shared responsibility of Council/Administration (to provide opportunities) and Municipal Stakeholders (to educate themselves and contribute).</p> <p>(3) Transparent and Accountable: The County communicates how Municipal Stakeholder input affects the decision-making process and provides updates as to outcomes/decisions.</p> <p>(4) Inclusive and Accessible: Provides Municipal Stakeholders with the information they need to participate in safe and deliberate exchanges, demonstrating respect for and encouraging discussion about others’ opinions and beliefs.</p> <p>(5) Continual Improvement: Public participation is dynamic and requires ongoing evaluation and adjustment to continuously improve and address the changing needs of the Municipal Stakeholders.</p>

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**CLEARWATER COUNTY
Public Participation Policy**

<p>RESPONSIBILITIES:</p>	<p>(1) Council Responsibilities</p> <p>(a) Council shall:</p> <ul style="list-style-type: none"> i. Review this Policy at least once every four years to ensure compliance with all relevant legislation, municipal policies and the spirit and intent of Public Participation; ii. Promote and support Public Participation and consider input obtained through Public Participation; and, iii. Ensure appropriate resources are available to solicit Public Participation in accordance with this Policy. <p>(2) Administration Responsibilities</p> <p>(a) CAO shall:</p> <ul style="list-style-type: none"> i. In accordance with this Policy or as directed by Council, develop Public Participation Plans; ii. Assess this Policy and make recommendations to Council about Public Participation Plans and resourcing; iii. Communicate to Council and the public, when appropriate, the effectiveness of a Public Participation Plan and the Public Participation Tools used; iv. Report the findings of the Public Participation to Council; and, v. Evaluate effectiveness of the Public Participation Plan and the Public Participation Tools used in a particular circumstance.
<p>PUBLIC PARTICIPATION OPPORTUNITIES:</p>	<p>(1) When to Implement</p> <p>a) The CAO shall develop and implement a Public Participation Plan (see Appendix A plan template) under the following circumstances:</p> <ul style="list-style-type: none"> i. When gathering input or formulating recommendations with respect to the Municipality’s budget and/or capital plans; ii. When gathering input or formulating recommendations with respect to the Municipality’s strategic plans or business plans; iii. As otherwise directed by Council.

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**CLEARWATER COUNTY
Public Participation Policy**

<p>POLICY EXPECTATIONS:</p>	<p>1) Legislative and Policy Implications</p> <p>(a) All Public Participation will be undertaken in accordance with the <i>Municipal Government Act</i>, the <i>Freedom of Information and Protection of Privacy Act</i> and any other applicable legislation.</p> <p>(b) All Public Participation will be undertaken in accordance with all existing municipal policies.</p> <p>(c) This Policy shall be available for public inspection and may be posted to the Municipality’s website.</p> <p>(d) This Policy will be reviewed by Council at least once every four years.</p> <p>2) Public Participation Standards</p> <p>(a) Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility.</p> <p>(b) Public Participation activities will be conducted in a professional and respectful manner.</p> <p>(c) Public Participation plans will consider early, ongoing and diverse opportunities to provide input.</p> <p>(d) Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities.</p> <p>(e) The results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.</p>
<p>PUBLIC PARTICIPATION PLANS:</p>	<p>1) Plan Development</p> <p>(a) When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan (see Appendix A plan template) which shall consider the following:</p> <ul style="list-style-type: none"> i. The nature of the matter for which Public Participation is being sought; ii. The impact of the matter on Municipal Stakeholders; iii. The demographics of potential Municipal Stakeholders in respect of which Public Participation Tools to utilize, level of engagement and time for input;

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CLEARWATER COUNTY Public Participation Policy

