

TOWN OF STETTLER AND COUNTY OF STETTLER No. 6

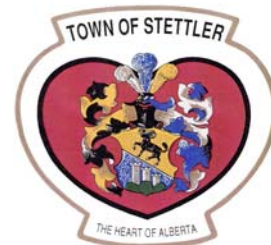
**INTER-MUNICIPAL
DEVELOPMENT
PLAN**



Developed by:



**The County of Stettler No. 6
Bylaw No. 1426-09
Adopted December 9, 2009-12-09**



**The Town of Stettler
Bylaw No. 1989-09
Adopted December 15, 2009**

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1. INTRODUCTION

1.1 Background

On March 18, 2009 the Councils of the Town of Stettler (“Town”) and the County of Stettler No. 6 (“County”) entered into a memorandum of understanding regarding matters related to:

- maintaining a relationship of cooperation, collaboration and coordination;
- the preparation of an inter-municipal development plan; and
- the annexation of land by the Town and compensation for annexation.

The Inter-Municipal Development Plan (“Plan”) is the result of this memorandum of understanding, public input workshops, and several sessions of negotiations between the two Councils that followed initial work by the Town and the County administrations.

This Plan aims to outline a framework for cooperatively moving forward with growth, long range planning and areas of common planning interest, annexation of lands in the short and long term, economic development, servicing and transportation, preservation of natural capital, and other matters that are of joint interest for the Town and County of Stettler.

The Town and County form a prosperous, vibrant, growing community with aspirations of developing as a regional center. This Plan recognizes how the decisions of one municipality may affect the other and establishes policies within the Plan Area to provide direction in future decision making. This framework of policies ensures cooperation in moving forward while protecting the autonomy of each municipality and providing equity of growth opportunities.

1.2 Enabling Legislation

As established by the Municipal Government Act (“Act”) an Inter-Municipal Development Plan is a statutory document. This plan has been prepared in accordance with Sections 631 and 636 of the Act. Section 631 states that:

“631(1) Two or more councils, may, by each passing a bylaw adopt an Inter Municipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.”

In accordance with Section 631(2) of the Act this Plan must include:

- (i) *a procedure 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*

In addition Section 631(2) of the Act states that this Plan may include:

- (i) the future land uses within the area,
- (ii) the manner of and the proposals for future development in the area, and
- (iii) any other matter relating to the physical, social or economic development of the area that councils consider necessary.

In interpreting this Plan all terms shall be as defined within the Municipal Government Act unless otherwise stated herein.

2. VALUES AND GOALS

Identifying the values and goals that are shared by both municipalities are essential in developing an overall purpose for the Plan. This allows elected officials and administrations to ensure the application of the policies is congruent with the purpose/intent of the Plan. In addition these Values and Goals form a benchmark for evaluating the performance of the Plan.

The following values and goals establish a framework for attracting economic opportunities, managing land uses, guiding subdivision and development, and creating a future orientated community that is 'development ready'.

2.1 Values

The following values underlie the Plan and form the basis of the relationship between the Town and the County at all levels of Administration and Council:

- Endeavour to Understand Each Other
- Trust, Fairness and Respect in Inter-municipal Affairs
- Equitable Opportunity for Growth
- Autonomy of Decision-making within the Respective Growth Areas
- Working Together Where Possible (Collaboration, Coordination, Cooperation)
- Effective and Efficient Inter-municipal Communication

2.2 Goals

The goals of this Plan are:

- 2.2.1 To promote the quality of life for residents in both municipalities.
- 2.2.2 To identify areas that provide for the growth and development of each municipality, and for the annexation of lands by the Town.
- 2.2.3 To identify and foster opportunities for working together, for example the provision of coordinated infrastructure and natural areas across municipal

boundaries and the establishment of design guidelines for mixed business development in the gateway locations.

2.2.4 To provide a framework for consistent decision-making, inter-municipal communication, the joint review of planning matters and the resolution of disagreements that is effective and efficient while meeting statutory requirements.

3. PLAN AREA

The components of the Plan area are described in the attached schedules. All schedules form part of the Plan.

3.1 Schedule ‘A’ Inter Municipal Plan Area

The area subject to the Plan and described as the Plan Area is identified on Schedule ‘A’. Schedule ‘A’ identifies the location of the Plan and indicates the desired future land uses within the Plan Area.

3.2 Schedule ‘B’ County Growth Area

Schedule ‘B’ identifies the County Growth area within the Plan and indicates the future land uses within these growth corridors.

3.3 Schedule ‘C’ Short Term Town Growth Area

Schedule ‘C’ identifies the short term growth/annexation area for the Town and indicates the future land uses within this growth/annexation area.

3.4 Schedule ‘D’ Long Term Town Growth Area

Schedule ‘D’ identifies the long term growth/annexation area for the Town and indicates the desired future land uses within this growth/annexation area.

3.5 Schedule ‘E’ Exclusion Zone: Confined Feeding Operations

Schedule ‘E’ identifies the exclusion zone within which the two communities desire that the Natural Resources Conservation Board will not issue permits for new confined feeding operations or permits for the expansion of existing confined feeding operations.

3.6 Schedule ‘F’ Growth Constraints and Natural Protection Area

Schedule ‘F’ identifies areas of growth constraints and natural areas to be protected which are identified throughout this Plan.

4. GROWTH AREAS AND RELATED LAND USE AND INFRASTRUCTURE POLICIES

4.1 County Growth Area

4.1.1 Objective

To provide an area for focussed County development and economic growth within the Plan area. The proximity of the County growth area to the Town affords the municipalities the opportunity to address long term servicing, infrastructure development, development constraints, preservation of natural areas and other planning issues. With growing popularity for residential acreages as an alternative to Town of Stettler higher density subdivisions the County growth area provides opportunities for lower density residential developments without imposing incompatible land uses on or fragmenting the designated growth area of the Town.

4.1.2 Policies

4.1.2.1 The Plan identifies ten quarter sections of County growth area (Schedule “B”):

- (i) Two quarter sections around the Eastgate Area Structure Plan, being the SW 3-39-19-W4M and the SE 4-39-19-W4M;
- (ii) Approximately five quarter sections around the proposed McKay (Hayden) development, being Section 32-38-19-W4M and the NW 33-38-19-W4M; and
- (iii) The Verhoeven quarter section, being the SE 8-39-19-W4M; and
- (iv) Two quarter sections around Carlisle Estates, being the North Half of Section 35-38-20-W4M.

4.1.2.2 It is agreed that although the Town is not opposed to non-agricultural development occurring outside of the designated County growth area, for the purpose of good planning within the timeframe of the IDP, mixed business development and residential development within the County’s jurisdiction and within the IDP area shall occur only in the designated County growth area, unless otherwise agreed to by the two municipalities.

4.1.2.3 Those remaining lands within the County’s jurisdiction and within the IDP area that are not within the designated County growth area will continue to accommodate agricultural development and subdivision of single parcels for agricultural use under the provisions of the County’s Municipal Development Plan and Land Use Bylaw.

4.2 Utility Servicing of the County Growth Area Within the Town's Off-site Levy Bylaw Area

4.2.1 Objective

To provide opportunities for developments in the County growth area that are located within the Town's off-site levy bylaw area to connect to Town services. Providing these services would afford the Town the opportunity to finance its service trunk lines and share property taxes.

4.2.2 Policies

- 4.2.2.1 Commercial and industrial developments and residential developments that consist of residential lots smaller than one acre as may be agreed upon by the municipalities pursuant to paragraph 4.7.2.1 within that portion of the County's growth area that is located within the Town's off-site levy bylaw benefiting area, as of 2009, **shall** be serviced by a municipal sanitary sewer system that is capable of connecting to a sanitary sewer trunk main, and **may** be serviced by a municipal water system that is capable of connecting to a water trunk main.
- 4.2.2.2 The Town will provide sanitary sewer services and, upon request, water services to these developments when such services become available by reason of construction of trunk mains, and provided the capacity of the Town's sanitary sewer and water systems permits the provision of services.
- 4.2.2.3 The County will put measures in place to collect from these developments agreed upon contributions towards the Town's off-site levies and pay those contributions to the Town.
- 4.2.2.4 For lands which are within the County's growth area addressed by this provision, the Town shall receive 15% of municipal taxes collected by the County on lands and improvements which are developed and for which sanitary sewer services are provided by the Town and 15% of municipal taxes collected by the County on lands and improvements which are developed and for which water services are provided by the Town, as contemplated in this section, commencing in the year following connection to the Town services of a particular development.

4.3 Utility Servicing of the County Growth Area Outside of the Town's Off-site Levy Bylaw Area

4.3.1 Objective

To provide opportunities for developments in the County growth area that are located outside of the Town's off-site levy bylaw area to connect to Town services. Providing these services would afford the Town the opportunity to share property taxes.

4.3.2 Policies

4.3.2.1 Developments within that portion of the County's growth area that is located outside of the Town's off-site levy bylaw benefiting area, as of 2009, **may** be serviced by a municipal sanitary sewer system and municipal water system that are capable of connecting to a sanitary sewer trunk main and a water trunk main that **may** be provided by the Town.

4.3.2.2 The Town will provide, upon request, sanitary sewer services and water services to these developments when such services become available by reason of construction of trunk mains, and provided the capacity of the Town's sanitary sewer and water systems permits the provision of services.

4.3.2.3 The County will put measures in place to endeavor to collect from these developments agreed upon contributions towards the Town's cost of providing sanitary sewer and water services and pay those contributions to the Town.

4.3.2.4 For lands which are within the County's growth area addressed by this provision, the Town shall receive 15% of municipal taxes collected by the County on lands and improvements which are developed and for which sanitary sewer services are provided by the Town and 15% of municipal taxes collected by the County on lands and improvements which are developed and for which water services are provided by the Town, as contemplated in this paragraph, commencing in the year following connection to the Town services of a particular development.

4.4 Town Growth Area for Immediate Annexation

4.4.1 Objective

To provide for the immediate annexation of land under County jurisdiction that will accommodate 40 years of Town growth. Identifying the immediate annexation area

affords the Town the ability to address the planning of future servicing and infrastructure development, address development constraints, provide for the preservation of natural areas and other planning issues.

4.4.2 Policies

4.4.2.1 In addition to land presently available within the Town's current limits (approximately four quarter sections), the Plan identifies six quarter sections for an immediate Town growth area (i.e. the immediate annexation/growth area):

- (i) Four quarter sections to the west of Town along Hwy 12, being Section 1-39-20-W4M;
- (ii) One quarter section west of the Tower Road, being the SE 7-39-19-W4M around the Emerson subdivision; and
- (iii) One quarter section to the south of Town along and to the east of Highway 56, being the SW 31-38-19-W4M.

4.4.2.2 The County will not oppose the Town's annexation of the immediate growth area.

4.5 Town Growth Area for Long Term Annexation

4.5.1 Objective

To identify a long term growth area that will accommodate Town growth beyond a 40 year horizon. Identifying a long term growth area for the Town in association with a County growth area affords both municipalities the opportunity to develop their respective growth areas autonomously while preventing fragmentation of developable lands and incompatible land use development.

4.5.2 Policies

4.5.2.1 The Plan identifies approximately eight quarter sections of long term (beyond 40 years) growth area:

- (i) Approximately 30 acres on the SW 7-39-19-W4M east and south of Red Willow Creek and the Town's sewage lagoons;
- (ii) One quarter section, being the SW 8-39-19-W4M, between the Tower Road and the Verhoeven quarter section;
- (iii) Approximately three quarter sections to the south of town along Highway 56, being the NE 25-38-20-W4M, the NW 30-38-19-W4M, and the remainder of the SE 31-38-19-W4M (excluding the Anderson subdivision and all other acreages taken out of the quarter section); and

(iv) Three quarter sections to the northeast of Town, being the NE 4-39-19-W4M and the South Half of Section 9-39-19-W4M.

4.5.2.2 Through the joint review process outlined in Section 5.1 the County and the Town will endeavour to prevent the fragmentation of the Town's designated long-term growth area and ensure compatible land uses with adjacent lands.

4.5.2.3 The annexation of the Town's long term growth area shall not occur within the lifetime of this IDP. Notwithstanding this, the County in principle supports the annexation of the long term growth area lands at a time when the Town's growth projections demand it.

4.5.2.4 Notwithstanding the County's support in principle expressed above, at the time when the Town's growth projections demand it, the annexation sequence of the long term growth area will be determined as mutually agreed to by the Town and the County at that time.

4.6 Related Planning Documents

4.6.1 Objective

To provide a relationship between Town and County statutory documents that is conducive to the autonomy of each municipality's short and long term planning. This Plan serves as a guiding planning document in the absence of other statutory planning documents within the Plan area until such a time that new statutory plans are adopted.

Through the annual review process of this Plan as addressed in Section 6.2.2.1 amendments may be required to ensure consistency among planning documents and to ensure this document reflects broader planning policies of the Land Use Framework as they are implemented for the region encompassing the Town and County of Stettler.

4.6.2 Policies

4.6.2.1 Both municipalities have adopted and may adopt statutory and non-statutory plans, outline plans, conceptual schemes, land use and other bylaws and policies that apply to the lands within the respective municipality located in the Plan area. Any such instruments shall prevail until such time as they are amended, at which time they shall comply with this Plan.

- 4.6.2.2 Within the Plan area, where there are areas that are not subject to any statutory plan, outline plan, conceptual scheme, land use bylaw or policy, this Plan shall prevail and any subsequent plan, scheme, bylaw or policy shall comply with it.

4.7 Residential Development

4.7.1 Objective

To provide growth areas for the Town and the County that promote development compatible with existing land uses by directing residential development to the respective residential areas as identified in Schedules “A, B, C and D”. The policy aims to direct low density residential acreage development to the County growth area in order to prevent the fragmentation of the Town’s immediate and long term growth area.

4.7.2 Policies

- 4.7.2.1 Unless otherwise agreed to by the Town and the County, residential development in the designated County growth area will be country residential lots of a minimum size of one acre.
- 4.7.2.2 Unless otherwise agreed to by the Town and the County, residential development in the Town’s growth area will be urban lots of a maximum size of one acre. Lot sizes above one acre may be allowed only if both municipalities agree that exceptional circumstances or site conditions warrant a larger size.

4.8 Land Use Compatibility

4.8.1 Objective

To allocate growth areas to the Town and the County that recognize and are sensitive to existing and future surrounding land uses. By identifying areas of existing incompatible land uses, measures may be taken through the planning, subdivision, and development approval process to limit the adverse effects of new developments on existing lands.

4.8.2 Policies

- 4.8.2.1 The Town and the County will by way of Land Use Bylaw provisions, subdivision approvals, and conditions imposed on development permits ensure that adjacent, potentially incompatible land uses are spatially removed or visually and otherwise screened and functionally separated from each other, to the satisfaction of the Town and the County. This applies

specifically to the interface of residential and mixed business uses in the Town and the County growth areas, as well as to new developments relative to existing developments.

- 4.8.2.2 Subdivision and development in the Town short-term and long-term growth areas and the County growth area shall demonstrate that it acknowledges the existence of agricultural operations along its boundaries by incorporating design strategies to minimize its impact on those agricultural operations, to the satisfaction of the Town and the County, respectively.

4.9 Gateway Design Guidelines

4.9.1 Objective

To provide a common design standard for the highway corridors that is shared by the Town and County of Stettler. These standards will create a common aesthetically pleasing appearance to the gateways of the community.

4.9.2 Policies

- 4.9.2.1 The Town and the County will develop a joint '*design guidelines*' document for mixed business development at the highway gateways within the IDP area.
- 4.9.2.2 Each municipality will ensure that development on lands adjacent to the highway gateways comply with the design guidelines.

4.10 Provision for Infrastructure

4.10.1 Objective

Through the process of long term planning and preparation of statutory documents the Town and the County will extend municipal services and transportation corridors in an orderly and economically feasible manner. Through this process of long term planning and preparation of statutory documents infrastructure will be extended in a manner that limits the effects on existing uses, promotes economic development, ensures new infrastructure does not affect existing infrastructure systems, and ensures adequate capacity is available to service the Plan area.

4.10.2 Policies

- 4.10.2.1 The Town will revise its servicing study to reflect the proposed growth pattern and relevant policies of this Plan.

- 4.10.2.2 The Town will provide the standards and proposed routes for its future arterial roads and utility trunk mains and the County will protect these rights-of-way in its land use documents.
- 4.10.2.3 The Town and the County will ensure coordination of infrastructure and land uses along their common boundary.
- 4.10.2.4 The County shall not dispose of a Public Utility Lot in the Town growth area unless the Town agrees.
- 4.10.2.5 The Town and the County will work with Alberta Transportation towards the realignment of Hwy 56 and Hwy 12.

4.11 Parks and Natural Capital

4.11.1 Objective

To provide a framework for the protection of the natural capital shared by the Town and the County within the Plan area. Natural capital include aspects such as land formations, soil zones, fauna/flora, hazard lands, agricultural lands, water bodies and their associated riparian areas, and heritage areas as they identified through long term planning and preparation of statutory plans. The Town and the County share areas of potential inter-municipal park systems and this Plan provides a framework to identify those opportunities through the process of long term planning and preparation of statutory plans. The Town and the County will identify policy amendments as deemed necessary through the annual review process to ensure objectives relative to the conservation of natural capital identified through implementation of the Land Use Framework are addressed through this Plan.

4.11.2 Policies

- 4.11.2.1 The Town and the County will endeavour, through the processing of subdivision and development permit applications, and in collaboration with Alberta Sustainable Resource Development and Alberta Environment, to preserve all environmental components of Red Willow Creek and its floodplain, including the Shuckburgh's Slough Drainage Channel.
- 4.11.2.2 The Town and the County agree to cooperate and collaborate in administering and maintaining agricultural weed and pest control programs within the plan area. The Town and the County could enter into a separate agreement to provide agricultural weed and pest control.

- 4.11.2.3 The County shall not dispose of a Municipal Reserve or School Reserve lot or discharge a deferred reserve caveat within the Town growth area unless the Town agrees.

4.12 Confined Feeding Operations

4.12.1 Objective

The approval and operation of confined feeding operations is regulated by the Natural Resource and Conservation Board (NRCB) which ultimately limits the ability of the Town and the County to control the location of these facilities within the Plan area. However through the approval process for these types of developments the Town and the County are referred for comments. As such the objective of this policy is to identify an exclusion zone, shown in Schedule 'E', within which new or expanding confined feeding operations are not desired.

4.12.2 Policies

- 4.12.2.1 The Town and the County hereby establish the exclusion zone for new and expanding Confined Feeding Operations (CFO's) as shown on Schedule 'E'. The exclusion zone includes the urban fringe as defined in Policy 5.1.2.6.
- 4.12.2.2 Within the exclusion zone the County and the Town do not support the issuing of permits for new CFO's or the issuing of permits for the expansion of existing CFO's.
- 4.12.2.3 The County and the Town do support the continued operation of existing CFO's under their existing permits.
- 4.12.2.4 The CFO exclusion zone does not prohibit the spreading of manure.
- 4.12.2.5 Agricultural development and the subdivision of single parcels for agricultural use within the CFO exclusion zone will be regulated by the County's Municipal Development Plan and the Land Use Bylaw.

4.13 Oil and Gas Operations

4.13.1 Objective

The approval and operation of oil and gas facilities are administered by the Energy Resources Conservation Board under the Oil and Gas Conservation Act, which ultimately limits the ability of the Town and the County to control the locations of these facilities within the Plan area. There is potential for conflict of urban and rural

development within the identified Town and County growth areas with existing oil and gas facilities and the development of new facilities. This policy serves as a request to the Energy Resources Conservation Board to work with the Town and the County with respect to the placement of facilities within the Plan area in an effort to reduce conflicting land uses and prevent these developments from impeding future growth.

4.13.2 Policies

4.13.2.1 The Town and the County will collaborate and coordinate with the Energy Resource Conservation Board towards the coordination and alignment of oil and gas facilities into corridors that do not fragment the growth areas of the Town and the County, and where possible that these developments are located along boundary lines of quarter sections.

4.13.2.2 The Town and the County will jointly respond to the Energy Resources Conservation Board regarding any notification of oil and gas development that is deemed to be inconsistent with this policy.

5. INTER-MUNICIPAL COMMUNICATION

5.1 Joint Review Committee and Review Process

5.1.1 Objective

To develop a policy that reflects the shared interest of both municipalities in development within the Plan area and promotes open and honest communication between the County and the Town regarding planning and development matters within the growth areas, based on the values and goals underlying this Plan (see Sections 2.1 and 2.2). This includes the joint review of planning, subdivision and development applications, policy plans, planning studies, and other information that is essential to the successful administration of this Plan. The policy promotes a personal approach to inter-municipal communication rather than the potentially adversarial traditional referral system required by legislation.

5.1.2 Policies

5.1.2.1 The Town and the County will foster open communication on the basis of the values and principles entrenched in this Plan. Developers will be informed that the Town and the County do not withhold information from each other about development within the Plan area that may be deemed by the Joint Review Committee to potentially have an impact on the other municipality, and that both municipalities shall be involved in such discussions.

- 5.1.2.2 The Town and the County hereby establishes a joint Review Committee consisting of the Development Officer and the CAO (or designate) for the Town and the Director of Planning and Development and the CAO (or designate) for the County. The Development Officer and the Director of Planning and Development will attend the review meetings. The two CAO's will attend the review meetings if one of the other committee members requests their presence.
- 5.1.2.3 The mandate of the Review Committee is to jointly review, in person as the need arises, statutory plans and land use bylaws and subdivision and development permit applications and related planning matters within the referral area in order to ensure that the values and goals of the Plan are upheld and that the integrity of the Plan is not jeopardized. Decisions of the Review Committee will be based on consensus. The potentially adversarial traditional referral system will be abandoned.
- 5.1.2.4 The Review Committee shall make its own rules for review procedures and timelines subject to Section 5.1.2.5, the recording of minutes and other matters necessary to ensure that applications are jointly reviewed in accordance with the intent of this Plan, with the understanding that, although the intent is to avoid appeals, all reviews shall be undertaken in such a manner that a municipality is always afforded the opportunity to exercise its right of appeal pursuant to the Municipal Government Act.
- 5.1.2.5 The review of a statutory plan or land use bylaw must occur as soon as possible from the initial inquiry by the initiating party, but at least two weeks before second reading of the statutory plan or land use bylaw. The review of a subdivision application or a development permit application must occur within the initial 30 days after the complete application is received by the approving municipality.
- 5.1.2.6 For the purpose of this policy the referral area shall coincide with the County Growth Area as identified on Schedule 'B', the Short Term Town Growth Area as identified on Schedule 'C' and the Long Term Town Growth Area as identified on Schedule 'D', unless otherwise stated in this Section. The referral area also constitutes the urban fringe.
- 5.1.2.7 The joint review of statutory plans and land use bylaws and subdivision and development permit applications within the referral area will be undertaken until the annexation of all the

Town growth area is complete and until subdivision approvals have been issued for all the County growth area within the Town's off-site levy bylaw benefiting area.

- 5.1.2.8 Each municipality will refer to the other the following planning applications within the Referral Area:
- (i) Any statutory plan, outline plan, conceptual scheme, and any amendments thereto;
 - (ii) Any application for a land use bylaw and amendments thereto;
 - (iii) Any application that involves the disposal of a Public Utility Lot or a Municipal Reserve or School Reserve parcel or the discharge of a deferred reserve caveat pursuant to Section 4.10.2.4 or 4.11.2.3.
- 5.1.2.9 Subject to Sections 5.1.2.10 and 5.1.2.11, each municipality will refer to the other the following subdivision and development permit applications within the Referral Area:
- (i) Applications for multi-lot subdivision;
 - (ii) *Permitted and discretionary use* development permit applications for:
 - (a) natural resource extraction and confined feeding operations, including those administered by the Energy Resource Conservation Board and the Natural Resources Conservation Board;
 - (b) the extraction of sand, gravel and surface minerals; and
 - (c) landfills and waste transfer stations;
 - (iii) *Discretionary use* development permit applications for:
 - (a) residential development;
 - (b) commercial or industrial development; and
 - (c) institutional uses and services.
 - (iv) Any application that involves the disposal of a Public Utility Lot or a Municipal Reserve or School Reserve parcel or the discharge of a deferred reserve caveat pursuant to Section 4.10.2.4 or 4.11.2.3.
- 5.1.2.10 Notwithstanding Section 5.1.2.9, following annexation of the Town's growth area, as long as the Town follows and complies with the IDP land use map and IDP policies and any statutory plan, outline plan, conceptual scheme or land use bylaw, or amendment to any of these, that was jointly reviewed prior to adoption, the County does not require the opportunity to review subdivision and development permit applications within the Town's growth area annexed to the Town, except in any location that is adjacent to the County growth area.

- 5.1.2.11 Notwithstanding Section 5.1.2.9, as long as the County follows and complies with the IDP land use map and IDP policies and any statutory plan, outline plan, conceptual scheme or land use bylaw, or amendment to any of these, that was jointly reviewed prior to adoption, the Town does not require the opportunity to review subdivision and development permit applications within the County's growth area, *except*:
- (i) in any location that is adjacent to the Town growth area;
 - (ii) in a location where it is agreed that the Town will provide utility services to the proposed subdivision or development pursuant to Sections 4.2 or 4.3; or
 - (iii) in a location where mixed business subdivision or development or residential multi-lot subdivision or development is being proposed outside of the designated County growth area pursuant to Section 4.1.2.2.
- 5.1.2.12 Either municipality may refer any statutory plan and land use bylaw and subdivision and development permit application to the Review Committee, or may be required by the request of the other municipality to do so, if it is deemed that there are matters of mutual interest involved.
- 5.1.2.13 The host municipality is responsible for any required notification of all affected residents and landowners in both municipalities with respect to any proposals.

5.2 Resolution of Disagreements

5.2.1 Objective

To recognize that there could be disagreements regarding any specific application, and to provide for a resolution procedure that is compact and effective. The intent is to resolve matters locally and avoid appeals to the Municipal Government Board however each municipality must always be afforded the opportunity to exercise any right of appeal available to it pursuant to the Municipal Government Act. The policy is based on the common understanding that continual positive communication between the Town and the County is the most effective means of maximizing the benefits of this Plan.

5.2.2 Policies

- 5.2.2.1 When the Review Committee, including the two CAO's, disagrees on an application or a related matter before it, including the interpretation of this Plan, either party may request, through its CAO, that the matter is referred to a joint meeting of the two

Councils or of the two Municipal Planning Commissions as deemed appropriate given the nature of the application or matter. The referral request shall be made immediately after the identification of a disagreement, in a written, dated notice to clearly identify the disagreement and initiate the resolution process. Upon receipt of a referral request the other party shall refrain from further processing the application until resolution of the disagreement has been determined in accordance with this Plan.

- 5.2.2.2 The two Councils or the two Municipal Planning Commissions may agree to appoint a mediator to facilitate the joint meeting.
- 5.2.2.3 The two Councils or the two Municipal Planning Commissions shall meet, either with or without a mediator, within 30 days of being notified in writing of a disagreement.
- 5.2.2.4 If the disagreement is resolved, it is intended that the processing municipality shall proceed to process the application in accordance with the resolution.
- 5.2.2.5 Failing the resolution of the disagreement within 14 days of the first meeting pursuant to Section 5.2.2.3, it is intended that the processing municipality may process the application as it deems appropriate. The other party may pursue any appeal remedies available to it.
- 5.2.2.6 Written notice of a disagreement and initiation of the resolution process under Section 5.2.2.1 and the submission of a disagreement to a facilitator under Section 5.2.2.2 shall be deemed respectively to be compliance with the requirement to give written notice of concerns prior to second reading of a statutory plan or land use bylaw and of an attempt to use mediation, within the meaning of Section 690 of the Municipal Government Act.
- 5.2.2.7 A third party¹ may appeal a decision on a subdivision or development permit application to the Subdivision and Development Appeal Board of the processing municipality or to the Municipal Government Board in accordance with the Municipal Government Act.

¹ Third Party means the applicant or any other affected party pursuant to the Act, other than one of the two municipalities.

6. PLAN ADMINISTRATION

6.1 Implementation and Repeal

6.1.1 Objective

To develop a policy that will guide existing and future administrations and Councils with respect to the implementation of the Plan. The Values and Goals identified in the Plan shall be the guiding framework for all matters.

6.1.2 Policies

- 6.1.2.1 Each municipality shall follow and implement the values, goals, objectives and policies of this Plan and shall amend or repeal, as may be applicable, its planning procedures, statutory plans, outline plans, servicing plans and land use bylaws to comply and be consistent with this Plan. The two municipalities agree that in entering into this Plan, it is their mutual intention that the principles set out in this Plan will govern future development, growth and land use planning in the IDP area, and to that extent, this Plan supersedes the provisions of all past policies, council resolutions, studies or reports which are inconsistent with the matters dealt with in this Plan.
- 6.1.2.2 Each Council will administer the Plan for lands within its jurisdiction and will, subject to the provisions of the Plan, determine what authority should be delegated to administration.
- 6.1.2.3 By mutual agreement, the Councils of the two municipalities may establish an inter-municipal development authority, an inter-municipal subdivision authority, and/or an inter-municipal subdivision and development appeal board to deal with subdivision and development applications and appeals within the Plan area.
- 6.1.2.4 The IDP will remain effective for ten years (the lifetime of the Plan), and the intent is that neither municipality will unilaterally repeal the IDP for that period of time. Therefore this Plan may not be repealed, except in accordance with a resolution of each of the two Councils, following mediation efforts in accordance with Sections 5.2.2.1 and 5.2.2.2.

6.2 Review and Amendment

6.2.1 Objective

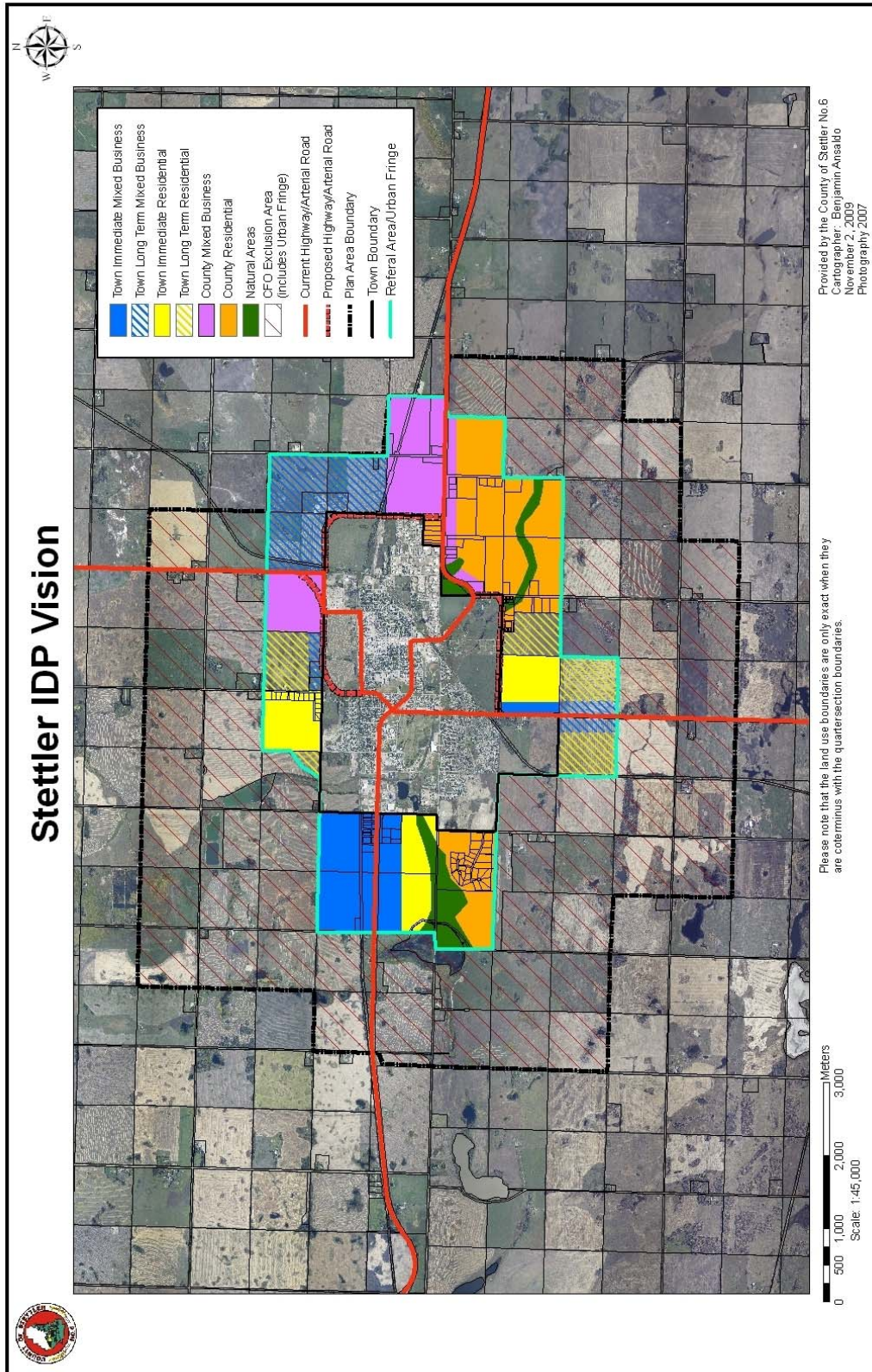
To develop a policy that will guide existing and future administrations and Councils with respect to the regular review and amendment of the Plan.

6.2.2 Policies

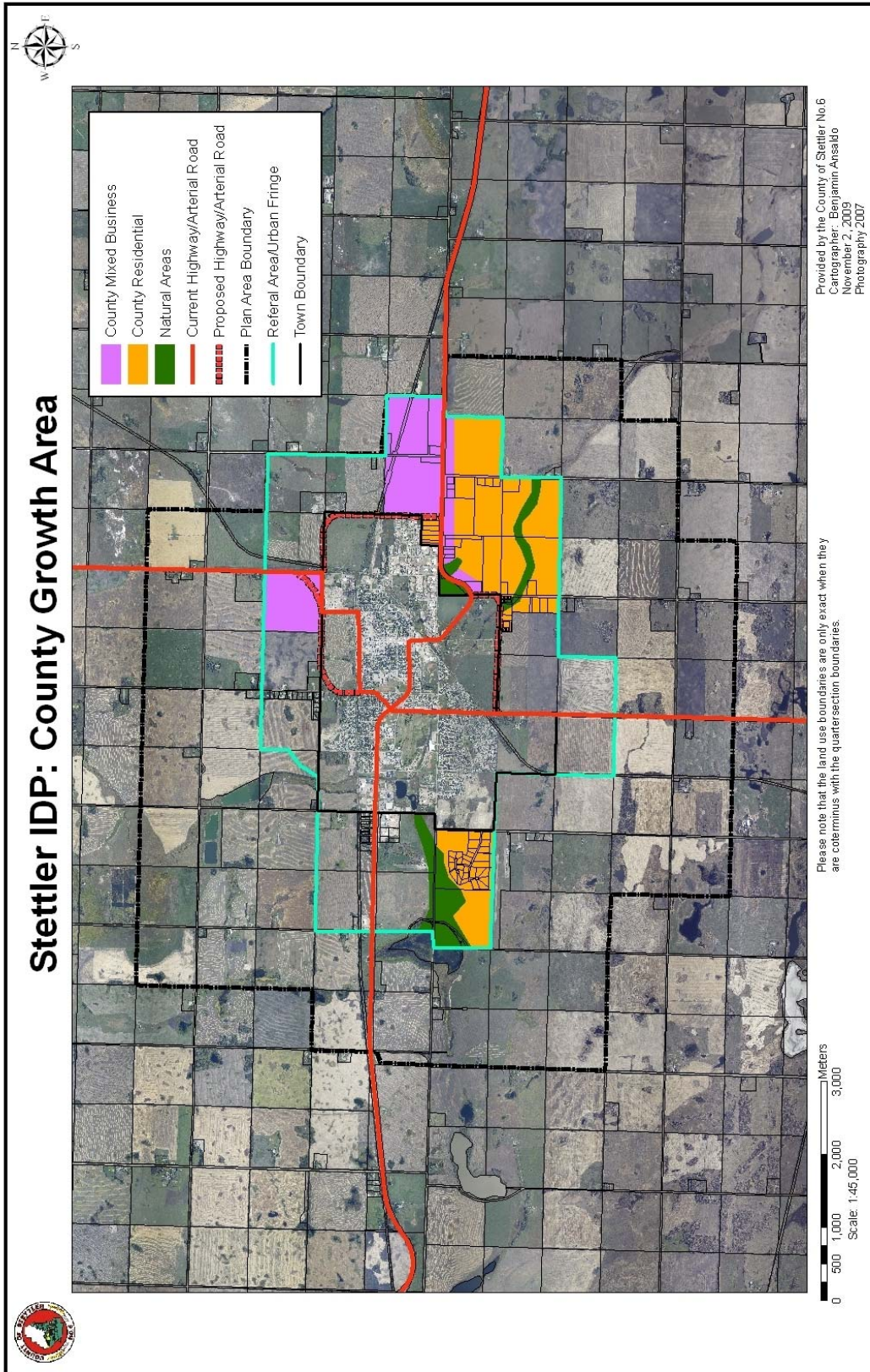
6.2.2.1 Annually, the Town and County CAOs shall review this Plan jointly and in collaboration with planning and development staff to determine the advisability of an amendment. If an amendment is deemed necessary, by both municipalities, the results of this review shall be presented to a meeting of the two Councils, either jointly or separately, within one month after the anniversary of the adoption of this Plan. The Councils shall direct which amendments, if any, are to be proceeded with, and the municipal administrations shall commence a public plan amendment process immediately. If both Councils do not agree that a particular amendment shall proceed, neither municipality shall proceed with that amendment.

6.2.2.2 In addition to the annual review process, the municipalities may agree to amend this Plan at any other time as may be required.

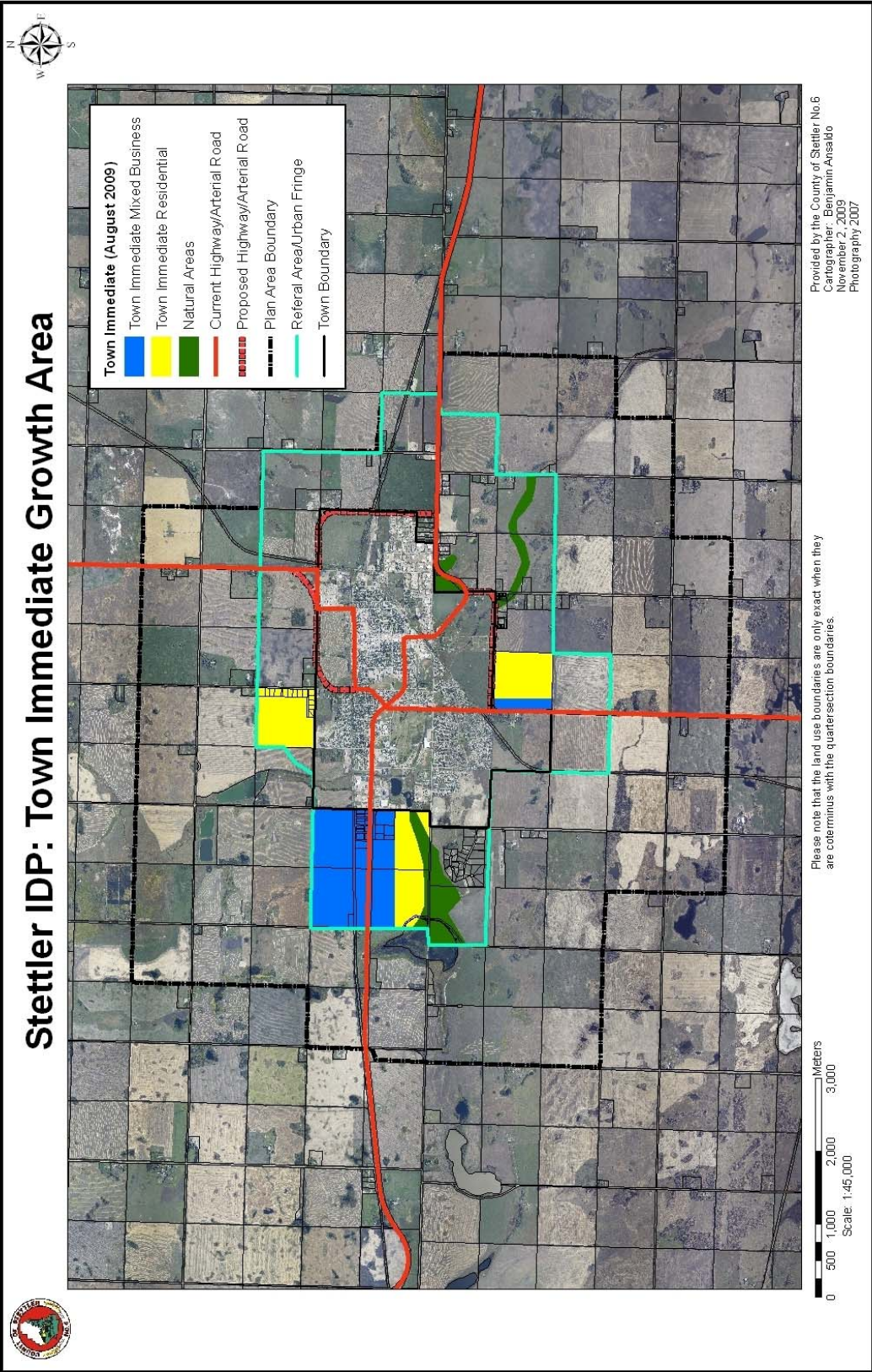
SCHEDULE 'A' COMPOSITE VISION PLAN



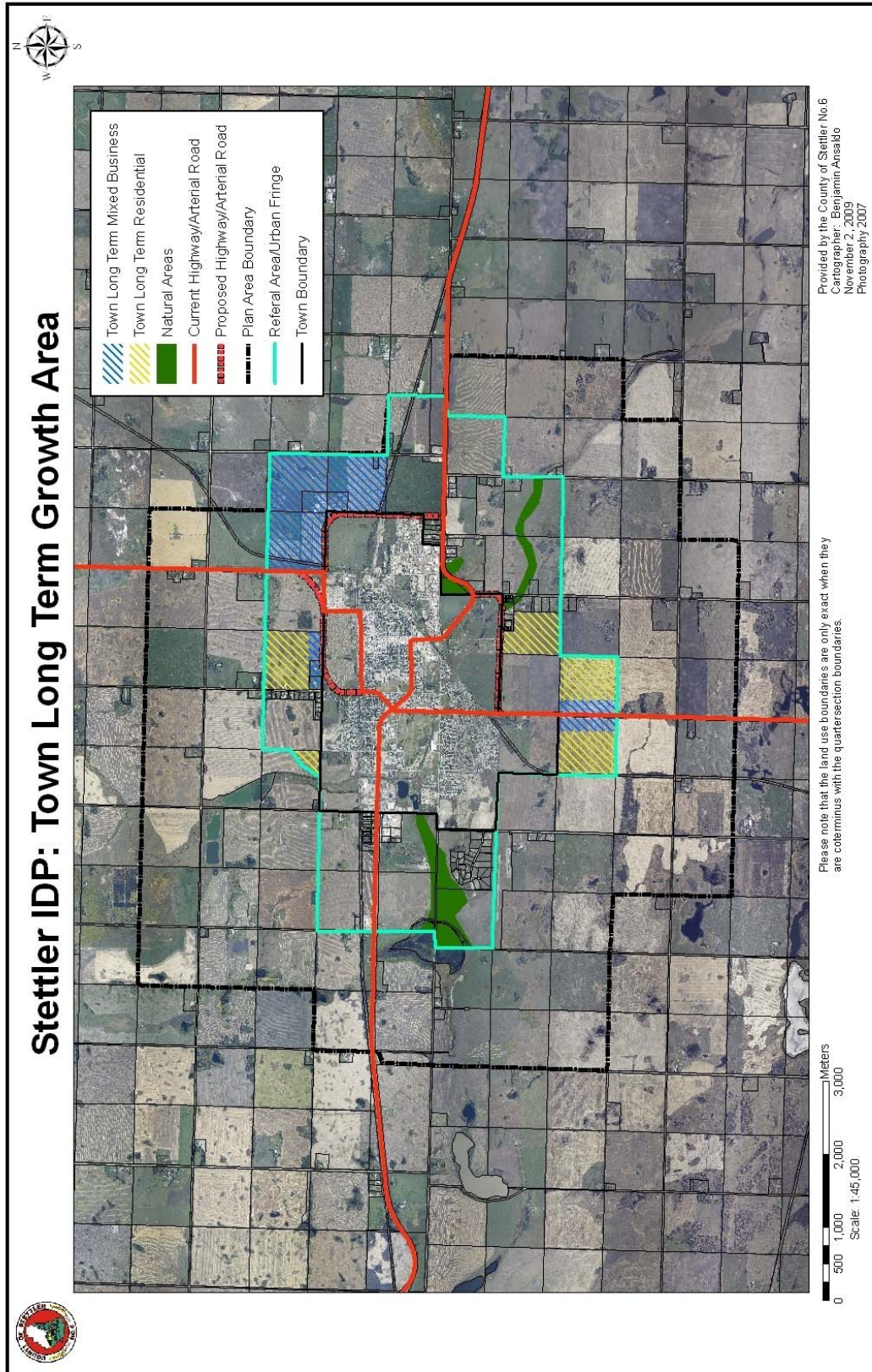
SCHEDULE 'B' COUNTY GROWTH AREA



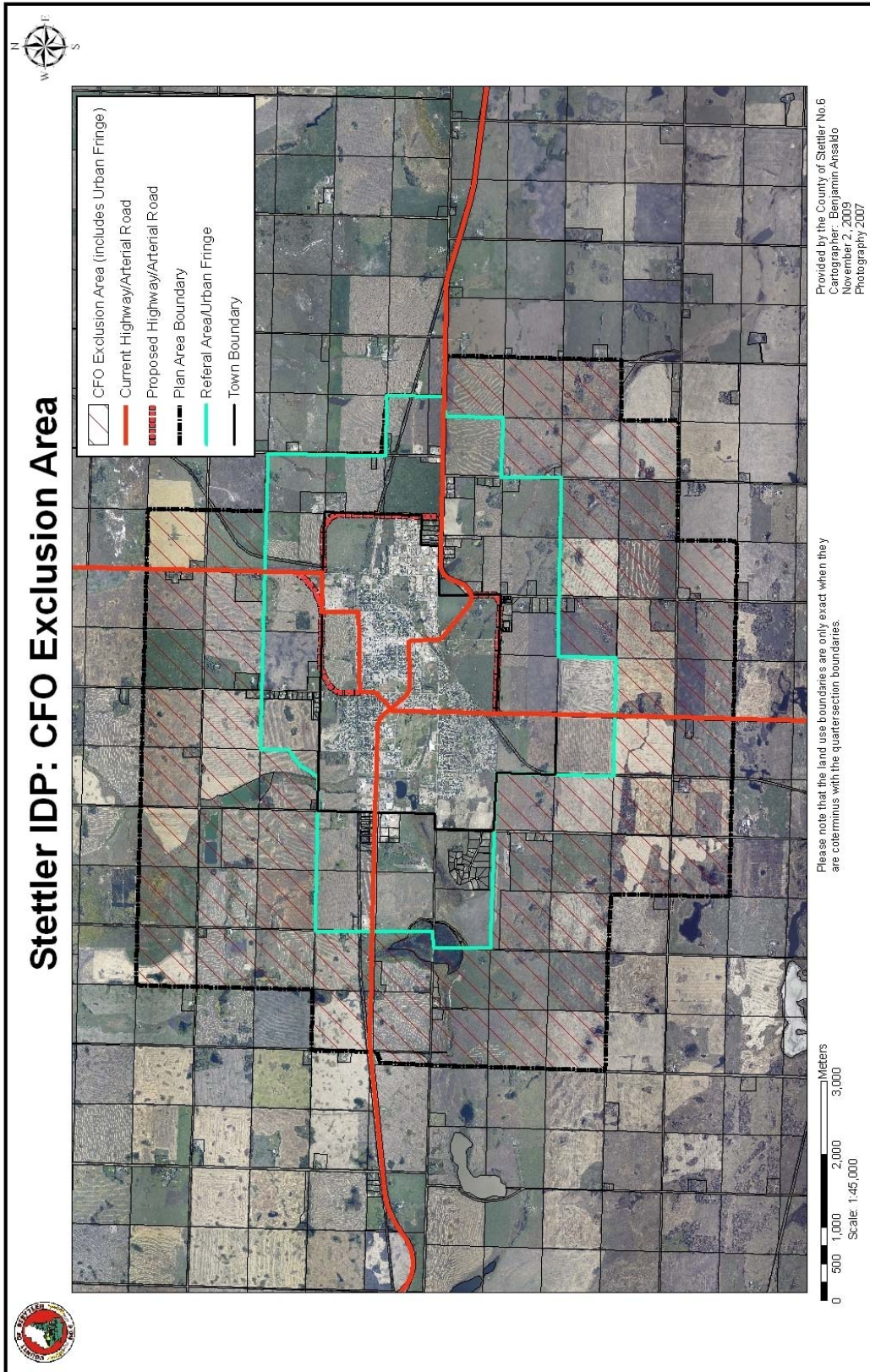
SCHEDULE 'C'
TOWN SHORT TERM GROWTH AREA



SCHEDULE 'D'
TOWN LONG TERM GROWTH AREA



SCHEDULE 'E'
EXCLUSION ZONE: CONFINED FEEDING OPERATIONS



**SCHEDULE 'F'
GROWTH CONSTRAINTS AND NATURAL PROTECTION AREAS**

