County of Forty Mile & Town of Bow Island

INTERMUNICIPAL DEVELOPMENT PLAN



Bylaw No. 03/2020 &
Bylaw No. 2020:02

March 2021

(Bylaws Adopted)

BOW ISLAND
Incorporated 1912

BYLAW NO. 2020:02

TOWN OF BOW ISLAND
IN THE PROVINCE OF ALBERTA

BYLAW No. 2020:02, being a Bylaw of the Town of Bow Island in the Province of Alberta, to adopt the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan.

WHEREAS municipalities that have common boundaries are required by provincial legislation to pass and adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

AND WHEREAS the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan establishes policies that apply to lands within both municipalities as defined within the plan and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

AND WHEREAS both the Councils of the County of Forty Mile No. 8 and the Town of Bow Island 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 each 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 Town of Bow Island duly assembled hereby enacts the following:

1. Council shall adopt the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan in consultation and as agreed to with the County of Forty Mile No. 8.
2. This plan, upon adoption, shall be cited as the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan Bylaw.
3. The Intermunicipal Development Plan becomes official with the County of Forty Mile No. 8 adopting a corresponding bylaw
4. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 9th day of March, 2020.

READ a **second** time this 8th day of March, 2021.

READ a **third** time and finally PASSED this 8th day of March, 2021.

Mayor

CAO

BY-LAW NO. 03/2020

COUNTY OF FORTY MILE No.8
IN THE PROVINCE OF ALBERTA

BYLAW No. 03/2020, being a bylaw of the County of Forty Mile No. 8 in the Province of Alberta, to adopt the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan.

WHEREAS municipalities that have common boundaries are required by provincial legislation to pass and adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

AND WHEREAS the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan establishes policies that apply to lands within both municipalities as defined within the plan and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

AND WHEREAS both the Councils of the County of Forty Mile No. 8 and the Town of Bow Island 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 each 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 enacts the following:

1. Council shall adopt the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan in consultation and as agreed to with the Town of Bow Island.
2. This plan, upon adoption, shall be cited as the County of Forty Mile No. 8 and Town of Bow Island Intermunicipal Development Plan Bylaw.
3. The Intermunicipal Development Plan becomes official with the Town of Bow Island adopting a corresponding bylaw
4. This bylaw shall come into effect upon third and final reading thereof.

MOVED Craig Widmer to READ a first time this 11th day of March 2020.

***Reeve** – Steven Wikkerink* ***Administrator** – Keith Bodin*

MOVED Joan Hughson to READ a second time this 10th day of March 2021.

***Reeve** – Steven Wikkerink* ***Administrator** – Keith Bodin*

MOVED Diane Harty to READ a third time and finally PASSED this 10th day of March 2021.

***Reeve** – Steven Wikkerink* ***Administrator** – Keith Bodin*

Acknowledgements

This planning document was created as a partnership between the County of Forty Mile and the Town of Bow Island. The following elected officials and municipal administrative officials contributed to the preparation of this important municipal document.

County of Forty Mile

Steven Wikkerink - Reeve
Joan Hughson - Deputy Reeve
Diane Harty - Councillor
Stacey Barrows - Councillor
Craig Widmer - Councillor
Gerald Reimer - Councillor
Chantel Timmons - Councillor
Keith Bodin - CAO
Nathan Ogden – Planning/Development Officer

Town of Bow Island

Gordon Reynolds - Mayor
Bernice DeLeenheer - Councillor
Rob Ficiur - Councillor
Dave Harrison- Councillor
Alan Hyland - Councillor
Terrie Matz - Councillor
Lyle Tuchscherer - Councillor
Dave Matz - CAO

Acknowledgement

Planning personnel of the Oldman River Regional Services Commission are thanked for their advice and assistance provided to the collaborating parties. It is gratefully acknowledged that in the development of this IDP, some ideas and policies were sourced from various plans created in partnership between the Oldman River Regional Services Commission and its' member municipalities.

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InterMunicipal Development Plan

County of Forty Mile & Town of Bow Island

INTRODUCTION

PART 1

PART 1 INTRODUCTION

1.1 Introduction

The County of Forty Mile (County) and the Town of Bow Island (Town) have prepared an Intermunicipal Development Plan (IDP or Plan) intended to build upon their collaborative relationship. The purpose of the IDP is to foster ongoing cooperation between the two municipalities by providing a forum to discuss and manage planning and intermunicipal matters in consideration of each party's interests and concerns. Both the County and Town recognize that the fringe land surrounding the urban municipality is often subject to competing interests by landowners, developers, and even the municipalities. In recognition of this, the IDP is intended to create a jointly shared vision by the County and Town for managing growth and development by establishing a long-term strategy which attempts to balance the interests of each municipality, and create future opportunities for economic growth.

The County and Town entered into a joint urban fringe agreement in 1999, referred to as the Rural-Urban Fringe Plan. Minor amendments were made in 2003 mainly to address the NRCB obtaining jurisdiction over permitting confined feeding operations which resulted in the CFO exclusion area being established. It has not subsequently been updated since that time, nor has there been a newer IDP format prepared as a statutory plan. However, in respect of new development and growth opportunities, and to conform to new provincial Municipal Government Act (MGA) requirements mandating IDPs, both municipalities desire to establish a clear framework to direct and manage development in a manner which is mutually beneficial. The key policy areas of this Plan include:

- Land use suitability;
- Coordinated growth planning;
- Annexation criteria;
- Transportation, utilities and servicing;
- Highway 3 twinning and realignment considerations;
- Consultation and referral mechanisms; and
- Dispute settlement.

1.2 Purpose of the Plan

The primary purpose of the Intermunicipal Development Plan (IDP) is to address planning issues and the coordination of future land use on lands defined within both municipalities. The Plan also enables a formal means of exchanging information and communication between the County and the Town. It also is an intermunicipal framework to help collaborate and share in new opportunities that may be mutually beneficial. Municipalities are required by the province to work together to adopt IDPs to:

- promote consultation, coordination and cooperation regarding planning matters of joint interest within an agreed to defined planning area;

- provide a framework for addressing land use concerns with regard to joint planning matters;
- establish procedure for dealing with development proposals within the identified planning area; and
- address any other matters relating to development considered necessary within a joint planning area.

An IDP is a planning mechanism that can provide numerous benefits to those participating municipalities, which may include, but are not limited to the following:

- identifying and protecting both municipalities' development objectives and goals while mitigating the potential for future intermunicipal conflict;
- municipal cost-savings, as a result of infrastructure and service sharing, which also provides residents with a higher quality of life;
- ensuring development for both municipalities occurs in an orderly, economic, efficient and compatible manner that is more sustainable by considering existing development conditions and future municipal goals; and
- enhancing the region, by collaborating and working together to grow the local economy so both municipal parties may realize economic benefits.

The Plan contains policy that applies to lands within the County in the fringe area of the Town (as defined by the IDP boundary), as well as within the Town (adjacent to the corporate boundary) that is intended to be used as a framework for working cooperatively, communicating and making decisions in each municipality. However, each municipality is ultimately responsible for making decisions within their own respective municipal jurisdiction using the policies and procedures as provided for in this Plan.

1.3 Legislative Requirements

Updates made in 2018 to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 (MGA) now mandate the adoption of IDPs between adjacent municipalities. Specifically, the MGA states:

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,

v. environmental matters within the area, either generally or specifically,

vi. 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

(3) The council of a municipality that is required under this section to adopt an intermunicipal development plan must have an intermunicipal development plan that provides for all of the matters referred to in subsection (2) within 2 years from the date this subsection comes into force.

(4) Subject to the regulations, if municipalities that are required to create an intermunicipal development plan are not able to agree on a plan, sections 708.33 to 708.43 apply as if the intermunicipal development plan were an intermunicipal collaboration framework.

(5) In creating an intermunicipal development plan, the municipalities must negotiate in good faith.

In addition to the MGA, 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 until 2024.

Pursuant to Section 13 of the Alberta Land Stewardship Act, regional plans are legislative instruments. 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 SSRP 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 Plan 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:

Planning Cooperation and Integration

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 interests 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 plans 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 SSRP strategies were considered by both the County and Town when developing policy within this IDP and will be considered when rendering land use decisions pertaining to development within the Plan Area. Other strategies contained in the SSRP should be considered in the context of each municipality's Municipal Development Plan, Land Use Bylaw or through policies found within this Plan.

1.4 Plan Guiding Principles

1. The County and Town will seek to reach consensus on planning issues where possible and seek agreeable solutions to issues that may arise.

2. The IDP policies should strive to encourage municipal consultation and cooperation as much as possible.
3. The IDP should have a long-term outlook and regional perspective for the benefit of both municipalities.
4. The County and Town will attempt to balance municipal interests and work together on mutually beneficial opportunities wherever able.
5. The two municipal parties shall strive to build partnerships and foster collaborative relationships to encourage healthy growth for the region as a whole.
6. The Town and County will endeavour to make decisions with the respect to the ideal of providing good governance to the public and community at large.