<p>PUBLIC PARTICIPATION PLANS:</p>	<ul style="list-style-type: none">iv. The timing of the decision and time required to gather input;v. What information is required, if any, to participate; andvi. Available resources and reasonable costs. <p>(b) Public Participation Plans will, at minimum, include the following:</p> <ul style="list-style-type: none">i. A communication plan to inform the public about the Public Participation plan and opportunities to provide input;ii. Identification of which Public Participation Tools will be utilized;iii. Timelines for participation;iv. Information about how input will be used;v. The location of information required, if any, to inform the specific Public Participation. <p>2) Reporting and Evaluation</p> <p>a. Information obtained in Public Participation will be reviewed by CAO and a report shall be provided to Council.</p> <ul style="list-style-type: none">i. Digital copies of original submitted feedback forms will be provided to Council as a whole, in confidence, as requested. <p>b. The report shall include, at minimum, the following:</p> <ul style="list-style-type: none">i. An overview of the Public Participation Plan and how it was developed;ii. An assessment of the effectiveness of the plan based on the level of engagement and the quality of input;iii. A summary of the input obtained; and,iv. May include recommendations for future Public Participation Plans.
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PROJECT NAME:

PROJECT DESCRIPTION:

ENGAGEMENT PURPOSE/OBJECTIVES:

PROJECT BACKGROUND:



RELATED ISSUES/DECISIONS:

MUNICIPAL STAKEHOLDERS AND IMPACT:

SCOPE OF PUBLIC PARTICIPATION:

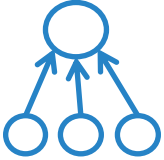
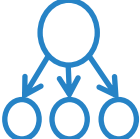
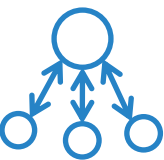
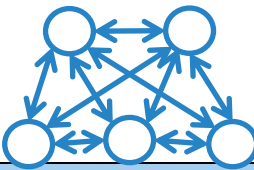
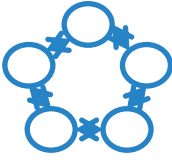
TIMEFRAME/BUDGET:

EVALUATION:



CLEARWATER COUNTY Public Participation Policy

APPENDIX B IAP2 Spectrum of Participation

Type of Engagement				
INFORM 	CONSULT 	INVOLVE 	COLLABORATE 	EMPOWER 
Engagement Goal				
<p>To provide stakeholders and the public with balanced and objective information to assist them in understanding the problems, alternatives and/ solutions.</p>	<p>To obtain stakeholder and public feedback on analysis, alternatives and or/ decisions</p>	<p>To obtain stakeholder and public feedback on analysis, alternatives and or/ decisions</p>	<p>To obtain stakeholder and public feedback on analysis, alternatives and or/ decisions</p>	<p>To obtain stakeholder and public feedback on analysis, alternatives and or/ decisions</p>
Promise to Stakeholders				
<p>We will keep you informed.</p>	<p>We will keep you informed, listen and acknowledge concerns and provide feedback on how public input influenced the decision.</p>	<p>We will work with you to ensure your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how your input influenced the decision.</p>	<p>We will work together, seek your advice and innovation in formulating solutions and we will incorporate your advice and recommendations into the decision to the maximum extent possible.</p>	<p>We will implement what you decide.</p>
Engagement Tools				
<ul style="list-style-type: none"> • Fact sheets • Web sites • Open Houses • Media • Face-to-face meetings • Reports 	<ul style="list-style-type: none"> • Focus groups • Surveys • Feedback forms • Online and personal comments • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberate polling 	<ul style="list-style-type: none"> • Citizen advisory committees • Consensus-building • Participatory decision-making • Workshops (World Café, etc.) 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Plebiscites • Delegated decisions

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**APPENDIX A
Public Participation Plan TEMPLATE**

PROJECT NAME:

PROJECT DESCRIPTION:

ENGAGEMENT PURPOSE/OBJECTIVES:

PROJECT BACKGROUND:



RELATED ISSUES/DECISIONS:

MUNICIPAL STAKEHOLDERS AND IMPACT:

SCOPE OF PUBLIC PARTICIPATION:

TIMEFRAME/BUDGET:

EVALUATION: