

Municipal District of Taber &

County of Forty Mile No. 8

Intermunicipal Development Plan

Bylaw No. 1922 & Bylaw No. 2018/07

June 2018



OLDMAN RIVER REGIONAL SERVICES COMMISSION

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MUNICIPAL DISTRICT OF TABER
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1922

BEING a bylaw of the Municipal District of Taber in the Province of Alberta, to adopt an Intermunicipal Development Plan between the Municipal District of Taber and the County of Forty Mile No. 8 pursuant to sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

WHEREAS municipalities are required by the province to expand intermunicipal planning efforts to address planning matters that transcend municipal boundaries through an intermunicipal development plan;

AND WHEREAS both the Councils of the Municipal District of Taber and the County of Forty Mile No. 8 agree that it is to their mutual benefit to establish joint planning policies and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the Municipal District of Taber duly assembled hereby enacts the following:

1. That the Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan, attached hereto, be adopted.
2. This plan, upon adoption, shall be cited as the Municipal District of Taber and the County of Forty Mile No. 8 Intermunicipal Development Plan Bylaw No. 1922 and Bylaw No. 2018/07.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 24 day of April, 2018.

Reeve – *Brian Brewin* ***Municipal Administrator*** – *Derrick Krizsan*

READ a **second** time as amended this 12 day of June, 2018.

Reeve – *Brian Brewin* ***Municipal Administrator*** – *Derrick Krizsan*

READ a **third** time as amended and finally PASSED this 12 day of June, 2018.

Reeve – *Brian Brewin* ***Municipal Administrator*** – *Derrick Krizsan*

BYLAW 7 / 2018
COUNTY OF FORTY MILE NO. 8

A BYLAW TO ADOPT AN INTERMUNICIPAL DEVELOPMENT PLAN

BEING a bylaw of the County of Forty Mile No. 8 in the Province of Alberta, to adopt an Intermunicipal Development Plan between the Municipal District of Taber and the County of Forty Mile No. 8 pursuant to sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

WHEREAS municipalities are required by the province to expand intermunicipal planning efforts to address planning matters that transcend municipal boundaries through an intermunicipal development plan;

AND WHEREAS both the Councils of the County of Forty Mile No. 8 and the Municipal District of Taber agree that it is to their mutual benefit to establish joint planning policies and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.
AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the County of Forty Mile No. 8 duly assembled hereby enact the following:

1. That the Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan, attached hereto, be adopted.

2. This plan, upon adoption, shall be cited as the Municipal District of Taber and the County of Forty Mile No. 8 Intermunicipal Development Plan Bylaw No. 1922 and Bylaw No. 2018/07.

3. This bylaw shall come into effect upon third and final reading thereof.

RECEIVED FIRST READING THIS 25th DAY OF APRIL, 2018 A. D.

First Reading moved by Craig Widmer

ACKNOWLEDGMENT OF FIRST READING:

Reeve

County Administrator

MOVED Craig Widmer that Bylaw 7/2018 be amended to include Policy Number 3.4.5

RECEIVED SECOND AND THIRD READINGS THIS 13th DAY OF JUNE, 2018 A. D.

Second Reading moved by Craig Widmer

Third Reading moved by Stacey Barrows

ACKNOWLEDGMENT OF SECOND AND THIRD READINGS:

Reeve

County Administrator

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Municipal District of Taber & County of Forty Mile No. 8

Intermunicipal Development Plan

1 | INTRODUCTION

1.1 Purpose of the Plan

The purpose of the Municipal District of Taber (MD of Taber) and County of Forty Mile No. 8 (County of Forty Mile) Intermunicipal Development Plan (IDP or the Plan) is to foster ongoing collaboration and cooperation regarding planning matters and issues of mutual interest and address and clarify land use expectations within the agreed upon intermunicipal development plan area (Plan Area).

This IDP serves as a planning tool providing guidance to decision-makers through the agreed upon planning policies that apply to the land within the Plan Area. The IDP contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

1.2 Plan Goals

The intended goals of the IDP are:

- To promote consultation, coordination and cooperation regarding planning matters of joint interest within the Plan Area.
- To provide a framework for addressing land use concerns with regard to joint planning matters within the Plan Area.
- To provide a clear policy framework that serves to guide future planning decisions for land located within the Plan Area, affording enhanced coordination of development within the Plan Area.

The preparation and implementation of an IDP can result in many benefits to both municipalities including, but not limited to, the following:

- To establish an approach to identify possible joint ventures for infrastructure and service sharing to promote efficient planning and potential delivery of services.
- To reinforce and protect each municipality's development philosophies and goals while minimizing the potential for future intermunicipal conflict.
- To provide policy addressing plan administration, amendment and dispute resolution procedures.

1.3 Legislative Requirements

This Plan has been prepared in accordance with the requirements of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended (MGA),* and complies with the *South Saskatchewan Regional Plan.*

Specifically the *MGA* requires:

> *631(1) Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in Section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with Sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*
>
> *631(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,*
>
> *vi environmental matters within the area, either generally or specifically, and*
>
> *vii any other matter related to the physical, social or economic development of the area that the councils consider necessary.*
>
> *and*
>
> *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.*

The South Saskatchewan Regional Plan (SSRP) came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region through 2024.

Pursuant to Section 13 of the *Alberta Land Stewardship Act*, regional plans are legislative instruments. The SSRP has four key parts including the Introduction, Strategic Plan, Implementation Plan and Regulatory Details Plan. Pursuant to Section 15(1) of *ALSA*, the Regulatory Details of the SSRP are enforceable as law and bind the Crown, decision-makers, local governments and all other persons while the remaining portions are statements of policy to inform and are not intended to have binding legal effect.

The Regional Plan is guided by the vision, outcomes and intended directions set by the Strategic Plan portion of the SSRP while the Implementation Plan establishes the objectives and the strategies that will be implemented to achieve the regional vision. As part of the Implementation Plan, Section 8: Community Development includes guidance regarding Planning Cooperation and Integration between municipalities with the intention to foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments, boards and agencies. Section 8 contains the following broad objectives and strategies.

Objectives

- *Cooperation and coordination are fostered among all land use planners and decision-makers involved in preparing and implementing land plans and strategies.*
- *Knowledge sharing among communities is encouraged to promote the use of planning tools and the principles of efficient use of land to address community development in the region.*

Strategies

8.1 *Work together to achieve the shared environmental, economic, and social outcomes in the South Saskatchewan Regional Plan and minimize negative environmental cumulative effects.*

8.2 *Address common planning issues, especially where valued natural features and historic resources are of interest to more than one stakeholder and where the possible effect of development transcends jurisdictional boundaries.*

8.3 *Coordinate and work with each other in their respective planning activities (such as in the development of plan and policies) and development approval process to address issues of mutual interest.*

8.4 *Work together to anticipate, plan and set aside adequate land with the physical infrastructure and services required to accommodate future population growth and accompanying community development needs.*

8.5 *Build awareness regarding the application of land-use planning tools that reduce the impact of residential, commercial and industrial developments on the land, including approaches and best practices for promoting the efficient use of private and public lands.*

8.6 *Pursue joint use agreements, regional services commissions and any other joint cooperative arrangements that contribute specifically to intermunicipal land use planning.*

8.7 *Consider the value of intermunicipal development planning to address land use on fringe areas, airport vicinity protection plan or other areas of mutual interest.*

8.8 *Coordinate land use planning activities with First Nations, irrigation districts, school boards, health authorities and other agencies on areas of mutual interest.*

The above strategies were considered by both municipalities when developing policy within this IDP and will be considered when rendering land use decisions pertaining to development within the Plan Area.

1.4 Plan Preparation Process

A background and study area analysis was undertaken which served as the foundation from which both municipalities could review the existing land use conditions and determine the relevant issues, goals and objectives. Once each municipality's perspectives were identified, a draft document was prepared for review by each municipality prior to consultation with affected landowners, stakeholders and the general public at an Open House.

After the Open House, a refined document was then prepared and a final draft forwarded to each Council for consideration. As required by the MGA, public hearings were held by each Council and subsequent to the public hearings, the IDP was adopted by each municipality under separate municipal bylaws.

2 | PLAN AREA

Given the vast size of the municipalities, in order to focus on the border area and potential impacts, a study area on each side of the shared border was examined. The purpose was to identify opportunities and constraints, which may affect land use planning in the Plan Area. After consideration of social, economic and physical features listed below, it was determined that a Plan Area of approximately 1 mile (1.6 km) on each side of the municipal boundary was adequate to achieve the goals of the Plan. The Plan Area is illustrated in Map 1.

Within the Plan Area the following features were examined:

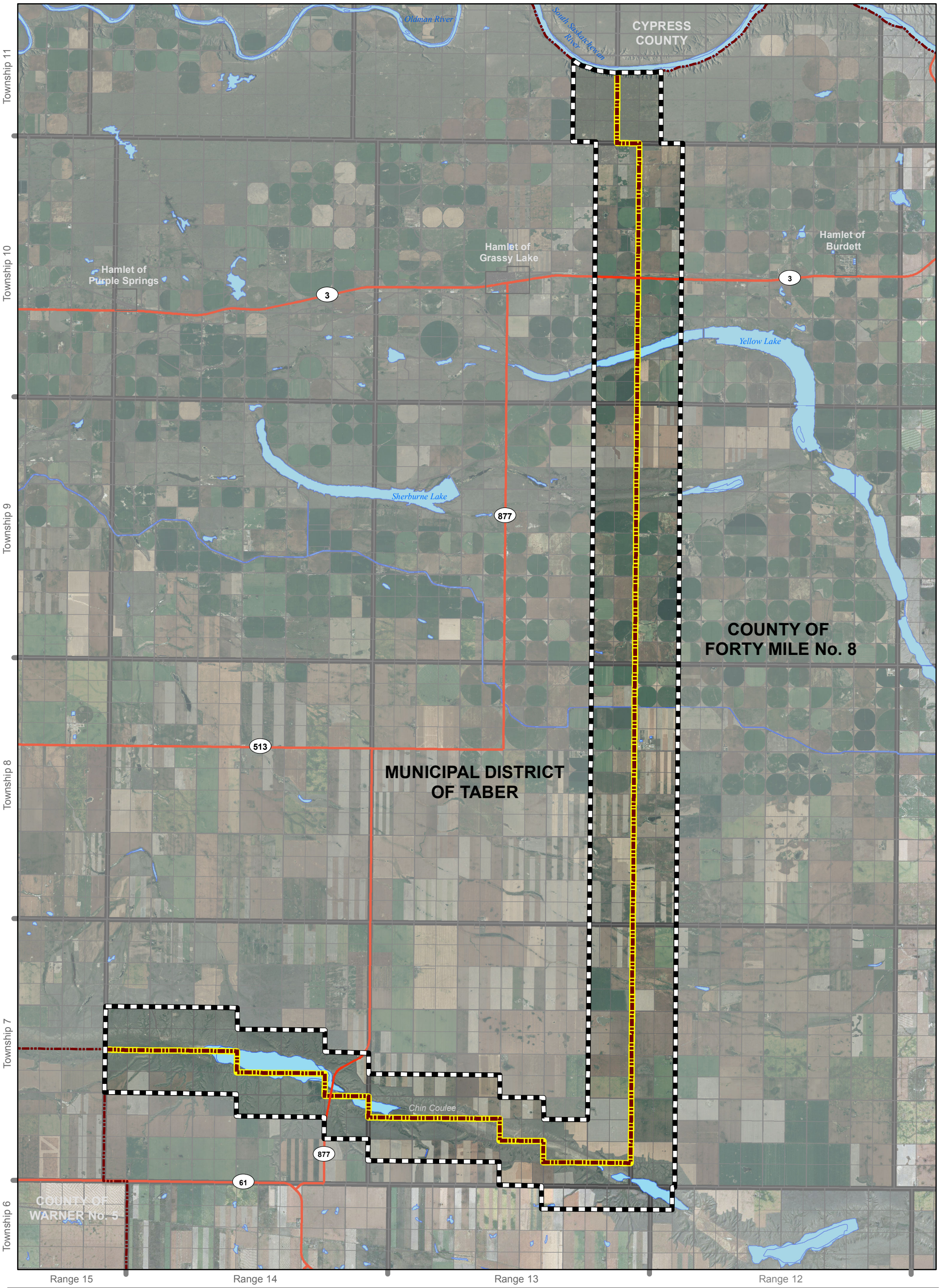
- Residences and Urban Areas
- Land Use and Zoning
- Surface Water
- Confined Feeding Operations (CFOs)
- Active / Potential Sites for Surface Materials Extraction
- Transportation Corridors
- Canada Land Inventory (CLI) Soil Index Values
- Environmentally Significant Areas (ESAs)
- Historical Resource Value (HRV) Sites

2.1 Key Characteristics of the Plan Area

The MD of Taber and County of Forty Mile Intermunicipal Development Plan Area (Map 1) encompasses approximately 48,400 acres (19,563 hectares). Key characteristics of the Plan Area include the following, some of which are illustrated on Maps 2-7 in Appendix A:

- **Agriculture**
  - All of the land in the Plan Area is zoned for agricultural use.
  - A mix of agricultural operations exist, including grazing, irrigated and dry land farming.
  - A confined feeding operation is located within the Plan Area.
- **Limited Residential Development**
  - Residential development within the Plan Area is limited.
  - No hamlets or other urban municipalities exist within the Plan Area.
  - With the exception of small pockets of government ownership, all land within the Plan Area is under private ownership.

- **Transportation Infrastructure**
  - The two provincial highways located within the Plan Area, Highway 3 and Highway 877, serve as important transportation corridors.
  - Several municipal roads within the Plan Area provide transportation links in an east-west direction between the municipalities.
  - Transportation linkages in the southern portion of the Plan Area are limited, with Highway 877 providing the only access between the two municipalities through Chin Coulee.
- **Natural Resource Development**
  - Oil and gas activity is currently limited within the Plan Area.
  - Based on Alberta Geological Survey information, assumed potential for sand and gravel development is concentrated primarily around Chin Coulee and Yellow Lake.
- **Natural Environment**
  - Chin Coulee defines the southern boundary between the two municipalities.
  - Environmentally significant areas are concentrated along Chin Coulee and the South Saskatchewan River valley.
  - Lands within the Plan Area in the vicinity of Chin Coulee, the South Saskatchewan River valley and Yellow Lake are believed to contain archaeological and/or paleontological historic resources.
  - Land containing archaeological and/or paleontological resources requiring avoidance are located in proximity of the South Saskatchewan River and within Sections 24 and 25 in Township 9.



Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Map 1

Plan Area Boundary

Plan Area Boundary

M.D. of Taber/County of Forty Mile No. 8 Border

Provincial Highways

Waterbodies

N

Source:
Aerial Photo Date: 2012

0 1 2 3 4 5
Kilometers

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)

3 | POLICIES

The policies contained in this Plan are intended to provide direction to the MD of Taber and County of Forty Mile Councils, subdivision and development authorities and administrations to manage the lands contained within the Plan Area. The policies of this Plan apply to all land within the Plan Area boundary delineated in Map 1.

3.1 General

INTENT

To provide administrative policies within the Plan Area which foster intermunicipal communication, consultation and cooperation.

POLICIES

3.1.1 The MD of Taber and County of Forty Mile will strive to engage in effective dialogue when considering land use and matters of joint municipal interest, while maintaining jurisdiction on lands within their own boundaries.

3.1.2 The municipalities will continue to build partnerships and foster a collaborative relationship with the adjacent municipality to promote regional interests, where deemed appropriate, including the support of mutually beneficial service agreements and shared environmental, economic and social outcomes.

3.1.3 Both municipalities agree to jointly discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are of a mutual benefit.

3.1.4 The MD of Taber and County of Forty Mile will strive, to the best of their ability and knowledge, to refer notices of government projects to each other.

3.1.5 Both municipalities are encouraged to share with each other the results of all publicly available technical analyses required by a Subdivision and Development Authority as part of an application, where there is the potential for impacts on lands and bodies of water.

3.2 Land Use

INTENT

To provide policies on land use within the Plan Area which reflect the development philosophies of both municipalities.

POLICIES

Extensive Agriculture

3.2.1 Agriculture will continue to be the predominant land use in the Plan Area. The impact on agricultural uses should be a consideration when determining suitability of non-agricultural land uses in the Plan Area.

3.2.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control adjacent to developed areas, through best management practices and Alberta Agriculture guidelines.

3.2.3 If disputes or complaints in either municipality arise between ratepayers and agricultural operators, the municipality receiving the complaint will direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution wherever necessary.

Confined Feeding Operations (CFOs)

3.2.4 Existing CFOs will be allowed to continue to operate under acceptable operating practices and within the requirements of the *Agricultural Operation Practices Act and Regulations*.

3.2.5 If either the MD of Taber or County of Forty Mile are in receipt of a notice of application from the Natural Resources Conservation Board (NRCB) for new or expanded CFOs, they will forward a copy of the notification to the other municipality.

Resource Extraction

3.2.6 The municipalities will consider the effects of visual intrusion, dust, noise, traffic, and air and water pollution when evaluating applications for new or expanded gravel pits, or other extractive activities, where they maintain jurisdiction.

3.2.7 Either municipality may require an agreement regarding the construction, repair, and maintenance of any municipal roads, which may be impacted by resource development, when the development requires access to come from the other municipality's road.

3.2.8 If either the MD of Taber or County of Forty Mile are in receipt of a notice for a new or expanded Alberta Transportation gravel pit, they will forward a copy of the notice to the other municipality.

Industry and Energy Development

3.2.9 The municipalities may consider renewable energy developments and other industrial development where compatible with existing land uses.

Telecommunications Towers / Utilities

3.2.10 Where there is an application for a new, expanded or retrofitted telecommunications tower within the Plan Area, the MD of Taber and County of Forty Mile will notify the other municipality to seek their comments.

3.2.11 It is the preference of both municipalities that co-location of telecommunication facilities be undertaken where technically feasible.

3.2.12 The location of telecommunication towers in proximity of irrigated crop production should consider the potential impact to aerial application.

3.2.13 When providing comments to provincial and federal departments regarding utility development, the MD of Taber and County of Forty Mile will request that consideration be given to the establishment of utility corridors with multiple users.

3.3 Transportation and Road Networks

INTENT

Both municipalities recognize the importance of maintaining an efficient and coordinated transportation network. The policies herein promote consideration of the impacts of development on municipal and provincial road infrastructure.

POLICIES

3.3.1 The MD of Taber and County of Forty Mile will notify one another of any development or subdivision proposal that will result in access being required from an adjoining road under the other municipality's control or management in accordance with Section 4.2.20 of this Plan.

3.3.2 When a new municipal road(s) is proposed within the Plan Area, the proposing municipality will send notification to the other, prior to construction of the road, providing an opportunity for comment on the potential impacts the new road may have on the existing road network, infrastructure and land use in the other municipality.

3.3.3 When designating haul routes within the Plan Area, both municipalities will strive to coordinate haul route connections across the intermunicipal boundary, where possible. When either municipality designates a haul route(s) in the Plan Area, notification will be sent

to the other municipality, prior to establishment of the haul route, providing an opportunity for the receiving municipality to comment on possible impacts to the municipality's road network, including restricted bridges and other transportation infrastructure.

3.3.4 When required by Alberta Transportation, developers shall conduct traffic studies with respect to the impact and access on the Highways. Any upgrading identified by a traffic study conducted by a developer with respect to the Highway shall be implemented by the developer at its sole cost and to the satisfaction of Alberta Transportation.

3.3.5 Both municipalities agree to consult and work with Alberta Transportation regarding the implementation of this Plan and consider how development may impact Highway 3 and Highway 877, as applicable.

3.3.6 The municipalities should endeavor to maintain open dialogue with Alberta Transportation regarding the provincial highways in the Plan Area, including any changes to the highways that may have impacts on the municipalities.

3.4 Natural Environment

INTENT

Both municipalities recognize the connection between the natural environment and quality of life and strive to protect, preserve and enhance natural systems and environmentally significant areas, while promoting appropriate development.

POLICIES

3.4.1 When making land use decisions, each municipality will:

a) utilize and incorporate measures which minimize possible impacts on water resources and drainage areas;

b) determine appropriate land use patterns in the vicinity of significant water resources and other water features;

c) establish appropriate setbacks to maintain water quality, flood water conveyance and storage, bank stability and habitat.

3.4.2 Lands that have been identified that may contain an environmentally significant area (ESA) may be required to conduct an environmental impact assessment (EIA) and the proponent should contact Alberta Environment and Parks.

3.4.3 Lands that have been identified that may contain a historic resource value (HRV) may be required to conduct a historical resource impact assessment (HRIA) and the proponent should consult the *Historical Resources Act* and Alberta Culture and Tourism.

3.4.4 Both municipalities should consider the provincial Wetland Policy when making land use decisions with the goal of sustaining environment and economic benefits.

3.4.5 Each municipality encourages applicants of subdivision and development proposals to consult with the respective municipality, irrigation district, and provincial departments, as applicable, regarding water supply, drainage, setbacks from sensitive lands, and other planning matters relevant to the natural environment in advance of submitting a proposal.

3.5 Interpretation

INTENT

To ensure the policies and language within this Plan are communicated in the proper context so as to ensure the intent of the Plan is as clear and concise as possible.

POLICIES

3.5.1 Unless otherwise required by the context, words used in the present tense include the future tense, words used in the singular include the plural, and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act, Chapter I-8, RSA 2000* as amended, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.

3.5.2 All references to a specific agency, body, or department were accurate at the time of writing. It is understood that agency, body and department names change from time to time. All references throughout the Plan shall therefore be considered to be applicable to the relevant agency, body or department.

3.5.3 The geographical or relative boundaries or any variable presented on the maps contained in this Plan, with the exception of the boundaries of the Plan Area, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.

4 | PLAN ADMINISTRATION & IMPLEMENTATION

4.1 Intermunicipal Development Plan Committee Policies

INTENT

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. An Intermunicipal Development Plan Committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

POLICIES

4.1.1 For the purposes of administering and monitoring the IDP, the MD of Taber and County of Forty Mile establish the Intermunicipal Development Plan Committee (the Committee).

4.1.2 Both Councils agree the Intermunicipal Development Plan Committee will be an advisory body and may make comments or recommendations to the MD of Taber and County of Forty Mile. In its advisory capacity, the Committee does not have decision making authority or powers with respect to planning matters in either municipality.

4.1.3 The Committee will be comprised of members of municipal staff appointed by the municipality with equal representation from both municipalities. Each municipality may appoint alternate Committee members in the event a regular member cannot attend a scheduled meeting. Alternate Committee members shall have standing. Quorum shall consist of two (2) voting members, one (1) from each municipality.

4.1.4 Members of the Committee shall be appointed by their respective municipalities. If either municipality wishes to appoint a new member to the Committee (including the alternate), the municipalities shall notify one another upon appointment of new members and alternate members to the Committee.

4.1.5 The municipalities agree that the purpose of the Committee is to:

a) provide a forum for discussion of land use matters within the Plan Area,

b) provide recommendation(s) for proposed amendments to the Plan,

c) discuss and address issues regarding Plan implementation,

d) review and provide comment on referrals under Section 4.2 and any other matters referred to the Committee,

e) provide recommendation(s) regarding intermunicipal issues in an effort to avoid a dispute, and

f) provide a forum for discussion of any other matter of joint interest identified by either municipality.

4.1.6 Meetings of the Committee may be held at the request of either municipality to discuss land use or other planning matters, dispute resolution, or any other matter of intermunicipal importance. Additionally, any matter in Section 4.2 may be referred to the Committee for comment, as per the timelines stipulated in 4.2.20, prior to a decision being rendered.

4.1.7 A municipality may call a meeting of the Committee at any time upon not less than five (5) days' notice of the meeting being given to all members of the Committee and support personnel, stating the date, the time, purpose and the place of the proposed meeting. The five (5) days' notice may be waived with consent of the Committee members.

4.1.8 The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.

4.1.9 Any changes to the Committee format, composition, roles, responsibilities or any aspect of its existence or operation may be requested by either municipality.

4.1.10 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution process in Section 5 of this Plan should be adhered to.

4.2 Referral Policies

INTENT

To establish a process for consistent and transparent sharing of information necessary to make decisions in accordance with the intent of the Plan.

POLICIES

General

4.2.1 Where an intermunicipal referral is required by the *MGA* or the policies contained in this Plan, both municipalities agree to share mailing address and property ownership information for circulation purposes with the adjacent municipality, and where applicable, the municipality's processing agency.

4.2.2 Where a plan or bylaw, including amendments, or application, requires notifications to be sent to a municipality that is external to this IDP, the referring municipality shall follow the referral requirements outlined in the *MGA*, and where applicable, those contained in a relevant Intermunicipal Development Plan.

4.2.3 Administrative staff or representatives for the MD of Taber and County of Forty Mile are encouraged to discuss, with one another, forthcoming Statutory Plans and Land Use Bylaws, including amendments, and other studies, projects or proposals that may impact the Plan Area.

4.2.4 Administrative staff or representatives for the MD of Taber and County of Forty Mile are encouraged to discuss with one another forthcoming subdivision and development applications that may impact lands within the Plan Area.

4.2.5 The municipalities are encouraged to refer to each other for comment major land use or planning matters that have the potential to impact the other jurisdiction, even if it involves lands that may not be located within the Plan Area.

Municipal Development Plans

4.2.6 A newly proposed County of Forty Mile Municipal Development Plan or amendment shall be referred to the MD of Taber for comment prior to a public hearing.

4.2.7 A newly proposed MD of Taber Municipal Development Plan or amendment shall be referred to County of Forty Mile for comment prior to a public hearing.

Other Statutory Plans

4.2.8 A newly proposed County of Forty Mile statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to the MD of Taber for comment prior to a public hearing.

4.2.9 A newly proposed MD of Taber statutory plan (excluding a Municipal Development Plan) or amendment that will have an impact on the Plan Area shall be referred to County of Forty Mile for comment prior to a public hearing.

Land Use Bylaws

4.2.10 All Land Use Bylaw amendments in the County of Forty Mile that affect lands in the Plan Area, shall be referred to the MD of Taber for comment prior to a public hearing.

4.2.11 All Land Use Bylaw amendments in the MD of Taber that affect lands in the Plan Area, shall be referred to County of Forty Mile for comment prior to a public hearing.

4.2.12 All redesignation applications affecting the Plan Area shall be referred to the other municipality for comment prior to a public hearing.

4.2.13 A newly proposed Land Use Bylaw from either municipality shall be referred to the other for comment prior to a public hearing.

Design Concepts

4.2.14 All design concepts in support of a subdivision or development in County of Forty Mile that will affect lands in the Plan Area shall be referred to the MD of Taber for comment prior to Council resolution.

4.2.15 All design concepts in support of a subdivision or development in the MD of Taber that will affect lands in the Plan Area shall be referred to the County of Forty Mile for comment prior to Council resolution.

Subdivision and Development

4.2.16 All subdivision applications for lands within the Plan Area shall be referred to the other municipality for comment prior to a decision being rendered.

4.2.17 County of Forty Mile shall refer all discretionary use development applications within the Plan Area to the MD of Taber for comment prior to a decision being rendered.

4.2.18 The MD of Taber shall refer all discretionary use development applications within the Plan Area to County of Forty Mile for comment prior to a decision being rendered.

4.2.19 Any development application for a sand or gravel pit or renewable energy project (e.g., solar, wind, water, biofuel) shall be referred to the other municipality for comment prior to a decision being rendered.

Response Timelines

4.2.20 The responding municipality shall, from the date of mailing, have the following timelines to review and provide comment on intermunicipal referrals:

a) 15 calendar days for all development applications,

b) 19 calendar days for subdivision applications, and

c) 30 calendar days for all other intermunicipal referrals.

4.2.21 In the event that either municipality or the Committee does not reply within, or request an extension by, the response time for intermunicipal referrals stipulated in this Section, it is presumed that the responding municipality and/or Committee has no comment or objection to the referred planning application or matter.

Consideration of Responses

4.2.22 Comments from the responding municipality and/or the Committee regarding proposed Municipal Development Plans, other statutory plans, and Land Use Bylaws, or amendments to any of those documents, shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered.

4.2.23 Comments from the responding municipality and/or the Committee regarding subdivision and development applications shall be considered by the municipality in which the application is being proposed, prior to a decision being rendered on the application.

4.3 Plan Validity and Amendment Policies

INTENT

This Plan may require amendments from time to time to accommodate unforeseen situations, and to keep the Plan relevant.

POLICIES

4.3.1 This Plan comes into effect on the date it is adopted by both municipalities.

4.3.2 Amendments shall be adopted by both Councils using the procedures outlined in the *MGA*. No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

4.3.3 Applications for amendments to this Plan by parties other than the MD of Taber and County of Forty Mile (e.g. landowners and developers) shall be made to both municipalities along with the applicable fee as established by each municipality for processing amendments to a statutory plan.

4.3.4 Administrative staff should review the policies of the Plan annually and discuss land use matters, issues and concerns on an on-going basis. Administrative staff may make recommendations to their respective Councils for amendment to the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.

4.3.5 A formal review of the Plan will occur within 10 years from the date the IDP is adopted by both municipalities.

4.3.6 Either municipality may request that the Plan be repealed and replaced with a new IDP upon serving written notice to the other municipality. The dispute resolution process stipulated in Section 5 will be undertaken should the municipalities be unable to reach an agreement.

5 | DISPUTE RESOLUTION POLICIES

5.1 General Dispute Process

INTENT

The intent of the dispute resolution process is to maximize opportunities for discussion and review in order to resolve areas of disagreement early in the process. Despite the best efforts of both municipalities, it is understood that disputes may arise from time to time affecting land use within the Plan boundary. The following process is intended to settle disputes through consensus and minimize the need for formal mediation.

POLICIES

General Agreement

The municipalities agree that:

5.1.1 It is important to avoid dispute by ensuring that the Plan is adhered to as adopted, including full circulation of any permit or application that may affect the municipality as required in the Plan and prompt enforcement of the Plan policies.

5.1.2 Prior to the meeting of the Committee, each municipality through its administration, will ensure the facts of the issue have been investigated and clarified, and information is made available to both parties. Staff meetings are encouraged to discuss possible solutions.

5.1.3 The Committee should discuss the issue or dispute with the intent to seek a recommended solution by consensus.

Dispute Resolution

In the case of a dispute, the following process will be followed to arrive at a solution:

5.1.4 When a potential intermunicipal issue comes to the attention of either municipality relating to a technical or procedural matter, such as inadequate notification or prescribed timelines, misinterpretation of Plan policies, or a clerical error regarding the policies of this Plan, either municipality's Land Use Bylaw, or any other plan affecting lands in the Plan area, it will be directed to the administrators of each municipality. The administrators will review the technical or procedural matter and if both administrators are in agreement, take action to rectify the matter.

5.1.5 Should either municipality identify an issue related to this Plan that may result in a dispute that cannot be administratively resolved under Section 5.1.4 or any other issue that may result in a dispute, the municipality should contact the other and request that an Intermunicipal Development Plan Committee meeting be scheduled to discuss the issue. The Committee will review the issue and attempt to resolve the matter by consensus.

5.1.6 Should the Intermunicipal Development Plan Committee be unable to arrive at a consensus, the administration of each municipality will schedule a joint meeting of the two Councils to discuss possible solutions and attempt to reach consensus on the issue.

5.1.7 Should the Councils be unable to resolve the matter, either municipality, may initiate a formal mediation process to facilitate resolution of the issue.

Filing an Intermunicipal Dispute under the Municipal Government Act

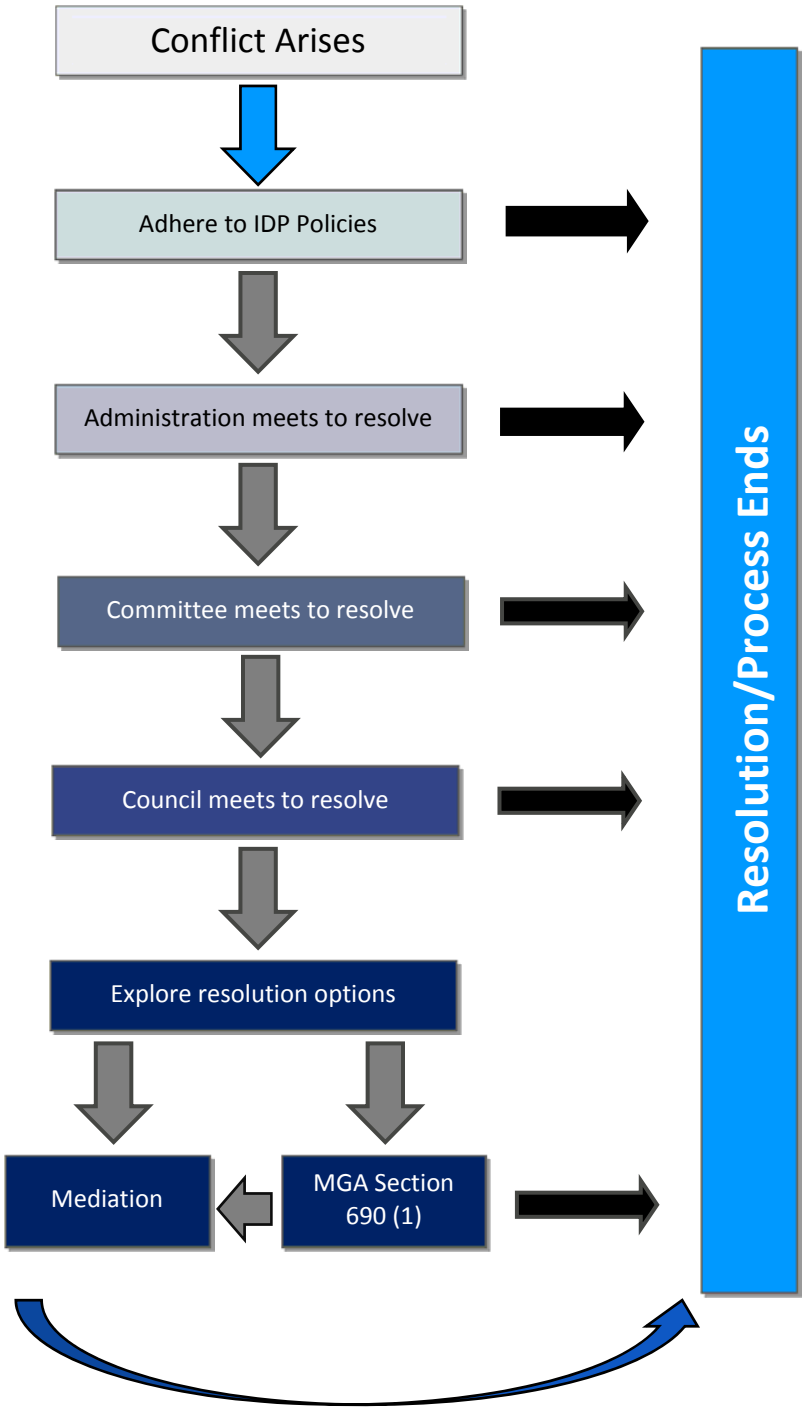
5.1.8 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under Section 690(1) of the *MGA* so that the provincial statutory right and timeframe to file an appeal is not lost.

5.1.9 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 30 day appeal filing process as outlined in the *MGA*.

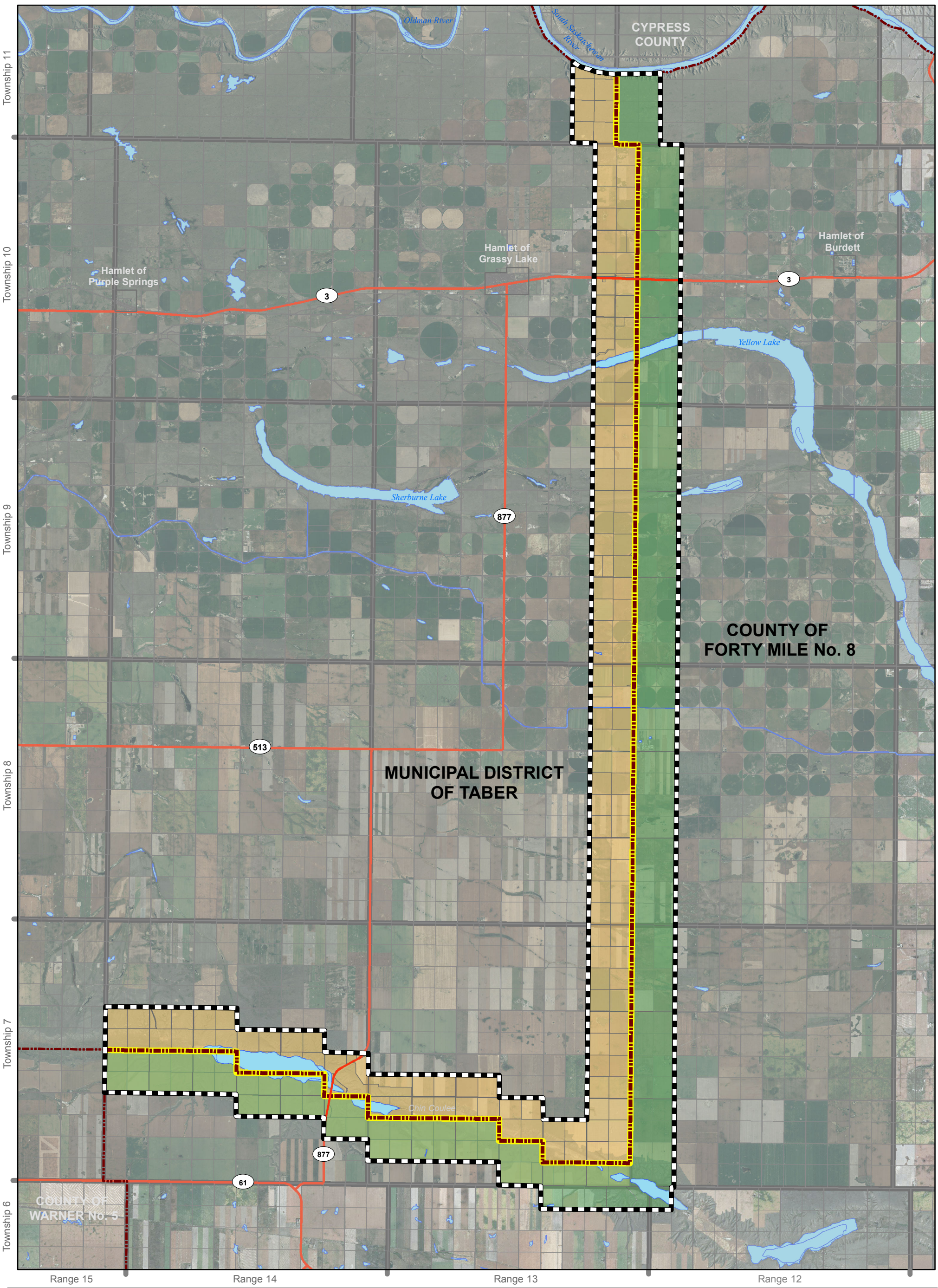
Note: *Using Section 690(1) of the MGA is the final stage of dispute settlement, where the municipalities request the Municipal Government Board to intercede and resolve the issue.*

Dispute Resolution Flow Chart

The flow chart presented herein illustrates the dispute resolution process. This process is not intended to limit the ability of either municipality to explore other methods of resolution or to choose one method in place of another.



APPENDIX A | MAPS



Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Land Use Designations

Map 2

N

- Plan Area Boundary
- M.D. of Taber/County of Forty Mile No. 8 Border
- Provincial Highways
- Waterbodies

M.D. of Taber Land Use Designation[1]

- Rural Agricultural - RA

County of Forty Mile No. 8 Land Use Designation[2]

- Agricultural - A

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)

Source:

[1] M.D. of Taber Land Use District Map Bylaw No. 1722, Amended to Bylaw No. 1902

[2] County of Forty Mile No. 8 Land Use District Map Bylaw No. 10/2009

Aerial Photo Date: 2012

0 1 2 3 4 5
Kilometers

Township 11
Township 10
Township 9
Township 8
Township 7
Township 6

Oldman River
South Saskatchewan River
CYPRESS COUNTY
Hamlet of Purple Springs
Hamlet of Grassy Lake
Hamlet of Burdett
3
Yellow Lake
Sherburne Lake
877
513
MUNICIPAL DISTRICT OF TABER
COUNTY OF FORTY MILE No. 8
61
COUNTY OF WARNER No. 5

Range 15
Range 14
Range 13
Range 12

Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Physical Characteristics

Map 3

- Plan Area Boundary
- M.D. of Taber/County of Forty Mile No. 8 Border
- Provincial Highways
- Waterbodies
- Residences or Other Addressed Parcels[1]
- Confined Feeding Operations[2]

Land Ownership[3]

- Private Ownership
- Crown Land
- M.D. of Taber
- St. Mary River Irrigation District

Source:
[1] Alberta Municipal Data Sharing Partnership, July 2017
[2] NRCB, 2015
[3] Altalis, May 2017
Aerial Photo Date: 2012

N

0 1 2 3 4 5
Kilometers

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)

Township 11
Township 10
Township 9
Township 8
Township 7
Township 6
Range 15
Range 14
Range 13
Range 12
TWP RD 11-0
TWP RD 10-4
TWP RD 10-0
TWP RD 9-2
TWP RD 9-0
TWP RD 8-2
TWP RD 8-0
Oldman River
South Saskatchewan River
CYPRESS COUNTY
Hamlet of Purple Springs
Hamlet of Grassy Lake
Hamlet of Burdett
Yellow Lake
Sherburne Lake
COUNTY OF FORTY MILE No. 8
MUNICIPAL DISTRICT OF TABER
Chin Coulee
COUNTY OF WARNER No. 5
3
877
513
61

Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Map 4

Road Network

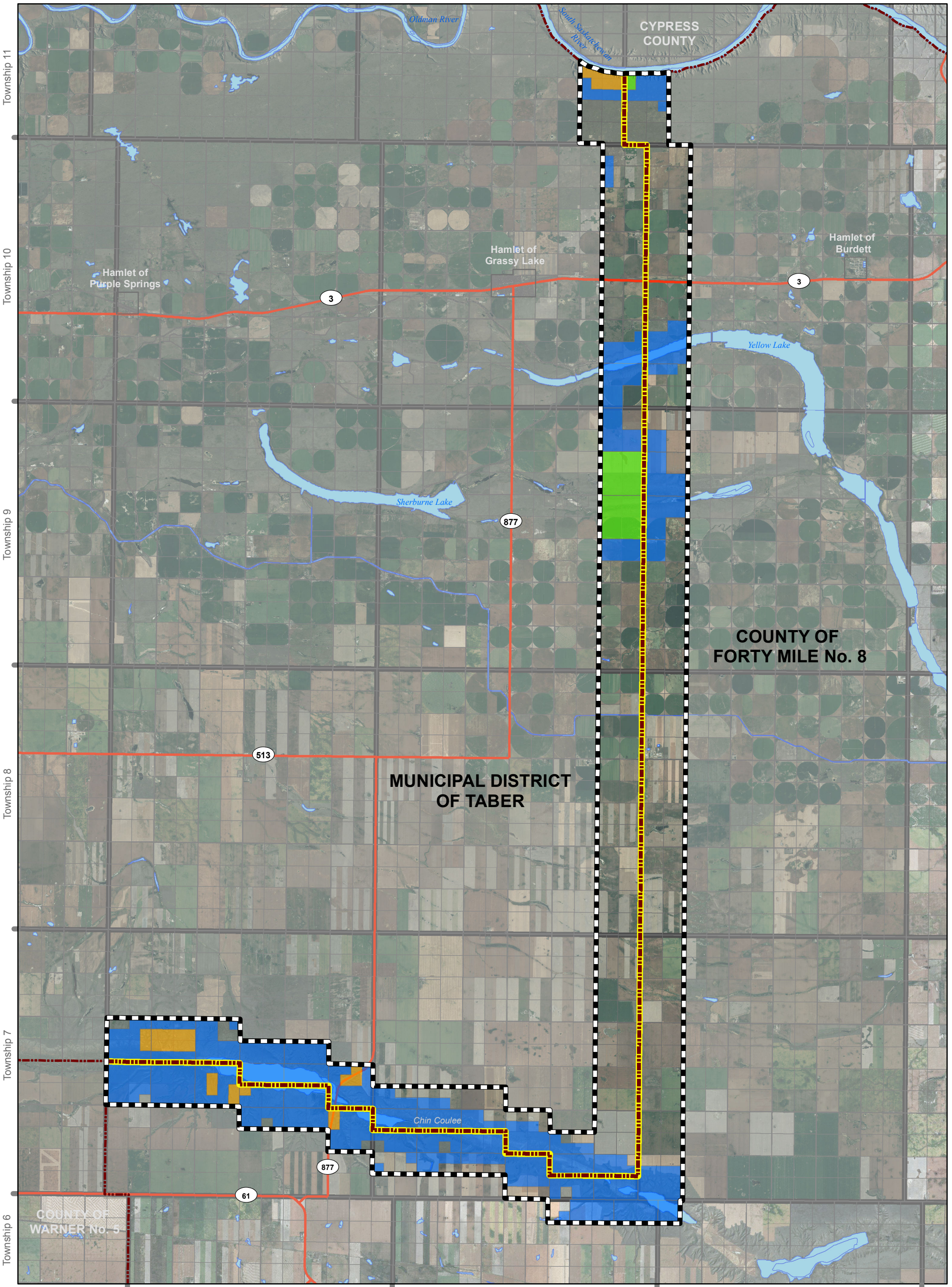
- Plan Area Boundary
- M.D. of Taber/County of Forty Mile No. 8 Border
- Waterbodies
- Provincial Highways
- Municipal Roads

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)

N

Source:
Aerial Photo Date: 2012

0 1 2 3 4 5
Kilometers



Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Historic Resource Value Sites

Map 5

- Plan Area Boundary
- M.D. of Taber/County of Forty Mile No. 8 Border
- Provincial Highways
- Waterbodies

Historic Resource Values (HRV)[1]*

- Land Contains an Archaeological and/or Paleontological Resource That Requires Avoidance (HRV 3 a, p)
- Land Contains an Archaeological Resource That May Require Avoidance (HRV 4 a)
- Land Believed to Contain an Archaeological and/or Paleontological Historic Resource (HRV 5 a, p)

* Refer to AB Culture and Tourism "Listing of Historic Resources Instructions For Use" for HRV descriptions and categories.

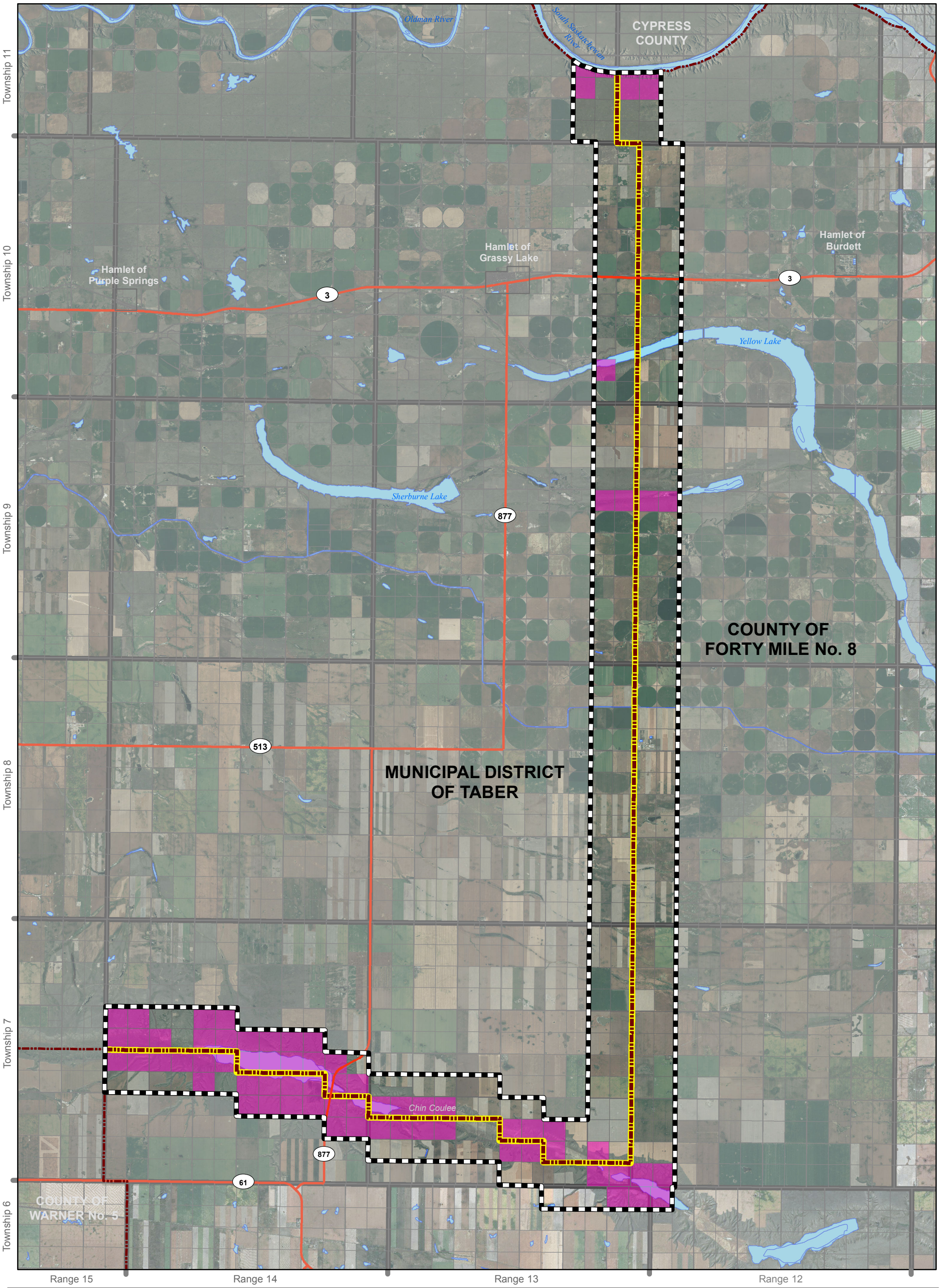
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Source:
[1] Alberta Culture and Tourism
Government of Alberta, April 2017

Aerial Photo Date: 2012

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Kilometers

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)



Municipal District of Taber and County of Forty Mile No. 8 Intermunicipal Development Plan

Natural Characteristics

Map 6

- Plan Area Boundary
- M.D. of Taber/County of Forty Mile No. 8 Border
- Provincial Highways
- Waterbodies
- Environmentally Significant Areas[1]

Municipal District of Taber
(Bylaw No. 1922) &
County of Forty Mile No. 8
(Bylaw No. 2018/07)

Note:

Environmentally Significant Areas (ESAs) illustrated on this map are based on macro-scale provincial data and may not depict the full extent of ESAs within the Plan Area. This data is to be used for general information only and is supplementary to other more detailed sources of information the municipalities and province may have regarding ESAs.

Source:

[1] Environmentally Significant Areas in Alberta: 2014 Update, Alberta Parks

Aerial Photo Date: 2012

N

0 1 2 3 4 5

Kilometers