1.5 Plan Goals

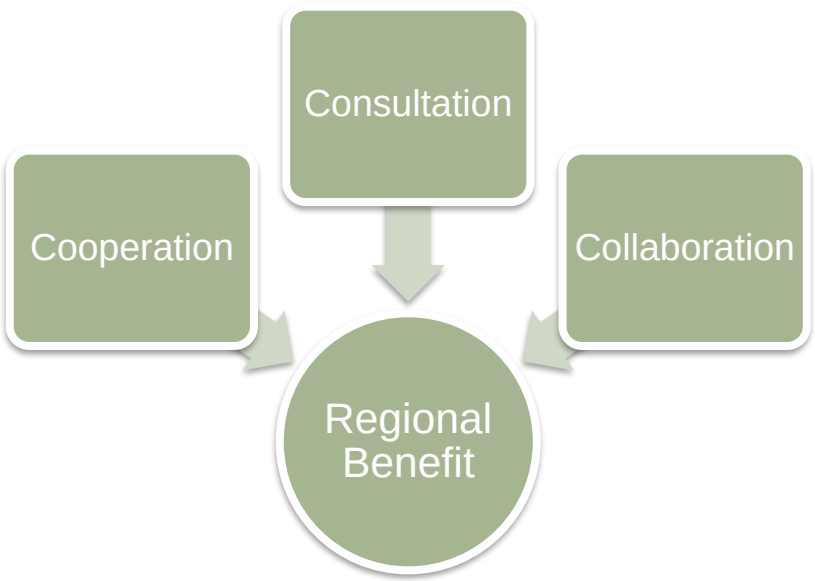
The intended general goals of the Intermunicipal Development Plan are:

1. To address the requirements of the *Municipal Government Act* with respect to plan administration, plan amendment and dispute resolution procedures, in an agreed to framework.
2. To enable both the County and Town to grow and prosper in a regional context and to identify logical areas to accommodate future development and growth, as agreed to by both parties.
3. To establish a defined and coordinated land use approach and planning framework that will facilitate logical, compatible development, and complementary land uses.
4. To provide clear direction to developers and landowners regarding preferred development patterns within the County's urban fringe area and the Town.
5. To consider future land use challenges and opportunities for long-term local planning as they relate to the future provincial transportation plans for Highway 3 in the Bow Island area.

6. To consider the SSRP and promote an orderly and efficient development pattern within the Plan area that balances the long-range interests of both municipalities.

7. To provide for a sound planning process that encourages and facilitates ongoing consultation, partnership, and cooperation between the two municipalities.

IDP Principles and Goals



1.6 Plan Preparation Process

The IDP process was guided by the CAOs and administrative staff from each municipality, as well as by each Council providing some initial feedback on perspectives of various municipal issues to help identify potential policy directions. The planning consultant prepared a background and land use study to assist the IDP preparation and to help identify logical boundaries and policy areas. The study area analysis undertaken reviewed the existing land use conditions and constraints, transportation systems, land use zoning, environmental and cultural resources, provincial land use, topography and soils, and subdivision and title configurations, amongst other matters. After public notifications and consultation, detailed discussions, and the review of input and submissions received throughout the plan preparation process, the IDP was adopted by both the Town and County, respectively.

BACKGROUND ANALYSIS & AREAS OF COMMON AGREEMENT

PART 2

PART 2 BACKGROUND ANALYSIS and AREAS OF COMMON AGREEMENT

2.1 Background Overview

An Intermunicipal Development Plan (IDP) recognizes that the fringe area of an urban municipality such as the Town of Bow Island's is unique and requires special planning considerations. The fringe area is typically subject to different pressures, conflicts, and opportunities than a conventional rural or urban area on its own. As such, it is apparent that adjacent municipalities need to work together, consult and coordinate development processes to make effective land use decisions.

To assist in the preparation of a constructive, functional, and effective planning document, an analysis of the Plan Area was undertaken to provide an overview of the existing conditions in the Bow Island area for approximately 3-miles around the town. Maps (see Part 7) were prepared to assist in providing a basic understanding of existing conditions, opportunities, and constraints associated with future development and growth in the Plan Area.

2.2 Existing Planning Documents, Agreements & Partnerships

The Town of Bow Island and County of Forty Mile No. 8 first adopted a joint intermunicipal plan agreement in 1999, the Rural-Urban Fringe Plan, which provided a general overview of planning concerns and provided basic policy direction to agree how to manage some land use issues in the fringe area. The plan was reviewed by the two municipalities in 2010 but no new intermunicipal plan has been prepared since some minor updates were done in in 2003. The following are more recent planning initiatives:

- The Town has taken proactive steps to assist in managing its future by identifying priorities and logical growth directions in its 2010 Municipal Development Plan (MDP). The MDP identifies constraints, vacant lands, and feasible areas of growth, including for Residential, Commercial, and Industrial land. The Town's MDP identifies the internal prime areas for residential growth to occur first, and recognizes the importance of the east airport vicinity area for industrial growth. The Town also recognized the importance of consulting with the County to better coordinate future intermunicipal matters and land use.
- The County also has a MDP which contains policy direction to support and expand its agricultural sector, but also allow economic opportunity to diversify and grow its tax base to continue to provide affordable services to ratepayers. The County land use bylaw contains a specific Urban Fringe District land use designation in place for approximately 1½ to 2½ -miles around the Town to regulate and control land use and address its unique characteristics.

- Both municipalities MDPs recognize the urban centres' role as an important service centre to the surrounding rural community and the contribution of agriculture to the local economy.

In regards to partnerships between the Town and County, the two parties currently share, partner or are members of the following services:

- delivery of regional emergency services provisions through intermunicipal agreement
- cooperation and partnerships on regional waterline infrastructure (including the Highway 3 Regional Water Services Commission)
- North Forty Mile Regional Waste Management Services Commission
- Protective Services Committee
- Regional Assessment Review Board
- Regional Drainage Committee
- Forty Mile Regional FCSS Board
- Forty Mile Foundation for managing local seniors affordable housing
- regional economic development through the Palliser Economic Partnership, Canadian Badlands Economic Initiative, Verge Economic Development
- Highway 3 Twinning Development Association
- membership in the Shortgrass Library System
- both municipalities exchange sections of local roads under each other's jurisdiction to perform maintenance for logistics and convenience purposes
- cooperation on the Foremost airport and cemetery, with the Village operating/maintaining the facilities and the County provides a yearly financial contribution for each

2.3 Key Characteristics

A detailed analysis of the Plan Area was undertaken to provide an overview and basic understanding of existing conditions, opportunities, and constraints of the existing circumstances in the general fringe area of Bow Island. A comprehensive review was undertaken of various planning documents, mapping and geographical information data, land forms, existing land use, subdivision and development activity, cadastral and title mapping information, soils and topography, provincial data (abandoned and active wells, underground mining activity, etc.) and various municipal documents, to highlight a few of the main study areas.

Key characteristics of the Plan Area include the following, some of which are illustrated on Maps 2-8.

Land Use & Zoning

- The Plan area is comprised primarily of land zoned Urban Fringe District in the areas directly adjacent to the Town municipal boundary and for an approximately two-mile radius, with the majority of other land zoned Agricultural District within the County of Forty Mile land use bylaw.
- Land east of the Town boundary in the vicinity around the airport is designated as Airport Protection (comprising approximately 1,280 Acres of land).
- There are no specifically designated (zoned) industrial or highway commercial land use areas on the County of Forty Mile side; although, there are a few such uses established as isolated developments permitted within the Urban Fringe district standards.
- There are approximately five low density grouped county residential uses, two situated within a ½-mile of the Town of Bow Island corporate boundary. Map 8 illustrates existing zoning within the Plan area.
- The Town's sewage lagoons are located directly north of the Town (NE 1-11-11-W4) which are subject to provincially legislated 300 m setbacks applicable for certain types of development (e.g. residential, hospitals, schools, and food establishments).
- The north Forty Mile regional waste services (landfill) site is located approximately 2½-miles north of the Town (SE 23-11-11-W4) which requires a provincially legislated 450 m setback from the working area of the facility to certain types of development (e.g. residential, hospitals, schools, and food establishments).

Natural Environment

- Archeological, paleontological and historical resources of primarily HRV 5 value are believed to be located in Plan Area, predominantly in the northwest in the vicinity of the South Saskatchewan River valley and the associated coulee tributaries (refer to Map 6).
- The first mile west of the Town of Bow Island boundary, on both sides of Highway 3, is also believed to contain HRV 4 and 5 historical resources that need to be addressed as development occurs.
- Based upon provincial data, environmentally significant (sensitive) areas are also understood to be situated along the coulees and South Saskatchewan River valley.

Agricultural Practices

- A mix of agricultural operations exists, with the main agricultural practices comprised of irrigated farming operations to grow both intensive specialty crops and cereal crops on high quality land.
- Land in the Plan Area is predominantly of a reasonably high quality, with the majority of lands being designated as class 1 (no significant limitations), along with some class 2 (moderate limitations) and smaller areas of class 3 (moderately severe limitations). Map 7 indicates the

Canada Land Inventory (CLI) soil classification and agricultural capability of the lands within the Plan Area.

- There are some seasonal, grazing or minor animal livestock operations associated with agricultural practices, but there are no major confined feeding operations (CFOs) located within the Plan Area that fall under the jurisdiction of the NRCB. There has been a CFO exclusion area around the Town since the 1999 joint intermunicipal Rural-Urban Fringe Plan Agreement was entered into to manage fringe issues.

Existing Subdivision & Development

- Most of the Plan Area within the County of Forty Mile is not considered overly fragmented, with most of the subdivision or fragmentation occurring as a result of cut-off parcels from roads or canals within quarter sections, or parcels split along the Highway 3 corridor.
- Residential development within the fringe Plan Area is a mix of isolated farmsteads and acreages, and approximately five low-density designated grouped county residential subdivisions. Two of these are situated within a ½-mile of the Town of Bow Island boundary.
- The Town of Bow Island has some infill unserviced land available for mainly residential growth located in the north portion of the Town, and there is also some vacant industrial land in the east portion, directly west of the airport and north Highway 3, available for future industrial growth.
- There are special development restrictions/considerations in the vicinity around the airport (located within the S½ 5-11-10-W4) due to the Airport Protection designation.

Transportation Infrastructure

- Highway 3 and Highway 879 are the main transportation routes linking the two municipalities. Highway 3 is the primary highway that provides the east/west linkage, while Highway 879 forms the outer west boundary of the IDP area.
- As both highways are under the control and management of the province, the two municipalities must consult with the Alberta Transportation regarding any growth and development that may be located in the vicinity off or may impact the highway system.
- A highway functional planning study has been undertaken by Alberta Transportation for the future realignment of Highway 3, which should be considered in long-term planning.
- The Canadian Pacific Railway (CPR) rail-line is situated parallel to the north side of Highway 3 for a large portion of the Plan area and is an important transportation system for transporting local, regional and national commodities. The railway also creates somewhat of a barrier for growth and planning as rail crossings are controlled and limited.

Wells and Pipelines

- There are a large number of both active gas wells and abandoned gas wells in the urban fringe area of the Town of Bow Island that pose development constraints. There are also multiple sour gas wells, both active and abandoned, located within one-mile to the west of the Town boundary.
- There are a number of both low pressure and natural gas pipelines located in all directions around the Town and throughout the Plan area, along with multiple irrigation pipelines. Such infrastructure can impose a constraint and impediment to future growth planning for municipalities. Refer to Map 5.

2.4 Areas of Common Agreement

Early in the process, each respective Council independently reviewed an IDP discussion/questions workbook that was used as a guide to aid Council discussions to help identify issues and highlight important areas (i.e. interests) to eventually formulate plan policy. The responses were formulated and shared with the IDP administrative members acting as the plan steering committee to attempt to seek consensus on the issues or comments provided. Some of the main municipal areas of commonality or agreement identified include the following (as summarized):

- Both the County and the Town are of the opinion that there are no specific issues or problems with agricultural operations in the fringe area of Bow Island. Both parties feel that only broad, general agricultural policies need to be outlined in the IDP to address the agricultural component of land use.
- The two municipalities both feel that there are no existing CFO's that cause problems and are of the opinion that the current exclusion zone seems generally sufficient. The County and Town are both supportive of continuing to prohibit new Confined Feeding Operations (CFOs) being established within the rural urban fringe area of the Town (within the Plan boundary).
- Both parties recognize the need that the Plan should look at both sides' growth needs, and the IDP should generally identify the main growth opportunities and constraints in the Bow Island vicinity. Planning should include a framework to identify appropriate land uses and potential densities for separation of residential, industrial and commercial uses.
- The County and Town both recognize that the County as a rural municipality also has a right to develop commercial and industrial land uses, and appropriate planning should guide this.
- The Town and County are of the opinion the sharing of municipal services should be open for discussion amongst the two parties.
- Both municipalities generally recognize that the location and suitability of various land uses in proximity to the Town need to be considered in the IDP. The east area near the airport and along Highway 3 is identified by both municipalities as a suitable area for additional industrial land uses to occur.

- It is recognized that the Highway 3 corridor has unique development pressures and the location and suitability of different land uses should be addressed in a joint plan such as the IDP.
- The County and Town both see some merit to having clear policies in the IDP to provide a framework to manage growth and annexation, so both parties are clear on the expectations and process to follow.
- The Town and County both recognize that the future realignment/bypass route of Highway 3 is an important topic to discuss and consult on as it will have a dramatic impact on both municipalities and how development occurs.
- Both parties are open to consulting and collaborating on opportunities of mutual benefit, and are open to discussing joint projects such as business park developments.
- Collaborative partnerships for delivering various regional services are seen to be possible and beneficial for both municipalities in some circumstances.
- The County and Town agree that a clear dispute resolution process should be in place, and that attempts should be made to solve issues locally and cooperatively as much as possible. If mediation is required, both parties agree that a 50/50 cost share is a fair formula.
- Both municipalities recognize that the Plan is a mechanism to help formalize (i.e. put in writing) some past and current procedures and communication methods the two neighboring municipalities have already been practicing, and effective on-going communication is desirable.

PLAN IMPLEMENTATION & ADMINISTRATION

PART 3

PART 3 PLAN IMPLEMENTATION and ADMINISTRATION

3.1 Procedure for Adoption

Intent

The County and Town prepared the IDP in accordance with the requirements of the MGA, including advertising and conducting a public consultation process, prior to passing the respective adopting bylaws.

Policies

3.1.1 This IDP comes into effect on the last date it was adopted by both the Town and the County by bylaw, after receiving three readings of the bylaw(s) by each respective Council.

3.2 Plan Validity and Amendment

Intent

It is recognized that the IDP may require amendment from time to time to keep it current or to conform to any applicable provincial legislative requirements. As the IDP is mandatory by the province, the policies of the Plan include mechanisms to provide for a regular review to ensure its relevancy.

Policies

3.2.1 This IDP remains in effect as prescribed by the *Municipal Government Act* or until such time both municipalities mutually agree to renegotiate a new IDP agreement and rescind the current Plan through the bylaw process. In respect of this:

(a) Either municipality may request that the IDP be repealed and replaced with a new IDP upon serving written notice to the other municipality; and

(b) The dispute resolution process stipulated in Part 3.4 will be undertaken should the municipalities be unable to reach an agreement.

3.2.2 Amendments to this IDP may be necessary from time to time to accommodate agreed to updates or changes and/or unforeseen situations not specifically addressed in the Plan; any amendments must be adopted by both Councils using the procedures established in the *Municipal Government Act*. No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

3.2.3 Applications made for amendments to this IDP by parties other than the County or the Town (i.e. land owners or developers) shall be made to the municipality in which the request originated and be accompanied by the applicable fee to each municipality for processing amendments to a statutory plan.

3.2.4 To process IDP amendment requests, both municipalities must consult and coordinate the amending bylaw process as both the County and the Town would need to agree to the proposed amendments.

3.2.5 If agreed to by both municipalities, a joint public hearing may be held in accordance with the *Municipal Government Act* for any amendments to this Plan. In such circumstances, the two municipalities are to equally share in the costs of advertising and holding the hearing.

3.2.6 Municipal staff of both the County and Town should informally review the policies of the Plan on an on-going basis and discuss land use planning matters, issues and concerns as needed. Either municipality may make recommendations to be considered by the respective Councils for amendment to the IDP to ensure the policies remain current and relevant and continue to meet the needs of both municipalities.

3.2.7 Within the year after a municipal election is held, the Councils of both municipalities should review the IDP to ensure familiarity with its policies and ascertain if any new policy direction is warranted.

3.2.8 Within ten years of the adoption of this IDP, the Councils of both municipalities shall determine if a formal and detailed comprehensive review is necessary to ensure the validity and relevancy of the Plan and its' policies.

3.3 Intermunicipal Referrals

Intent

To promote intermunicipal consultation, and formalize in writing practices that may already be informally undertaken by the County and Town in sharing information, a process for managing referrals is outlined. The framework is to help establish a clear process for consistent and transparent sharing of information necessary to make sound decisions in accordance with the intent of the Plan.

Policies

Referral Process

3.3.1 Any of the following items that affect lands in the Plan area (County) or land in the Town adjacent to the corporate boundary shall be forwarded to the other municipality for comment

prior to a decision being made on the application or document (either new or proposed amendment):

- Municipal Development Plans
- Area Structure Plans
- Area Redevelopment Plans
- Concept Plans or Conceptual Design Schemes
- Land Use Bylaws (new bylaws or amendments for land use redesignations)
- Subdivision Applications
- Discretionary Use Development Applications
- Permitted Use Development Applications for parcels of land immediately adjacent to the County/Town boundary where the applicant proposes to use Town of Bow Island utilities

3.3.2 The receiving municipality may forward the above mentioned document(s) or application(s) to their MPC or Council for discussion or comment prior to providing a response to the sending (referral) municipality. Each individual municipality is responsible for conducting their own internal circulation review process in the manner and with the protocols they determine suitable, and within the response timeframes as specified.

3.3.3 Any changes to the original referred documents or applications that occur after the item has been referred, and which may have an impact on the Plan or other municipality, shall be re-circulated to the other municipality prior to second reading or approval of the application. Based on the significance of the changes from the original document circulated, the municipality processing the proposal will consider convening a new public hearing or meeting.

3.3.4 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.

Response Timelines

3.3.5 Unless otherwise agreed to by both municipalities, the receiving municipality shall, from the date of mailing, have the following timelines to review and provide comment on intermunicipal referrals:

(a) fifteen (15) days for development applications,

(b) twenty-one (21) days for subdivision applications, and

(c) thirty (30) days for all other intermunicipal referrals.

3.3.6 Where an intermunicipal referral is required by the MGA or the policies contained in this IDP, both municipalities agree to share mailing address and property ownership information for circulation purposes with the adjacent municipality.

3.3.7 In the event that either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in section 3.3.5(a), (b) and (c), it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

Consideration of Referral Responses

3.3.8 Comments from the receiving municipality that are provided prior to or at the public hearing or meeting shall be considered by the municipality in which the plan, development scheme, land use bylaw, subdivision application, development application or amendment is being proposed.

3.3.9 In the event that an intermunicipal referral is desired by the receiving municipality to be forwarded to its' MPC or Council for review and comment, the receiving municipality may submit a written request for an extension of the referral timelines indicated in 3.3.5. If a time extension request is submitted, the referral timelines in 3.3.5 do not apply, but the matter shall not extend beyond 30 days or other timeframe as mutually agreed to.

3.3.10 When an intermunicipal referral is forwarded and reviewed by the MPC or Council, a written response will be provided to the other (initiating) municipality within seven (7) days of the MPC or Council meeting date in which the matter was discussed.

3.3.11 In the event that either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in section 3.3.5, it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

3.3.12 Written comments from the receiving municipality that are provided prior to or at the public hearing or meeting will be considered by the municipality in which the plan, development scheme, land use bylaw, subdivision application, development application or amendment is being proposed.

3.4 Dispute Resolution

Intent

The intent of the dispute resolution process is to maximize opportunities for discussion and review in order to resolve areas of potential disagreement as early in as possible. 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. It is also recognized that agreeing to a dispute resolution process is a mandatory requirement for an IDP in accordance with the MGA. The following process is intended to settle disputes through discussion and consensus and minimize the need for formal mediation.

Policies

General Agreement

3.4.1 The County and Town agree that it is important to avoid dispute by ensuring that the IDP is adhered to as adopted, including full circulation of any permit or application that may affect the municipality or as required in the Plan and prompt enforcement of the IDP policies.

3.4.2 The County and Town agree that it is preferable to settle issues or disputes at the local level, and will work in good faith to negotiate local resolutions prior to engaging provincial officials, as much as possible.

3.4.3 Each municipality through its administration will ensure the facts of an issue have been reviewed, investigated and clarified, and information is shared and made available to both parties.

3.4.4 The Administrators from each municipality should discuss the issue or dispute item 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.

3.4.5 When a potential intermunicipal issue comes to the attention of either municipality regarding the policies or implementation of this Plan, either municipality's land use bylaw, development applications, 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 matter and if both Administrators are in agreement, take action to rectify the matter.

3.4.6 In respect of policy 3.4.5, the administrations shall discuss or meet within 15 calendar days of the matter being brought to each party's attention. The prescribed time period may be extended if both parties are in agreement to do so.

3.4.7 In the event a matter or issue cannot be resolved by the administrative representatives or within the timeframe prescribed, the administration will schedule a meeting of the County Reeve and Town Mayor, who along with the Administrators, will meet to discuss possible solutions and attempt to reach consensus on the issue.

3.4.8 Should the Reeve and Mayor be unable to reach a solution on behalf of their respective municipalities, a joint meeting of the two Councils will be scheduled to discuss possible solutions and attempt to reach consensus. Each municipality, acting in good faith, agrees that they will attempt to schedule a joint Council meeting within a reasonable timeframe, which should not exceed 40 days.

3.4.9 Should the Councils be unable to resolve the matter, either municipality may initiate a formal mediation process to facilitate resolution of the issue. The County and Town agree that the mediation process available through Municipal Affairs is the preferred mechanism to facilitate mediation with each municipality paying an equal portion of the associated costs.

Filing an Intermunicipal Dispute under the *Municipal Government Act*

3.4.10 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 *Municipal Government Act* so that the provincial statutory right and timeframe to file an appeal is not lost.

3.4.11 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.

3.5 Plan Implementation

The County and Town agree that a collaborative approach to planning is necessary within the Plan Area. The policies in the Plan serve as the framework for land use decision making on subdivision and development proposals. As such, each municipality will need to review and amend their respective Municipal Development Plan and Land Use Bylaw, to achieve consistency with and to implement policies in the Plan. The *Municipal Government Act (MGA)* also stipulates that all statutory plans adopted by a municipality must be consistent with each other. To address this, the following process and policies will need to be implemented by each municipality.

Implementation

3.5.1 The County and Town will adopt this IDP in accordance with section 3.1.1, and it is effective after receiving three readings of the bylaw(s) by each municipality.

3.5.2 The County and Town agree that they will ensure that the policies of this IDP are respected, and are fairly and reasonably implemented.

3.5.3 The County and Town agree to regularly monitor and review the IDP to ensure the policies remain relevant and continue to meet the needs of both municipalities.

3.5.4 To achieve conformity in municipal plans and bylaws upon adoption of the IDP, the County and Town will each undertake the following actions:

(a) review and amend (if needed) the Municipal Development Plan to reflect the principles, goals and policies of this Plan;

(b) review and amend (if needed) the Land Use Bylaw to ensure the bylaw reflects and conforms to the policies of this Plan.

3.5.5 To achieve continued success in collaborating and implementing the IDP and help ensure that the goals and coordinated land use planning approach emphasized are successful, the County and Town agree to:

(a) consider and respect both the Land Use Concepts and growth management policies outlined in the IDP when making decisions on subdivision and development proposals, and when considering other municipal bylaws and plans; and

(b) require that all area structure plans or conceptual design scheme proposals, submitted by a developer/landowner within the Plan Area, conform to the principles and policies of the IDP; and

(c) consult on an ongoing basis, and will refer to each other, major land use or planning matters that have the potential to impact the other jurisdiction, even if it involves land that may not be located within the Plan Area.

3.5.6 The County and Town recognize they are bound by the South Saskatchewan Regional Plan (SSRP) and will consider the following in respect of the South Saskatchewan Regional Plan legislation:

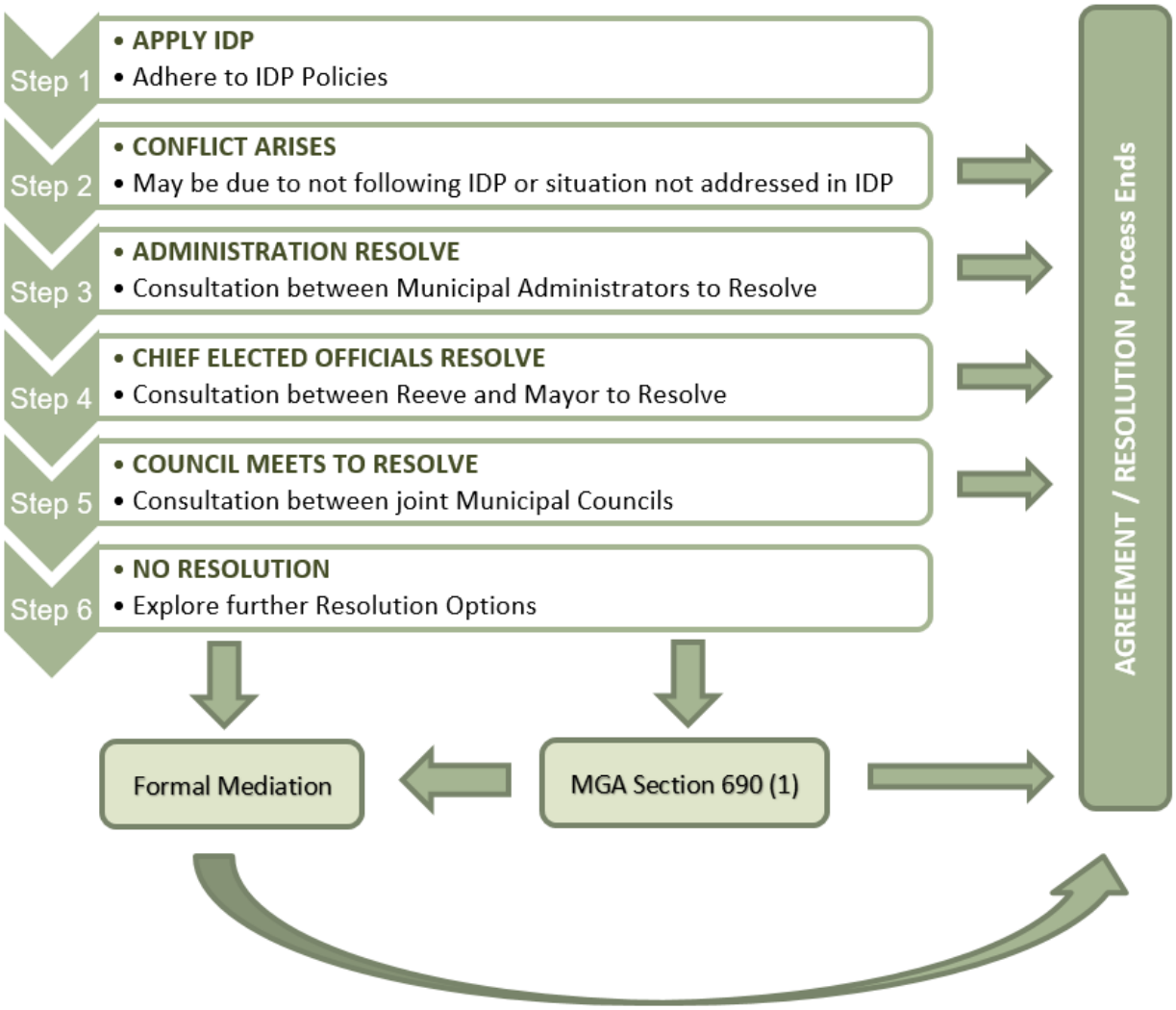
(a) the County and Town agree that they will consider and apply the adopted Regional Plan strategies, and are of the opinion this IDP aligns with strategies of the SSRP;

(b) after the IDP's adoption, if it is subsequently determined that additional amendments are needed to adhere to provincial requirements of the SSRP, both municipalities will review and discuss possible amendments.

3.5.7 When any amendments to the IDP are proposed, the municipalities will follow the framework process and policies as outlined in the IDP. No amendment shall come into force until such time as both municipalities adopt the IDP amending bylaw.

Dispute Resolution Flow Chart

The presented flow chart is to illustrate the basic dispute resolution process hierarchical steps in an attempt to solve a potential dispute locally prior to engaging provincial officials.



PLAN AREA COORDINATED MANAGEMENT STRATEGY

PART 4

PART 4 PLAN AREA COORDINATED MANAGEMENT STRATEGY

4.1 Plan Area

The Intermunicipal Development Plan Area (also referred to as the IDP Area or Plan Area) consists of an approximately 3-mile area around the Town (and also includes lands adjacent to the municipal boundary within the Town). The land area comprises approximately 33,605 acres (13,599 ha) within the County and is illustrated on Map 1, while the Town of Bow Island itself is comprised of an area of approximately 1,435 acres (580 ha) of land. The Plan Area boundary is extended 1-mile to the south of the future Highway 3 bypass route to try and ensure consistency is applied to both sides of the future highway in planning and decision making. Land use concepts have been developed for the Plan Area to efficiently manage growth and assist decision makers in the review of subdivision and development proposals by identifying general locations for future land uses.

4.2 Applicability

For the purpose of coordinating and managing growth, the IDP Area has been divided into various multiple planning and policy areas as shown on Maps 3 and 4. Map 3 represents the primary development and growth areas that will realistically experience the most development pressure, and are areas where future growth should logically be directed and focused. As a result, the Land Use Concept Areas are subject to more comprehensive planning policies to help implement the Plan goals (see Maps 3 and 4).

The lands outside the principal planning areas are mainly designated as Urban Fringe District or Agriculture District within the County's land use bylaw and are primarily utilized for agriculture. The vision for these areas is to continue to use these lands for agricultural purposes, while providing for some isolated non-agricultural development in areas deemed suitable and appropriate, and the proposals generally conform to the policies of this Plan. Map 4 includes special planning considerations for the Bow Island east airport vicinity area and the highway entrances into the Town, referred to as the "Gateway Corridors." The future location of the Highway 3 bypass route and interchanges are also considered in the planning concepts.

4.3 General Plan Policies

Intent

These general policies are applicable to all lands within the IDP boundary and are intended to support the goals and collaborative planning approach of the IDP, and also enable the implementation of an effective coordinated growth management strategy.

Policies

4.3.1 Existing land uses that have valid development permits issued on or before the date of adoption of this Plan may continue to operate in accordance with the provisions of the County of Forty Mile Land Use Bylaw, Town of Bow Island Land Use Bylaw and the *Municipal Government Act (MGA),* as applicable. Any new land use redesignations, subdivision and development applications submitted for lands within the IDP boundary are subject to this Plan's policies.

4.3.2 Land use proposals that may not conform or are not clearly defined in the IDP may be brought forward and discussed between the two municipalities. Such proposals may be considered with agreement between the two municipalities, but any major amendments to the Plan must be agreed to by both municipal councils and adopted in conjunction with Part 3, policies 3.2.3 through 3.2.5.

4.3.3 Any proposed amendments to the County's Urban Fringe (UF) District in the land use bylaw, particularly regarding changes to the permitted and discretionary uses that may be considered, should be reviewed in respect to how it aligns with the IDP and how it may affect the Town. Any such proposals should be discussed between the two municipalities, and a formal application submitted must be referred to the Town in accordance with the referral policies of Part 3, section 3.3.

4.3.4 Both the Town and the County recognize that the majority of land within the IDP Area is situated within the County of Forty Mile and is comprised of primarily agricultural land and some potential land use developments, such as CFOs or renewable energy resources, fall under the mandate of provincial regulatory bodies. If there are concerns with such uses being established in the Plan Area, the Town and County should consult with each other and ascertain if they share similar concerns and if warranted, a joint response may be submitted to the relevant authority having jurisdiction.

4.3.5 Both municipalities will attempt as best they can to advise landowners and developers within the Plan Area, as subdivision or development inquiries or proposals are brought forward, that an IDP is applicable and that they should be aware of the relevant policies.

4.3.6 When a development or subdivision proposal is required under either municipalities Land Use Bylaw or Municipal Development Plan to apply for a redesignation of land, the applicant may be required to provide a professionally prepared Area Structure Plan or conceptual design scheme containing the information requirements as prescribed in the LUB or MDP of the municipality having jurisdiction over the affected land.

4.3.7 For both municipalities, any of the required plans, design schemes or other reports (e.g. soils, storm water drainage, etc.) in support of major subdivisions/developments on parcels adjacent to the Town boundary or in the identified Land Use Concept and Growth Areas must be professionally prepared and engineered, unless the County and Town agree that it may not be necessary for a specific proposal.

4.3.8 Both municipalities recognize that some lands within the Plan Area may contain features that are of a provincial interest, such as those that may contain an assigned provincial historic resource value (HRV) or potential wetland, and the policies outlined in section 4.10 of the IDP are to be applied.

4.3.9 Both the County and Town encourage applicants of subdivision and development proposals to consult with the respective municipality and provincial departments, as applicable, regarding water supply, highway setbacks and access, drainage, setbacks from abandoned gas wells, setbacks to sensitive lands, and other planning matters relevant to the natural environment in advance of submitting a proposal.

4.3.10 The Town and County both agree to encourage a high standard of aesthetics and good design appearance for the lands (including the built form and the landscape) adjacent to the highway corridors entering and leaving the Town (see Map 4) to help create a physical environment that will leave visitors with a positive impression of the community.

4.3.11 The Town sewer lagoons are situated within the NE 1-11-11-W4 in the Town of Bow Island, and both municipalities shall consider the following required provincial setbacks to these facilities when making decisions on subdivision and development proposals in the area. In accordance with Section 12 of the Subdivision & Development Regulation:

(a) A subdivision authority shall not approve an application for the subdivision for a school, hospital, food establishment or residential use if the application would result in a building site of a lot created by subdivision for any of those uses being located within 300 metres of the working area of an operating wastewater treatment plant.

(b) A development authority shall not issue a development permit for a school, hospital, food establishment or residence within 300 metres of the working area an operating wastewater treatment plant.

(c) Should both municipalities be in agreement, application for a variance made to the provincial authority may be supported. In such circumstances, the two parties will use the process and consultation policies in the plan to discuss, if both agree, then commence the required process for Alberta Environment and Parks.

