

BYLAW NO. 2018-05

A BYLAW OF THE VILLAGE OF ELNORA, IN THE PROVINCE OF ALBERTA, TO ADOPT THE VILLAGE OF ELNORA AND RED DEER COUNTY INTERMUNICIPAL DEVELOPMENT PLAN 2018.

Pursuant to the authority conferred upon it by the Municipal Government Act, the Council of the Village of Elnora hereby enacts that **Bylaw No. 2018-05** be adopted as the **Village of Elnora and Red Deer County Intermunicipal Development Plan 2018** as attached hereto and marked as Schedule "A" to this bylaw.

FIRST READING: October 9, 2018
SECOND READING: November 27, 2018
THIRD READING: November 27, 2018



MAYOR

Date Signed: *November 28th, 2018*



Chief Administrative Officer

Date Signed: *NOVEMBER 28, 2018*

Intermunicipal Development Plan 2018

Village of Elnora &
Red Deer County

Red Deer County Planning &
Development Services

Village of Elnora Bylaw No. 2018 - 05
Red Deer County Bylaw No. 2018 / 34

Adopted: NOVEMBER 27, 2018



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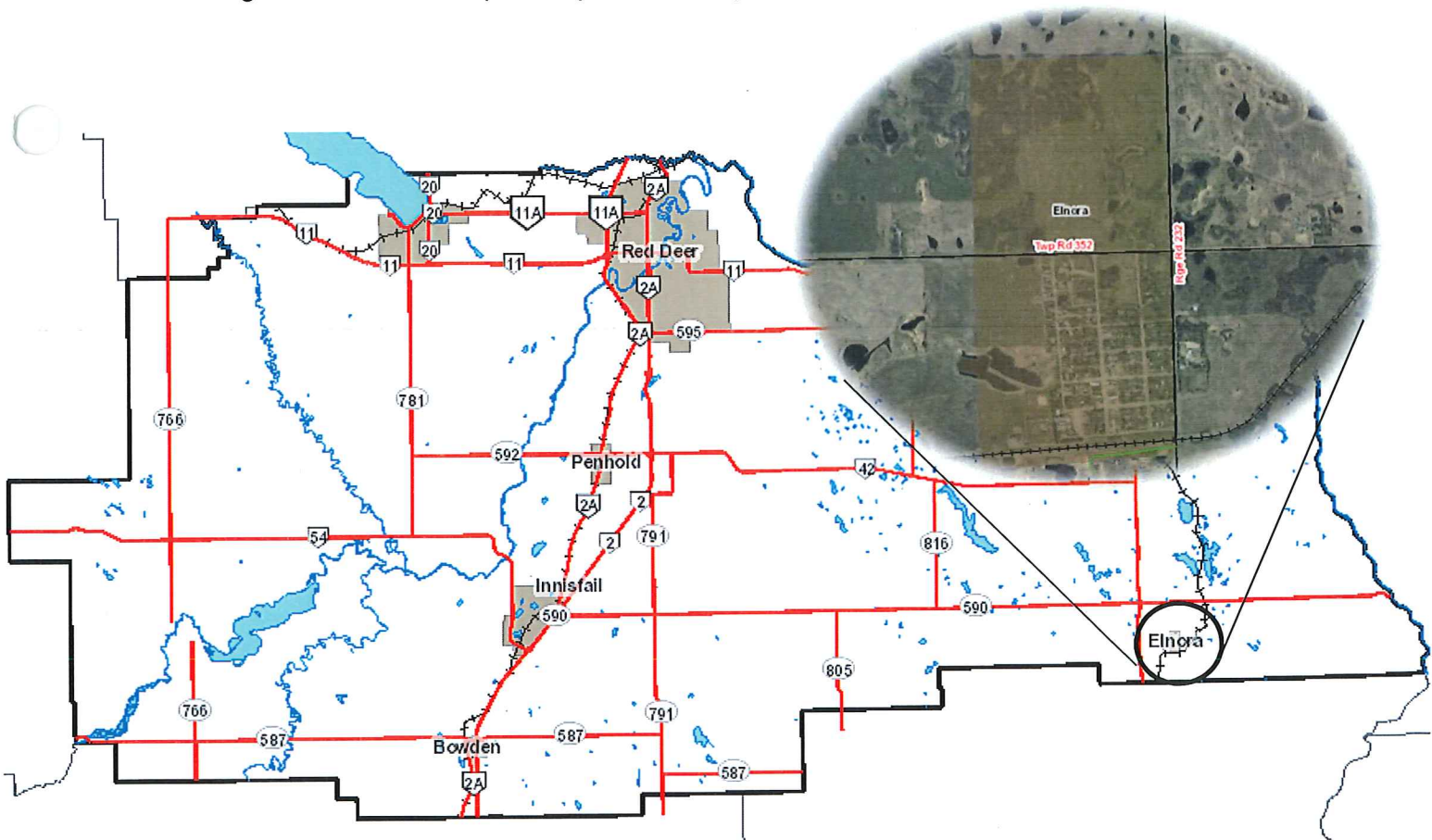
1.0 INTRODUCTION

The Village of Elnora and Red Deer County have agreed, in the spirit of collaboration, to create an Intermunicipal Development Plan (IDP). The primary purpose of the IDP is to foster cooperation, coordination, and communication between the two municipalities on matters of mutual interest and to establish policy direction and processes to address intermunicipal issues that may arise within the IDP area.

The IDP is also required to complete the Provincially mandated *Intermunicipal Collaboration Framework (ICF)* between the County and the Village. The modernized Municipal Government Act requires all municipalities that share a common boundary to develop and adopt an ICF. In order for an ICF to be deemed complete, however, it must include an IDP that has been developed in accordance with the requirements of the Act and adopted by both municipalities. The intent of which is to encourage municipalities that share boundaries to collaborate with each other and share services where possible in an effort to increase cooperation, reduce duplication and reduce costs which in turn is a major benefit for both municipalities.

1.1 Context

The Village of Elnora is located approximately 75 km south east of the City of Red Deer, 50 km east of Innisfail and 18 km north of the Town of Trochu. Highway 21, the main highway access to Elnora, is located just west of the Village. The Village of Elnora is one of Red Deer County's urban neighbours to the east (see Map 1- Location).



Map 1 - Location

1.2 Enabling Legislation

This Intermunicipal Development Plan was prepared pursuant to Section 631 of the *Act*, Municipal Government Act, RSA 2000 Chapter M-26, as amended, which states that:

(2) An intermunicipal development plan

(a) must address:

- (i) the future land use within the area,
- (ii) the manner of and the proposals for future development in the area
- (iii) the provision of transportation systems for the area, either generally or specifically,
- (iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,
- (v) environmental matters within the area, either generally or specifically and
- (vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan.

If in the event that there is a conflict between the Intermunicipal Development Plan and the Municipal Development Plan (MDP) of either of the two municipalities the policies of the IDP take precedence over the policies of the respective MDPs.

1.3 Plan Goals

The general goals of the IDP are as follows:

1. To enhance the quality of life of residents;
2. To identify the Intermunicipal Development Plan boundary for which the policies will apply;
3. To provide a forum where mutual interest of municipalities with regards to development may be discussed;
4. To have a predictable and transparent process with regards to land development;
5. To minimize or avoid potential land use conflict;
6. To establish a conflict resolution process; and
7. To meet the legislative requirement of the Municipal Government Act (MGA)

1.4 Plan Area

The IDP policies within this document apply only to those lands within the defined Plan Area (see Map 2) excluding the Village of Elnora. The IDP Plan Area is bounded by one quarter section, at a distance of approximately 800 m, surrounding the Village. Range Road 233 forms the western boundary while north, south and east boundaries are formed by the quarter section property lines. Township Road 352, the main access into the Village bisects the Plan area in half. Township Road 352 is accessed from Highway 21 west of the Village.

The Plan Area encompasses approximately ten (10) quarter sections equivalent to 647.5 hectares (1,600 acres). There are several features of the Plan Area both the physical environment and manmade will be discussed in turn to understand the limitations or constraints of the area to inform the appropriate policies suited for both the County and the Village.



LEGEND

- - - PLAN AREA
- VILLAGE OF ELNORA BOUNDARY

MAP 2. PLAN AREA
VILLAGE OF ELNORA & RED DEER COUNTY
INTERMUNICIPAL DEVELOPMENT PLAN

1.5 Physical Features

There are a number of natural and manmade features within the IDP area that have been identified that should be protected, conserved or considered when contemplating future growth and development within the area. These features include the following:

Natural Landscapes

Parts of the northern portion of the IDP Plan area are located within an environmentally significant area (ESA) as identified within the County's Municipal Development Plan and the Red Deer County's Environmentally Significant Areas Inventory (2011). The Willow Lake ESA covers approximately 3,953 hectares and is characterized as having rolling, undulating topography dominated by aspen parkland, includes three large lakes and a diversity of wetlands (see Appendix). The portion within the Plan Area contains many of these characteristics and should be protected and remain undeveloped if at all possible.

Railway

The CN railway right of way cuts through the Plan area, splitting the NW 11-35-23-W4M quarter section diagonally from the northeast to the southwest. It continues along the south boundary of the Village and then along the north boundary of SW 10-35-23-W4M through Range Road 233 (see map 3).

Train movements in Elnora averages four to five freight trains within a 24 hour period which may vary, depending on CN's customer demand.

Provincial Lands

The W ½ of Section 11-35-23-W4M is owned by the Alberta government; therefore, controlled by the Province. Development in this half section would be determined by the Province. Sharing of information between the provincial government, the County and the Village is desirable in this case prior to any changes in land use or development.