4.3.12 The regional solid waste landfill site is located approximately 2½-miles north of Bow Island in the SE 23-11-11-W4, and the County must consider Section 13 of the Subdivision & Development Regulation as certain specified subdivisions and development uses (e.g. school, hospital, food establishment or residential use) must not be approved if the building site is located within 450 metres of the working area of a solid waste facility.

4.3.13 The County agrees that in considering future updates and amendments to its land use bylaw, more definitions will be provided to better define commercial, light industrial, industrial and noxious industrial type land uses so that there is a standard and clear understanding between the two municipalities of what uses may be considered in the Agriculture District (A) and Urban Fringe District (UF) of the County, to help ensure interpretation/application of the bylaw does not lead to potential dispute or conflict.

4.4 Agricultural Operations and Practices

Intent

Agricultural activities are acknowledged as being a fundamental economic component of the regional economy and are supported in their operations. Agricultural operators are to continue to operate under acceptable farming practices within the Intermunicipal Development Plan boundary.

Policies

Extensive Agriculture

4.4.1 Both municipalities recognize the importance of existing extensive agricultural (cultivation and grazing) uses of land within the IDP area. These agricultural activities may continue to operate under acceptable farming practices and are recognized as being protected under the *Agricultural Operation Practices Act*.

4.4.2 The County will assist both the Town and its' own residents, by encouraging and supporting good neighbour farming practices, such as for the application of dust, weed, and insect control adjacent to developed residential areas, through best management practices and Alberta Agriculture guidelines.

4.4.3 The Town and County will both endeavour to preserve good quality agricultural land, especially irrigated land, and agree that the fragmentation or conversion of good agricultural land to other uses should not prematurely occur until absolutely necessary for growth which should be

considered in respect of occurring within the Land Use Concept Areas or the findings of the growth studies. (Good quality agricultural land means CLI Class 2 soils with Moderately High to High Productivity, Moderate Crop Limitations.)

Confined Feeding Operations Policies

4.4.4 Both municipalities agree that new confined feeding operations (CFOs) and expansions are not permitted to be established within the Intermunicipal Development Plan Area (refer to Map 2).

4.4.5 The County of Forty Mile will ensure that the CFO exclusion area map and any applicable policies within the Municipal Development Plan are up-to-date and in conformity to this IDP for statutory plan consistency, as required under the *Municipal Government Act.*

4.4.6 Both Councils recognize and acknowledge that any existing confined feeding operations located within the Plan Area will be allowed to continue to operate under acceptable operating practices and within the requirements of the *Agricultural Operation Practices Act and Regulations*.

4.4.7 Both municipalities acknowledge that the standards and procedures as outlined in the *Agricultural Operation Practices Act, Standards and Administration Regulation* shall apply regarding manure application on agricultural lands in the CFO Exclusion Area.

4.4.8 The County agrees that it will continue to contain restrictions or standards in its land use bylaw or in a separate animal control bylaw to regulate the type and number of animal units for those animal or livestock operations within the Plan Area that fall below the minimum threshold criteria for registrations or approvals under the mandate of the NRCB as outlined in *Agricultural Operation Practices Act and Regulations*.

4.4.9 If concerns or issues are brought forward by the public regarding the practices of agricultural operators (extensive or intensive), the municipality receiving the complaint will attempt as best able to direct the ratepayer to the appropriate regulatory agency (e.g. NRCB) that may oversee the issue.

4.5 Land Use Concepts and Future Growth Management

Intent

The Plan contains a Land Use Concept framework to assist the Town and County in more prescriptively managing and coordinating land use between the two municipalities and help limit potential conflicts. The future growth management strategy also establishes a series of policies applicable to the Town of Bow Island internal lands to align with the goals of the IDP and considers the compatibility of growth potential with the fringe in accordance with the Land Use Concepts. To help address the matter of

future and suitable land use within the Plan Area, possible growth and development areas have been identified with special policy considerations (Map 3).

Policies

4.5.1 Future land use within the Plan Area will continue to be mainly for extensive agriculture, with the exception of the primary future growth areas shown on Map 3. This does not preclude the establishment of non-agricultural land uses within the Plan Area and decisions on applications for non-agricultural land uses shall be made in the context of the policies of this Plan and other relevant planning documents.

4.5.2 Both municipalities will try to coordinate and attempt to direct proposed land uses to the appropriate area in respect of the IDP land use concepts, and give consideration for the type of servicing or utilities that may be required.

4.5.3 The future Land Use Concept illustrated on Map 3 establishes, generally, the recommended future land uses for the primary/preferred growth zones within the Plan Area. (The boundaries of the multiple future land uses shown on Map 3 are general approximations and are not intended to be exact boundaries.)

4.5.4 The general and long-term directions for growth of the Town are indicated on Map 3 and the County and Town will attempt to protect these lands from conflicting or incompatible land uses and major fragmentation until such time they are required for growth and higher intensity development.

4.5.5 Any land use bylaw amendment application submitted for redesignation of land will be required to be consistent with the intent of the Land Use Concept indicated on Map 3.

4.5.6 As the majority of County land within the IDP boundary is designated as either Agriculture District or Urban Fringe District within the County of Forty Mile land use bylaw, the County's applicable subdivision and development standards will apply until such time land may be redesignated. The County shall refer redesignation applications to the Town for comment as part of the review and referral process polices as outlined in the IDP.

4.5.7 Subdivision applications will be required to demonstrate consistency with the intent of the Land Use Concepts (see Maps 3 and 4). Proposals for subdivision that are not consistent with the Land Use Concept may be considered on a case-by-case basis upon consultation with the Town of Bow Island.

4.5.8 A farmstead separation from a previously unsubdivided quarter-section may continue to be considered in the County within the Plan Area; however, depending on the location, attention should be paid to the future Highway 3 alignment/bypass route and potential conflicts with the proposed Land Use Concept and growth areas to try and limit potential conflicts as best able.

4.5.9 Development applications for Permitted and Discretionary uses listed in the Urban Fringe District of the County of Forty Mile Land Use Bylaw will have regard to the Land Use Concepts to ensure the compatibility of the proposed use with adjacent uses and ensure the development does not compromise the integrity of the future growth areas (see Map 3).

4.5.10 It is recognized that multi-lot or grouped country residential subdivision proposals within the Plan Area may be considered in some cases by the County in accordance with this Plan, and its MDP and land use bylaw. In such circumstances, a redesignation application would be required (to Country Residential District 2) along with an Area Structure Plan or conceptual design scheme and the referral policies to the Town adhered to.

4.5.11 Multi-lot or grouped country residential subdivision proposals shall be discouraged within the designated Urban Fringe District (UF) adjacent to the Town of Bow Island. A minor exception may be considered for a small-scale county residential potential in Land Use Concept Area 5 in accordance with the policies of this IDP.

4.5.12 Multi-lot or grouped country residential subdivision proposals brought forward in the Land Use Concept Areas 1 to 4 (refer to Map 3) shall not be permitted, so as to not interfere with the identified land use strategy and planning concepts outlined in the IDP.

Land Use Area 1 – Future Industrial Area

4.5.13 A quarter-section of land (SW 06-11-10-W4) presently within the County (Land Use Area 1), north and west of the Town industrial lands and north of 1 Ave E has been identified in the Town MDP as a potential long-term future industrial growth area (refer to Map 3). This area should be carefully planned and not prematurely fragmented or approved for incompatible land uses that may not conform to the general intent of the Land Use Concepts of this Plan.

4.5.14 The Town should develop and use internal industrial lands to their full potential prior to any consideration of expanding and including the identified future industrial lands in the SW 06-11-10-W4 into the Town's corporate boundaries, unless special circumstances warrant earlier consideration and both municipal parties agree. (Policy note: For context, full potential is considered to be at least 75% built-out as it is recognized annexation, planning and servicing processes may take several years to complete.)

4.5.15 For Land Use Concept Area 1, multi-lot or grouped country residential subdivision proposals shall not be approved by the County as such uses are deemed unsuitable and non-compatible with adjacent industrial uses and the intended future proposed use of these lands also for long-term industrial developments.

4.5.16 The existing farm yard and agricultural activities may continue on the SW 06-11-10-W4 land, but other non-agricultural land uses or related activities should be limited so as to not compromise the long-term planning, servicing and development of the land when deemed appropriate.

4.5.17 It recognized that Area 1 will require some transportation road linkage and circulation considerations in future planning as there are no access-through-roads (road linkages) to the Town's adjacent industrial lands to the east. In respect of this, any future long-term planning and subdivision of land (proposals to create more than two lots) in Area 1 will require an approved Area Structure Plan that contains a clearly defined transportation and road network plan for the area.