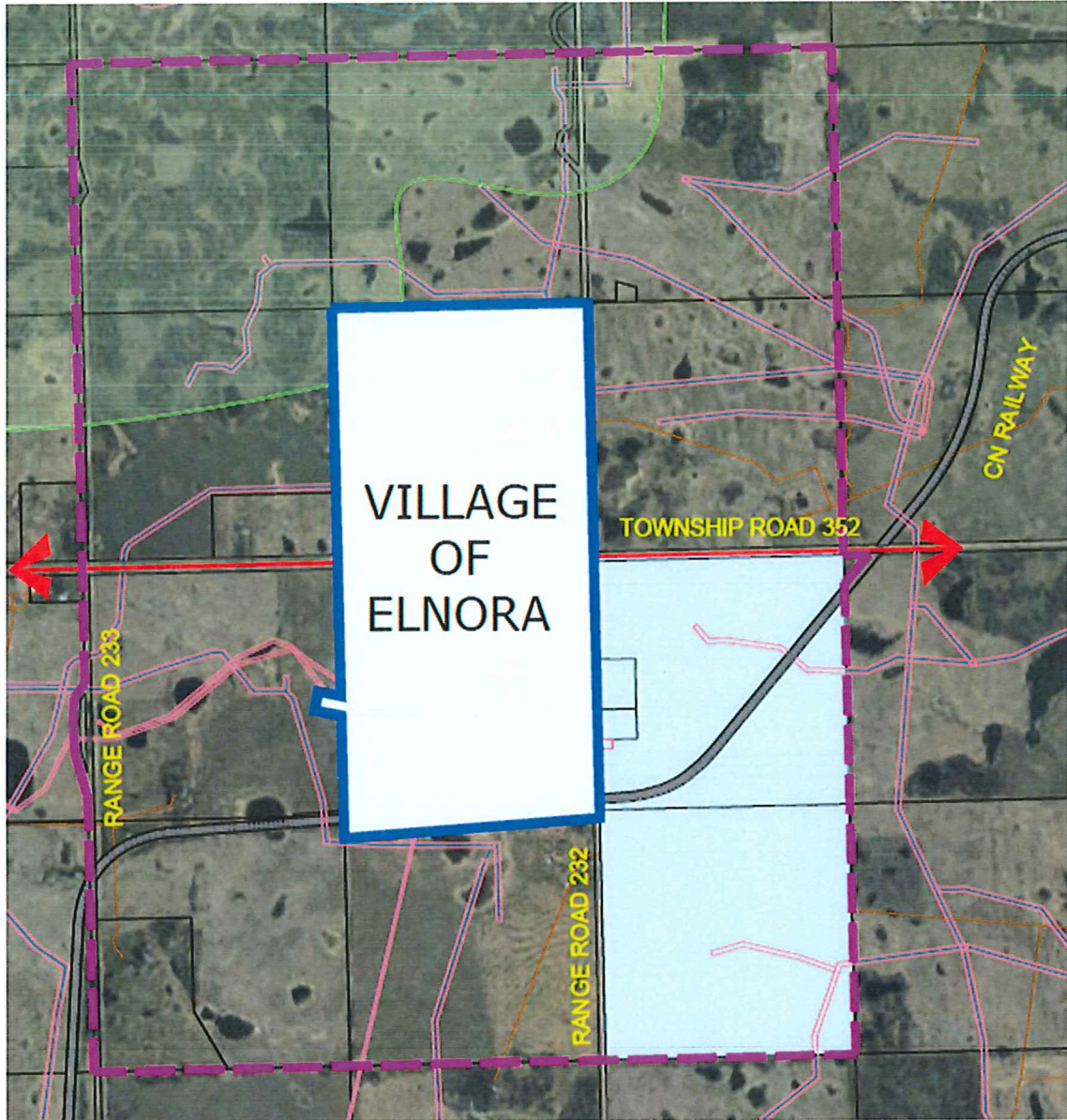
Oil and Gas Pipelines & Facilities

There are several pipelines and facilities that exist within the IDP Plan area as shown on Map 3. Provincial regulations apply regarding development setbacks to these pipelines and facilities; therefore, planned subdivision and/or development would have to take these into account at the initial planning stage.

Setback distances from oil and gas wells are set at 100 m by the Province through the Subdivision and Development Regulation. There are no wells within the Plan area; however, there are several pipelines which may have an impact on future development.

Lagoon

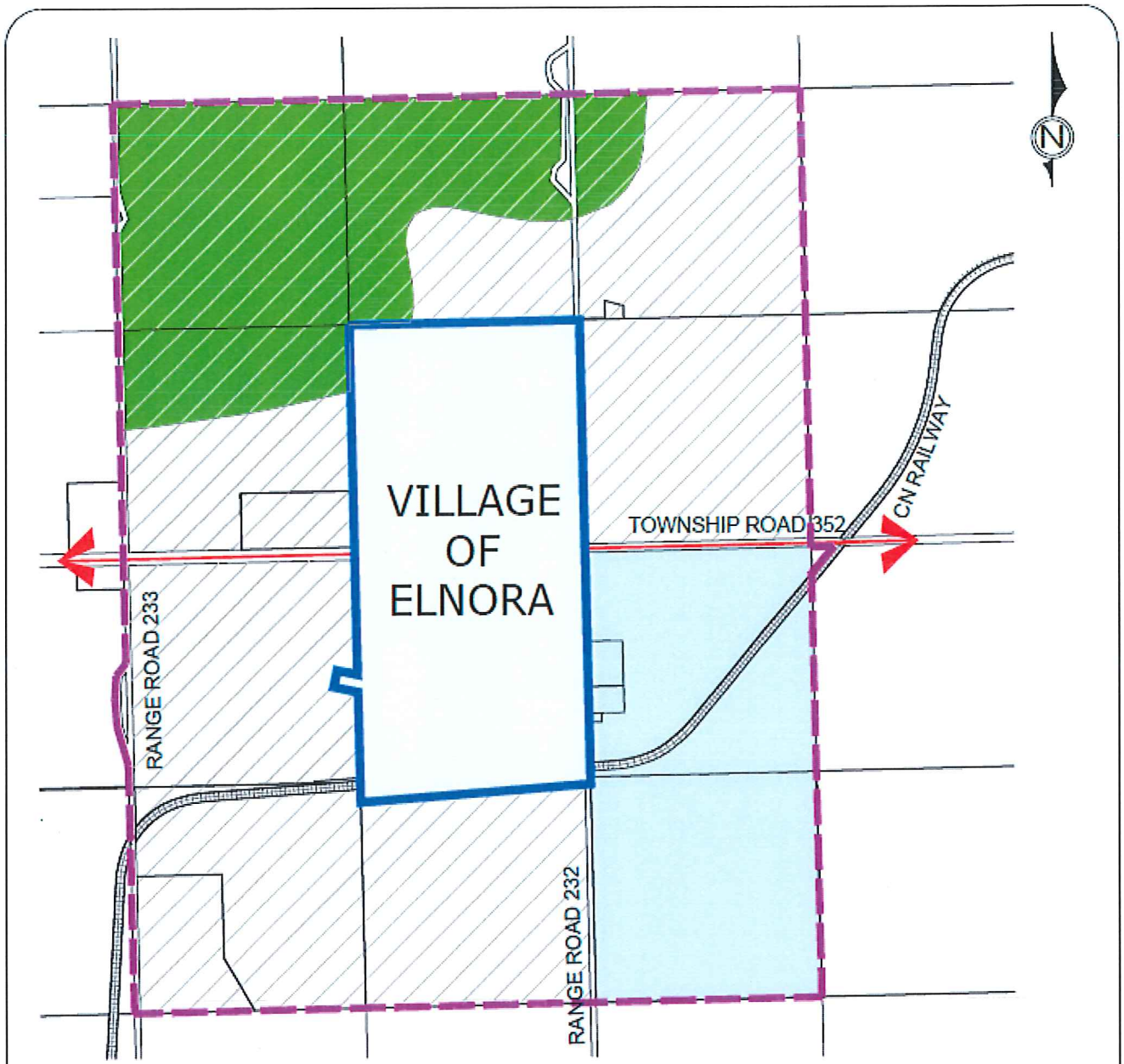
The Elnora sewage lagoon is located approximately 1.6 km (1 mile) west of the Village. Provincial Regulations require a 300 meter minimum distance setback from the lagoon to residential subdivisions, schools, hospitals, or food establishments.



LEGEND

- PLAN AREA
- VILLAGE OF ELNORA BOUNDARY
- RAILWAY
- TOWNSHIP ROAD 352
- LOW PRESSURE GAS PIPELINE
- PIPELINES RIGHTS-OF-WAY
- ENVIRONMENTALLY SIGNIFICANT AREA
- NATURAL GAS PIPELINE
- CROWN LAND

**MAP 3. EXISTING FEATURES
VILLAGE OF ELNORA & RED DEER COUNTY
INTERMUNICIPAL DEVELOPMENT PLAN**



LEGEND

- PLAN AREA
- VILLAGE OF ELNORA BOUNDARY
- RAILWAY
- TOWNSHIP ROAD 352

POLICY AREA

- ENVIRONMENTALLY SIGNIFICANT AREA
- AGRICULTURE/RURAL AREA
- CROWN LAND AREA

**MAP 4. LAND USE CONCEPT
VILLAGE OF ELNORA & RED DEER COUNTY
INTERMUNICIPAL DEVELOPMENT PLAN**

2.0 FUTURE LAND USE CONCEPT

The Land Use Concept map is shown on the previous page (Map 4). The Land Use Concept identifies three major land use policy areas which include the Environmentally Significant Area, Crown Land, and the Agriculture/Rural Area.

Environmentally Significant Area

The Environmentally Significant Area represents those lands that are identified as Environmental Significant Area in accordance with the Red Deer County Municipal Development Plan. As a result, activities within this Area beyond normal agricultural activities will be carefully considered and may require additional review so as to ensure this area is not negatively impacted by future developments.

Agriculture/Rural Area

The Agriculture/Rural Area represents a largest portion of the Plan Area. The intent of this Area is to recognize and protect the diversity of the existing rural landscape which contains a variety of agricultural uses, including residences and a variety of small scale commercial/industrial uses. The IDP defers to the County's Municipal Development Plan and the direction it provides for future development within this area.

Crown Land Area

The Crown Land Area represents those lands that are currently owned by the Province of Alberta. As result, neither the Village of Elnora nor Red Deer County have the power to dictate land use within these lands. It is, however, important that the IDP recognize these lands as they may have an impact on future development within the area.

2.1 Plan Policies

With respect to the policy direction provided by this Plan, readers should consider all policies in context of the entire document. A number of the policies are intended to work together toward achieving the full essence of the land use planning framework that has been agreed upon by the two municipalities.

The planning hierarchy is defined within the *Act* and is therefore recognized within this Plan. The policy statement below ensures that there is clarity which plan takes precedence:

- 2.1.1 The policies of this Intermunicipal Development Plan (IDP) shall prevail in the event that there is a conflict or inconsistency with lower level plans (i.e. municipal development plan, area structure plan, or area redevelopment plan) only to the extent of the conflict or inconsistency.

3.0 GROWTH MANAGEMENT

Goals

- To direct future growth within the IDP in a manner that is compatible with the urban and rural character of the area.
- To encourage economic development while minimizing any potential for social and/or environmental impacts.

Objectives

- To manage future growth and development in a responsible, orderly and cost effective manner through the necessary degree of land use control.
- To identify and recognize the potential impacts of growth and development on the Plan area.
- To promote an equitable distribution of indirect cost and benefit of growth between the two municipalities.

Policies

- 3.1.1 The policies of this Plan apply only to the lands located within the Intermunicipal Development Plan Boundary as indicated on Map 4.
- 3.1.2 The appendix of this Plan is for information only; thus, is not subject to any amendments. The appendix may also be replaced without amending this Plan in order to keep it current.
- 3.1.3 First parcel out subdivision on unsubdivided quarter section may be allowed in accordance with the County's Municipal Development Plan.
- 3.1.4 Neither the Village nor the County shall support any new Confined Feeding Operations requiring Natural Resource Conservation Board (NRCB) approvals.
- 3.1.5 A minimum distance setback of 30m from the top of bank of a water body shall be required for any development near wetlands to protect riparian area.
- 3.1.6 Future land use planning or development adjacent to the railway right-of-way shall have regard to the policies and setbacks in the "Guidelines for New Development in Proximity to Railway Operations" developed by the Federation of Canadian Municipalities and the Railway Association of Canada.
- 3.1.7 Any proposed multi-lot subdivision shall not be considered and shall be directed to locate within the Village boundaries where there is existing infrastructure to service this type of development.
- 3.1.8 Developers shall obtain all necessary permits from the applicable Provincial body responsible for the environment and / or water, as part of their development application submission to the respective municipality having jurisdiction.

4.0 CROWN LAND AREA

Goal

- To recognize the Provincial Authority and its jurisdiction over its own land

Objective

- To ensure open communication between the two levels of government with respect to land development

4.1.1 The Village and the County shall refer plans for development and or improvements that may affect the Crown Land to the Provincial body responsible for the lands identified on Map 4 as Crown Land.

4.1.2 Pursuant to section 618 (2) (b) of the *Act*, this Intermunicipal Development Plan does not apply to Crown owned lands. However, the County and the Village would encourage information to be shared by the Crown if and when development is to take place on Crown land.

5.0 AGRICULTURE/RURAL AREA

Goal

- To ensure agriculture within the Plan area remains sustainable and diversified.

Objectives

- To allow agricultural lands to continue to be used for a variety of agricultural pursuits.
- To discourage the conversion of agricultural land to non-agricultural use.
- To minimize the impact of urban expansion on agricultural land.

Policies

5.1.1 Existing agricultural areas located within the Agriculture/Rural Policy Area shown on Map 4 shall be allowed to continue to be used for agricultural activities over the long-term and subdivision for non-agricultural purposes shall be discouraged.

5.1.2 Subdivision of first-parcel out farmsteads or fragmented parcel may be considered in the Agriculture/Rural Area in accordance with the County Municipal Development Plan.

5.1.3 The subdivision or redistricting of lands for non-agricultural purposes shall be discouraged within the Agriculture/Rural Area.

6.0 ENVIRONMENTALLY SIGNIFICANT AREA

Goal

- To ensure/promote the integrity of environmental and ecological features remain intact for future generation.

Objective

- To protect/conservate known areas of environmental significance.
- To minimize negative impact of development on known areas of environmental significance.

Policies

- 6.1.1 Existing agricultural areas located within the Environmentally Significant Area shown on Map 4 shall be allowed to continue to be used for agricultural activities over the long-term.
- 6.1.2 An environmental impact assessment shall be required for any development proposal of a non-agricultural use within the Environmentally Significant Area in accordance with County policies and regulations.
- 6.1.3 Any development that has the potential to degrade or of detrimental effects to the existing environmental and/or ecological function of the area shall be discouraged, unless the developer proves out zero net loss of this function as per provincial *Wetland Policy*.
- 6.1.4 Development that is deemed acceptable within the Environmental Significant Area shall be required to adhere to the requirements of County policies and/or Land Use Bylaw.

7.0 ECONOMIC DEVELOPMENT

Goal

- To promote a sustainable economy that will create employment opportunities and support community growth within the Plan area.

Objectives

- To remain open to appropriate economic opportunity to diversify the rural economy

Policies

- 7.1.1 Both municipalities shall work together to ensure a strong, stable and diversified local economy within the broader regional and local economies.
- 7.1.2 The Village or the County may encourage and attract agriculture and value-added agricultural activity.
- 7.1.3 If opportunities arise, the Village and County may pursue joint economic development that is mutually beneficial to both municipalities.

8.0 PUBLIC & INSTITUTIONAL USES

Goal

- To ensure locations are available to provide public and institutional services to Plan area residents.

Objective

- To accommodate public and institutional uses which serve the Plan area and surrounding population
- To provide for essential public and private utility services

Policies

- 8.1.1 Any proposed public and/or institutional uses commonly considered compatible with and complementary to residential uses shall be directed to lands within the Village.
- 8.1.2 Notwithstanding Policy 8.1.1, public and/or institutional uses on Crown land is exempt from the policies of the IDP, pursuant to Section 618 (2) (b) of the *Act* otherwise indicated elsewhere.

9.0 RECREATION AND COMMUNITY SERVICES

Goal

- To promote a variety of recreation and community services which contribute to community wellbeing for residents in the Elnora area.

Objective

- To continue cooperation between municipalities in delivering recreation and community services

Policies

- 9.1.1 The Village and the County shall share their plans for priorities and timing of investment in recreation facilities.
- 9.1.2 The Village and the County shall explore ways of providing services to area residents in a cost effective manner reflecting the desired level of service within parts or all of the Plan area (these services may include fire protection, animal control, community facilities, etc.).
- 9.1.3 If there is an opportunity for a connected walking / nature trail among stakeholders, this shall be planned as a continuous link into the Village of Elnora's as a part of an existing or future planned trail network.

10.0 TRANSPORTATION

Goal

- To promote a coordinated transportation network system that supports the safe and efficient movement of vehicular traffic through the Plan area.

Objectives

- To make use of transportation planning and management that establishes a safe and efficient transportation network system.
- To coordinate transportation planning between the Village and the County.

Policies

- 10.1.1 The Village and the County shall coordinate the planning and construction of major transportation links between the two municipalities.
- 10.1.2 The Village and the County shall share their respective plans, priorities and timing of transportation improvements to ensure road upgrades are coordinated.
- 10.1.3 As subdivision occurs, lands required for future transportation corridors as identified in a transportation plan approved by both municipalities, shall be protected.
- 10.1.4 The right-of-way requirements for roads shall be in accordance with the applicable design standards.

11.0 UTILITIES

Goal

To establish the broad parameters and expectations leading to the effective and cost-efficient provision of municipal utility services capable of supporting future growth and development.

Objectives

- To determine appropriate servicing standards and expectations within the Plan Area.
- To provide for the orderly and cost-effective extension of servicing systems.
- To promote strategies for storm water management reflecting best management practices.

Policies

- 11.1.1 As subdivision and development occurs, lands required for future utility and servicing rights-of-way, as identified through the mutual agreement of the Village and County, or subsequent studies, shall be protected.
- 11.1.2 Natural and man-made drainage courses that are critical to the overall management of storm water within the Plan Area shall be protected by the municipality having jurisdiction. Best management practices, including the integration of existing water bodies and natural areas into storm water management ponds, shall be pursued. The release of storm water run-off from any development area to downstream areas shall be designed and managed in accordance with Provincial requirements.

11.1.3 If the Village's municipal services are extended into the County, development levies or equivalent contributions shall be collected from the benefiting developments so that the cost of these extensions do not directly impact existing residents of the Village or County. The rate structure of the utilities shall also be adjusted to place no additional burden on existing Village and County residents.

12.0 PLAN IMPLEMENTATION AND ADMINISTRATION

Successful implementation of this Plan will depend on an ongoing commitment by the Village and the County to communicate and share information and views on land use planning matters with one another. A clearly established system outlining the expectations and protocols for ongoing referrals, dialogue on planning issues, plan amendments and means of resolving any issues that arise that helps to implement the goals, objectives, and policies of this plan.

12.1 Intermunicipal Planning Committee

Goal

- To facilitate the ongoing sharing of information between the two municipality's elected officials and to provide a forum to review and comment on topics of mutual interest.

Objective

- To establish broad processes and procedures for ongoing Intermunicipal discussions and communication.
- To define the role of the Intermunicipal Committee.

Policies

- 12.1.1 An Intermunicipal Committee (heretofore referred to as the *Committee*) shall be established between the Village of Elnora and Red Deer County.
- 12.1.2 The *Committee* shall include from each municipality, the Mayor, two Councillors, and the Manager.
- 12.1.3 The mandate of the *Committee* may include discussion and consideration of the following:
- a. Making recommendations on Intermunicipal matters to their respective Councils;
 - b. Monitoring the progress of the Plan including overseeing implementation actions;
 - c. Reviewing any proposed annexation;
 - d. Reviewing any proposed amendment to this Plan;
 - e. Serving as an informal review body for any amendment, proposed area structure plan, or applications that may have a significant impact on the Plan area;
 - f. Serving as a forum for discussion on economic development issues within or affecting the Plan area;
 - g. Assisting with the resolution of disputes in accordance with the Plan
- 12.1.4 The *Committee* shall meet every five years upon adoption, or as mutually agreed upon by the members:
- a. to monitor/review the progress of the plan implementation and to discuss matters of mutual interest; and
 - b. to discuss and/or resolve issues that may arise from time to time.

- 12.1.5 The responsibility for providing administrative support to the *Committee* shall alternate between the two municipalities. Administrative support to be provided and procedures to be followed shall include:
- a. The establishment of dates and locations for all meetings, productions of agendas, distribution of pre-meeting information packages, and other matters as deemed necessary;
 - b. Keeping a record of the *Committee* meetings;
 - c. Chairing the meetings on an alternating basis between the Mayors of the two municipalities; and
 - d. Convening meetings as required by the Plan.

12.2 Communication and Referral Process

Goal

- To provide opportunities for each municipality to become informed about and have input on planning and development matters.

Objective

- To maintain open and ongoing dialogue through direct and timely communication and sharing of information.
- To establish processes for referral of plans, amendments, and applications affecting lands of mutual interest.