Land Use Area 2 – Potential Commercial/Industrial Area

4.5.18 Lands in the County located southeast of the Town, south of the airport lands and south of Highway 3 (in the N½ 31-10-10-W4), are identified as a potential location for County highway commercial/industrial activities. Other than the existing agricultural use of the land, any other type of proposed use not compatible with the future commercial/industrial intent shall not be considered (refer to Map 3, Land Use Concept Area 2).

4.5.19 The County and Town will need to consult and cooperate on any future plans to develop these lands for non-agricultural land uses. For proposals within the County, any use proposed beyond an isolated commercial or industrial use would require the benefit of a redesignation from the current Urban Fringe District. In such circumstances, the referral polices as outlined in Part 3, section 3.3 of the IDP shall be adhered to.

4.5.20 For the Land Use Concept Area 2, any future planning, subdivision and development within the NE 31-10-10-W4 must take into consideration the existing gas well, pipelines and natural gas lines that transverse through the area (refer to Map 5).

4.5.21 Area 2 has been identified as an opportunity business area as it may benefit from the eventual Highway 3 realignment bypass route into Bow Island that is planned to be located in the adjacent east quarter-section, and will connect and pass adjacent to the northern boundary of Area 2. Any future development plans and access provisions must be carefully planned and shall be to the satisfaction of Alberta Transportation.

4.5.22 For Land Use Concept Area 2, anything more than an isolated single-lot development or subdivision shall require the need for a professional Area Structure Plan or conceptual design scheme plan to be prepared for the area, which should particularly address access, road networks and drainage.

4.5.23 Land Use Concept Area 2 should logically be developed in multiple planned phases over time, with initial development to be planned and directed to the northern portion adjacent to the existing Highway 3 corridor.

4.5.24 Due to proximity to the Bow Island Airport, the heights of buildings and structures must be carefully considered in the development approval process, and all development applications shall be referred to both Nav Canada and Transport Canada as part of the municipal review and referral process.

4.5.25 Alberta Transportation is to be consulted as part of the future planning process for Area 2, and any requirements or traffic impact analysis (TIA) needed in relation to potential impacts to Highway 3 must be addressed to the satisfaction of the provincial transportation department.

4.5.26 The types of business or land uses that are allowed to establish in Area 2 may be dependent on the type of servicing the business' needs and what is available or may be provided. Both municipalities acknowledge that the developers will have to provide the necessary information to enable the County to adequately review the suitability of the proposal, and that the developers are ultimately responsible for paying any applicable servicing infrastructure costs required to service the proposal.

4.5.27 For the long-term management of Land Use Area 2, the two municipalities are open to discussing, negotiating, and entering into agreements that may relate to service provisions, off-site or development levies, cost sharing or revenue sharing based on what the two parties agree is appropriate and needed, to enable the successful collaboration and management of the identified commercial growth area.

Land Use Area 3 – Potential Commercial Area

4.5.28 Lands within the County located west of the Town adjacent to Highway 3 (in the S½ 35-10-11-W4 and a portion of SE 34-10-11-W4) are identified as a potential logical location for future highway commercial activities. Other than the existing agricultural use of the land, any other type of proposed use not compatible with the future commercial intent shall not be considered.

4.5.29 Any non-agricultural land uses proposed in this area should be of a commercial or possibly light industrial type that would benefit from visible exposure to the highway, and noxious or hazardous industrial developments are not to be permitted in this area due to prevalent southwesterly winds and proximity of adjacent urban land uses, particularly residential.

4.5.30 It is recognized that the County's Urban Fringe District of the land use bylaw allows consideration for an isolated commercial use that may be considered in Land Use Concept Area 3. For proposals within the County, any use proposed beyond an isolated commercial use would require the benefit of a redesignation from the current Urban Fringe District. In such

circumstances, the referral polices as outlined in Part 3, section 3.3 of the IDP shall be adhered to.

4.5.31 For Land Use Concept Area 3, anything more than an isolated single lot development would require the need for a professional Area Structure Plan or conceptual design scheme plan to be prepared for the area, and the plan should address at a minimum proposed land uses, lot density, access, servicing and drainage.

4.5.32 Lands within Area 3 are located within the designated Town highway entrance 'Gateway Corridor' (refer to Map 4) and are adjacent to the visible interface of Highway 3. Developments should consider potential visual impacts and plans should address the enhancement of visual appeal and attractiveness of the development. In such circumstances, the highway entrance 'Gateway Corridor' polices as outlined in the IDP shall be adhered to.

4.5.33 Some Area 3 lands west of the Town and north of Highway 3 (SE 34-10-11-W4 and SW 35-10-11-W4) are situated adjacent to the rail-line and contain some existing rail associated developments. It is recognized that this area may be subject to further proposals for such types of developments. For the referenced parcels, limited non-serviced (i.e. no municipal services) commercial or light industrial related activity that may be associated or dependent on rail-line or highway access may be considered, but such uses should not create noxious by-products (e.g. smoke, noise, odours) or contain unsightly visible storage.

4.5.34 For the Land Use Concept Area 3, any future planning, subdivision and development must take into consideration the existing irrigation pipelines, gas lines and wells that transverse through the area (refer to Map 5).

4.5.35 The SE 35-10-11-W4 is an irrigated agricultural quarter-section with an irrigation pivot system operating on the land. Allowing any premature fragmentation or non-agricultural development for this quarter-section should be carefully considered, as it should be preserved for agricultural use as long as possible. Any commercial type proposed activity should initially be directed to locate immediately adjacent to Highway 3.

4.5.36 The potential development and planning of lands within 300 meters beyond the limit of Highway 3, or 800 metres of the centre of the intersections, for non-agricultural land use will require consultation with Alberta Transportation, and access to any future development site shall be to the satisfaction of the transportation department. The developers shall be required to obtain all necessary road side development permits from Alberta Transportation.

Land Use Area 4 – Future Town Residential Growth Area

4.5.37 A quarter-section of land (NW 35-10-11-W4) presently within the County (Land Use Concept Area 4), directly west of the Town boundary has been identified in the Town MDP as a potential

long-term future residential growth area, as these lands are relatively easier to service and the land presently contains few encumbrances or constraints (refer to Map 3).

4.5.38 The County agrees that it will attempt to protect Area 4 and not allow premature fragmentation or approve incompatible land uses, such as isolated commercial or industrial uses, that may not conform to the general intent of the Land Use Concepts of this Plan or will hinder the future planning of these lands for long-term Town growth.

4.5.39 The Town should develop and use internal residential lands to their full potential prior to any consideration of expanding and including the identified future residential lands in the NW 35-10-11-W4 into the Town's corporate boundaries. (Policy note: For context, full potential is considered to be at least 75% built-out as it is recognized annexation, planning and servicing processes may take several years to complete.)

4.5.40 Land Use Concept Area 4 shall not be considered as suitable for multi-lot or grouped country residential development proposals by the County, so as not to fragment or hinder the future planning, servicing and development of the lands in the long-term for future urban uses by the Town.

4.5.41 Prior to pursuing the future annexation of these lands (NW 35-10-11-W4), the Town shall prepare a Growth Study and follow the policies and framework as outlined in Section 4.6 and Part 5 of the IDP in regards to the process for managing growth and annexation. As Land Use Area 4 is contiguous to the Town boundary and has been identified in the Town MDP as a potential long-term future growth area, the Town agrees that it when it is determined that outward growth expansion into this area is needed by the Town, it will at that time prepare a growth study and consult with the County following the process and policies stipulated in Part 3, Section 4.6 of this Plan.

Land Use Area 5 – Special Consideration Area

4.5.42 Land Use Concept Area 5 is situated west of the Town and is not deemed to be a main development or growth area; however, both municipalities recognize that any proposed non-agricultural development should be carefully reviewed for suitability due to the location and it being directly west of existing and future urban residential areas.

4.5.43 It is recognized the County's land use bylaw Urban Fringe District may allow consideration for Land Use Concept Area 5 to be developed for isolated commercial or light industrial use. For Area 5, noxious (e.g. produce dust, smoke, odour, noise) or hazardous industrial developments are not to be permitted or lands redesignated to allow such uses in this area due to prevalent westerly winds and proximity of adjacent urban land uses. In particular, abattoirs, concrete batch plants, asphalt plants, aggregate crushing operations, and manure waste composting operations (not directly related to agricultural activity on the land) should not be permitted.

4.5.44 Multi-lot or grouped country residential uses should generally be discouraged in this area; however, any such proposal may only be considered if a redesignation was approved by the County. Any multi-lot proposal would require the preparation of a professional Area Structure Plan or conceptual design scheme plan to be prepared for the land, with the application referred to the Town in accordance with the referral policies.

4.5.45 In respect to policy 4.5.44, Sections 33 and 34 of 10-11-W4 west of Bow Island are identified as containing multiple abandoned and active oil/gas and sour gas wells and any proposed residential development would need to address the location of such wells and applicable provincial setbacks would need to be applied.