Policies

- 12.2.1 Each municipality shall share with the other information, data, or studies that may have an impact on the Plan area.
- 12.2.2 Each municipality shall refer to the other any application for development and land use plans as required in accordance with Part 17 of the *Act*.
- 12.2.3 Each municipality shall have at least 30 days to review and comment on the referrals made pursuant to Policy 12.2.2. Upon mutual agreement, an extension of the initial review period may be granted once.
- 12.2.4 Each municipality shall offer comments from the perspective of specific implications that have a high likelihood of impacting their own efforts around land use planning and provision of municipal services and infrastructure.
- 12.2.5 Notwithstanding the above policies where judgment of the municipality having jurisdiction, any proposed plan or application is thought to have potential impacts on or be of interest to the other municipality, the matter shall be referred to the other municipality.

12.3 Issue Identification and Dispute Resolution

Goal

- To create a process that allows for timely resolution on differences of opinion in a manner that is respectful of each municipality's interests and concerns.

Objective

- To establish a procedure for resolving disputes if and when required.
- To clarify items that may constitute a dispute and be subject to the dispute resolution process.

Policies

- 12.3.1 The Village and County agree that Intermunicipal Development Plan dispute shall be restricted to the following:
- a. Disagreement on the interpretation of this Plan; or
 - b. Disagreement on proposed amendment to this Plan; or
 - c. Disagreement on proposed area structure plan, outline plan, or amendments thereto, and land use bylaw amendment.
- 12.3.2 Either party may give written notice to the other identifying the dispute and initiating the dispute resolution process.
- 12.3.3 The dispute resolution process shall commence within 15 days of a municipality receiving written notice, unless both Chief Administrative Officers (CAO) agree otherwise.
- 12.3.4 In the event that the dispute resolution process is initiated, the municipality having authority over the matter being disputed shall not give further approval until the dispute has been resolved or the mediation process has been concluded.
- 12.3.5 In the event that no resolution is reached thru mediation, the Municipality having authority may proceed with the application in accordance with the *Act*. The disputing municipality may then choose to refer the matter for an appeal to the Municipal Government Board (MGB).

Dispute Resolution Process

- 12.3.6 Both municipalities shall follow the dispute resolution process below:
- a. Stage 1 - Administrative Review:
 - (i) The CAOs shall meet to attempt to resolve the dispute;
 - (ii) The CAOs have 30 days of the initial meeting to resolve the dispute;
 - (iii) Failing to come up with a resolution, the dispute shall be referred to the *Committee* by the initiating municipality.

- b. Stage 2 - *Committee* Review:
 - (i) The *Committee* shall convene to consider the matter of dispute and attempt to resolve the dispute;
 - (ii) The *Committee* has 30 days of the initial meeting to resolve the dispute;
 - (iii) Failing to resolve the dispute the matter shall be referred to mediation.
- c. Stage 3 - Mediation:
 - (i) The service of an independent mediator will be retained;
 - (ii) The mediator shall provide a reasonable time to hear the dispute agreeable to both parties;
 - (iii) The mediator shall present a written recommendation to a joint Council meeting.
 - (iv) The cost of mediation shall be shared equally by both municipalities;
- d. Stage 4 – Failing a resolution thru mediation, the matter shall be referred to the MGB per Policy 12.3.5.

12.4 Urban Expansion and Annexation

Goal

- To recognize and accommodate the growth aspirations of the Village in an orderly, economical, and logical manner which discourages loss and premature fragmentation of agricultural land.

Objective

- To establish a process for managing and evaluating annexation proposal.
- To set out the criteria for timely, cooperative, and strategic annexations.
- To identify and protect areas to accommodate future expansion of the Village.
- To promote infill options and intensification of land uses.

Policies

- 12.4.1 The Village shall not pursue annexation of any land it cannot economically and reasonably service through a logical extension of municipal water and sanitary sewer systems.
- 12.4.2 Where annexation is proposed by either municipality, affected landowners shall be notified prior to the general public.
- 12.4.3 Annexation proposal will be reviewed by the *Committee* prior to submission to the respective Councils and Municipal Government Board.
- 12.4.4 At least one joint Council meeting to discuss the rationale for the annexation shall be held prior to submission of the formal Notice of Intent to Annex to the Municipal Government Board.

- 12.4.5 In determining the appropriateness of an annexation proposal the following criteria, among others, shall be taken into account and documented in a supporting report:
- a. Justifiable based on projected growth rates reflecting historical 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 system and ability to expand in order to accommodate demands resulting from annexation including consideration of economies of scale related to the financing of transportation infrastructure;
 - d. Measures to mitigate the impacts of annexation relating to such aspects as change in taxation level, service provisions, and treatment of and continuation of existing, approved uses and development;
 - e. Consistency with adopted statutory plans;
 - f. Logical extension of jurisdictional boundaries including consideration of long term responsibilities for maintenance and service delivery and the establishment of rational planning units; and
 - g. The financial impact on both municipalities and any means of mitigating impacts.

12.5 Area Structure Plans/Outline Plans

Goal

- To provide consistency between this Intermunicipal Development Plan and adopted area structure plans or outline plans.

Objective

- To recognize the land use patterns and policies of existing and adopted area structure plans or outline plans.
- To limit potential conflicts when new area structure plans or outline plans are adopted or existing area structure plans or outline plans are amended.

Policies

- 12.5.1 Consistency with the Village and County Intermunicipal Development Plan shall be maintained as new area structure plans or outline plans are prepared and adopted, or as existing area structure plans or outline plans are amended and/or expanded.
- 12.5.2 Multi-lot subdivision may only be considered where there is an approved area structure plan or outline plan.
- 12.5.3 Any amendment to an existing area structure plan or outline plan shall be consistent with the policies of the IDP.
- 12.5.4 Each municipality's area structure plan or outline plan process within their respective jurisdiction shall be respected. However, consultation with the other municipality shall be part of the process and comments shall be considered in plan preparation within the referral area per policy 12.2.2.

12.6 Intermunicipal Development Plan Implementation

Goal

- To promote the use of Intermunicipal Development Plan implementation of its policies.

Objective

- To implement the Plan through other statutory plans.
- To implement the plan through decision of the subdivision and development authorities.
- To provide for periodic review and plan amendment when deemed necessary.

Interpreting Policies

12.6.1 The Intermunicipal Development Plan contains *shall*, *should*, and *may* policies which are interpreted as follows:

- (i) *shall* policies mean mandatory compliance is required;
- (ii) *should* policies mean compliance in principle is required subject to the discretion of the applicable authority and on a case by case basis; and
- (iii) *may* policies indicate support in principle subject to the applicable authority determining the level of compliance that is required.

Approving Authorities

12.6.2 Where inconsistency with other statutory plans or other planning documents, this Intermunicipal Development Plan policies shall prevail only to the extent of the inconsistency.

12.6.3 The Village shall be responsible for the administration and decisions on all statutory plans, land use bylaws associated and amendments thereto, and subdivision applications falling within the boundaries of the Village.

12.6.4 Red Deer County shall be responsible for administration and decision regarding planning, subdivision, and development application falling within the County's jurisdiction.

Future Plans and Studies

12.6.5 Area structure plans shall be prepared and/or adopted by the municipality having jurisdiction prior to changes in land use designation or subdivision within the Plan area.

12.6.6 The Village and the County may combine resources regarding planning and land use studies of mutual interest and benefit.

Plan Amendments

- 12.6.7 Amendments to this Plan may be proposed by either municipality. Application for amendments by a landowner within the Plan area shall submit the application to the municipality having jurisdiction over the subject land as would be indicated in the certificate of title.
- 12.6.8 Pursuant to the *Act*, an amendment bylaw to the Plan has no effect if not adopted by both municipalities.

Repeal Plan Procedure

- 12.6.9 If one municipality deems this Plan is no longer workable, the municipality may initiate the repeal of the Plan. Repeal of the Plan may be accompanied by one municipality passing a bylaw in accordance with the repeal provisions of the *Act*.
- 12.6.10 Pursuant to Section 708.3 of the *Act* a repeal of this IDP, if adopted, must adopt a new IDP agreed upon by both municipalities concurrently in order for an existing Intermunicipal Collaboration Framework to be complete.
- 12.6.11 The procedure below shall be followed to repeal the Plan:
- a. The repealing municipality shall give the partner municipality written notice of its intention to repeal its bylaw adopting the Intermunicipal Development Plan;
 - b. Within 30 days of the date of written notice forwarded to the partner municipality, an Intermunicipal Planning Committee meeting shall be convened to discuss the nature of the intent to repeal;
 - c. Following the said Meeting, the repealing municipality may either withdraw by submitting a written notice to this effect or proceed with the bylaw repealing process;
 - d. Once the repealing municipality completed and adopted the repealing bylaw, notice shall be given to the partner municipality. Upon receipt of the notice the partner municipality shall proceed to pass a bylaw repealing the Plan.
- 12.6.12 In the event that the Plan is repealed, each municipality shall amend their respective Municipal Development Plan to address the intermunicipal development issues in accordance with the *Act*. Should these required amendments not satisfy the neighbouring municipality the matter may be appealed to the Municipal Government Board.

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13.0 APPENDIX

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RED DEER COUNTY ESA INVENTORY

4.1.25 Willow Lake

Site Location:

- Tp. 35 to 36 - Rge. 23 to 24 W4M;
- Area: 3,953 ha (9,768 acres);
- three large lakes and numerous wetlands interspersed among rough fescue grassland and aspen parkland forest;
- connected to the Mikwan Goosequill Hummock Lakes ESA to the west; and
- Significance: Regional.



Site Description:

- rolling/undulating topography dominated by aspen parkland with three large lakes and a diversity of wetlands classes;
- woodlands and extensive willow and swamp birch shrublands along wetland edges; and
- remnant patches of aspen parkland in a mostly cultivated landscape.

ESA Description and Rationale:

- productive wetlands are important elements of the Parkland Region;
- important habitat for wildlife and bird species within the aspen parkland natural region (FAN 2007);
- important habitat for marsh birds and waterfowl, including diving ducks, grebes and Canada Geese (Sweetgrass 1990);
- contains habitat for listed species such as the ferruginous hawk, short-eared owl, Sprague's pipit, pileated woodpecker and Virginia rail (Fiera 2009, ASRD 2009), all provincially listed as "Sensitive" (ASRD 2006) and piping plover (ASRD 2009), listed as "At Risk" (ASRD 2006);
- historic great blue heron (*Ardea herodias*) breeding colonies and nesting areas for the American white pelican (ASRD 2009); and
- contains high quality rough fescue grassland and aspen parkland communities west and south of Willow lake (Golder 2009).

References:

- Atlas of Breeding Birds of Alberta (FAN 2007)
- FWMIS fisheries and wildlife data (ASRD 2009)
- Fiera (2009)
- Golder (2009) field program notes
- Sweetgrass (1990)

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