Land Use Areas 6 & 7 – Future Town Internal Growth Areas

4.5.46 Vacant lands in the north quadrant of the Town, the S½ of 01-11-11-W4, are identified in the Town MDP as a primary internal growth area. It is recognized that this area would primarily be for residential land use along with the associated urban uses such as recreational and public/institutional uses. This area should be planned and primarily developed out for Town growth prior to considering growth to the west outside the current boundary.

4.5.47 Should the Town plan to approve more than a single lot subdivision and/or single development in the internal urban growth area (Land Use Concept Areas 6 & 7), the following requirements will apply:

(a) applications for subdivision will be supported by an approved professionally prepared conceptual design scheme or Area Structure Plan that meets the requirements of Town of Bow Island Land Use Bylaw and Municipal Development Plan;

(b) applications must address, as part of the planning process, the integration of lot layout and future transportation linkages between the two municipalities to allow for access/road linkages into the adjacent future growth areas, and storm water drainage management; and

(c) the Town will refer the prepared conceptual design scheme or Area Structure Plan to the County of Forty Mile for comment in accordance with the referral policies of this Plan.

4.5.48 Land Use Concept Area 7 may have some further drainage challenges to address than Area 6, and a master drainage plan should be prepared for this area as part of the Town's long-term planning and engineering. The Town and County may consult and work in collaboration to determine best solutions to address drainage situations that may transcend shared municipal boundaries.

General Land Use Concept Policies

4.5.49 The development of the future development or growth areas as identified on Map 3 will require at some future point professionally prepared Area Structure Plans (ASPs) to outline the planning, land use, density, road network, storm water drainage management, and servicing framework for the described areas.

4.5.50 Both the County and Town recognize that the long-term planning of Land Use Concept Areas 2, 3, 4, and 5 will require consultation with Alberta Transportation as part of the planning process, and any transportation access networks, access requirements or required Traffic Impact Analysis (TIAs) needed in relation to potential impacts to Highway 3 must be addressed to the satisfaction of the provincial transportation department.

4.5.51 Proposals for development that are not consistent with the Land Use Concept may be considered on a case-by-case basis upon consultation between the County and Town.

4.5.52 The County should not be supportive of private developer proposals for grouped country residential use or other uses that are not compatible with the Land Use Concept Areas 1 through 4 (Map 3) or that fragment the land in those defined growth areas to such a degree that future planning is compromised.

Special Planning Considerations

Gateway Corridors

4.5.53 The highway 'Gateway Corridors' are illustrated on Map 4 and any future development proposed adjacent to the identified Town entranceways (along Highway 3) should consider potential visual impacts and plans should address the enhancement of visual appeal and attractiveness of the development with special regard to landscaping, signage, building style, setbacks, screening, architectural guidelines and other features.

4.5.54 For parcels within the designated Gateway Corridors (refer to Map 5) and adjacent to the visible interface of Highway 3, all storage must be related to and be an integral part of the commercial business or light industrial/industrial operation located on the subject site and outside storage is prohibited in the front yard of a principal building with the exception of display goods. For parcels with no rear yard, storage should be located to the side yard or suitably screened.

4.5.55 Developments that are considered unsightly or uses such as c-container (sea-container) storage, auto wrecking yards, outdoor stockpiling, should not be permitted or approved in the 'Gateway Corridors' unless it is approved on a development permit and is sited in a side or rear yard or effectively screened from public view from the roadway.

4.5.56 The County and Town will both refer discretionary development applications for parcels adjacent to the defined 'Gateway Corridors' to each other and Alberta Transportation for review and comment as part of the referral process. Each municipality will attempt as best able to apply standards that ensure visual impacts are suitably addressed and to ensure the enhancement of the visual appeal and attractiveness of the proposed development is acceptable.

4.5.57 Both municipalities acknowledge that all development within 300 meters beyond the limit of Highway 3 or 800 metres of the centre of the intersections, shall require a roadside development permit from Alberta Transportation or alternatively, written authorization from Alberta Transportation stating that a roadside development permit is not required as part of the proposed development project. This information shall be submitted by an applicant at the time of submission of a development permit application to the applicable municipality.

Airport Vicinity Policy Area

4.5.58 The County currently has an Airport Protection District (AP) in its' land use bylaw applicable to land in proximity of the airport east of the Town (refer to Map 4). Both municipalities recognize the importance of such a special district and the County agrees to continue to contain such a land use district within the bylaw to protect the airport and ensure development is compatible with airport operations.

4.5.59 Any proposed development located within the larger highlighted Airport Vicinity Policy Area illustrated on Map 4 of this plan, will be closely reviewed for suitability on the basis of potential impacts to the airport and attention to the flight paths of aviation aircraft operating from the airport.

4.5.60 In the Airport Vicinity Policy Area height restriction limitations may be placed on developments, and in particular, communication (cellular), meteorological, and wind energy conversion system towers will be prohibited.

4.5.61 Any development permit application for land located within the illustrated Airport Vicinity Policy Area will be referred to Nav Canada and Transport Canada for comment prior to making a decision. It is recognized that Federal regulations (including the Aerodome Standards and Recommended Practices and Aviation: Land Use in the Vicinity of Aerodomes) will guide development regarding the airport, navigation, lighting and security at the airport and protect the obstruction restrictions.

General Commercial and Industrial Land Uses

4.5.62 The County and Town will attempt to direct commercial and industrial development to suitable areas, preferably in business parks or clustered areas, or to the appropriate future growth areas as illustrated on the Land Use Concept map (refer to Map 3).

4.5.63 Isolated commercial and industrial developments may be considered in the general Plan Area by the County if it is decided the use is better suited in the rural area, or it is associated with resource extraction or agricultural activities, it is determined not to negatively impact residences in either municipal jurisdiction, and use is allowed in the applicable land use district.

4.5.64 Both municipalities agree that good land use practices should be followed and when considering industrial development proposals, each municipality should determine the compatibility to adjacent land uses, either existing or proposed future, and the potential impacts to both County and Town ratepayers (refer to Map 3).

4.5.65 Proposed commercial and business or industrial buildings and uses that may be adjacent to existing or future urban residential development areas (as outlined on Maps 3 and 4) shall demonstrate through their design how the proposal will successfully mitigate any potential negative impacts as such uses shall not cause or create air contaminants, visible emissions, particulate emission, odour, or noise beyond the building that contains them.

4.5.66 Both the County and Town, in considering the suitability of commercial and industrial land use proposals, will take into account the availability of adequate firefighting infrastructure or facilities and water supply in proximity to the development, and may consider private fire protection measures (e.g. cisterns and sprinkler systems) if permitted for the use in conformity to the provincial fire code.

General Country Residential Land Use

4.5.67 First parcel out or country residential subdivisions may be considered in the Plan Area in accordance with the applicable land use district and if the proposal conforms to the County's subdivision criteria in the land use bylaw and municipal development plan.

4.5.68 Country residential uses may be privately serviced through such means as private wells, cisterns, rural water lines, or municipal services (if available and permitted) and utilize on-site private individual septic systems that are able to meet provincial standards and regulations. Any new or vacant parcel being subdivided utilizing a septic field system, the applicant will be required to perform a professional soil analysis with favorable results verified to the satisfaction of the County.

4.5.69 For multi-lot (grouped) low density country residential proposal considerations within the Plan Area, a redesignation to the appropriate County land use district would be necessary along with the following requirements:

(a) the preparation of a conceptual design scheme or Area Structure Plan; and

(b) the servicing provisions as outlined in the IDP and LUB or MDP can be met; and

(c) a professional storm water drainage management plan is prepared; and

(d) the proposal is not located adjacent to existing or identified future industrial land use areas; and

(e) the proposal is not located within the depicted future growth Land Use Concept Areas 1 to 4 of the IDP.

4.6 Town Growth Management

Intent

To establish a series of policies applicable to the Town of Bow Island internal lands which align with the goals of the IDP and consider the compatibility of growth potential with the fringe in accordance with the Land Use Concepts.

Policies

4.6.1 Prior to considering applications for multi-lot subdivision within the Town in Areas 6 & 7 of the Land Use Concept (Map 3) a professional Area Structure Plan must be prepared which shall be referred to the County in accordance with referral policies of this Plan in Part 3, section 3.3.

4.6.2 The eventual planning and development of Land Use Concept Areas 6 & 7 will need to undertake a professionally prepared storm water drainage management plan for both areas which must be referred to the County in consideration of the referral policies.

4.6.3 The Town will try to ensure that development proposals within the Town adjacent to the municipal boundary consider and are compatible with potential future land use in the illustrated growth areas and Land Use Concepts as identified on Map 3.

4.6.4 The Town of Bow Island will consider efficient use of land principles to accommodate growth and try to ensure vacant lands and in-fill potential within the Town are used to as much potential as possible prior to expanding its municipal boundaries. (Ideally, full potential is considered to be at least 75% built-out as it is recognized annexation, planning and servicing processes may take several years to complete, unless special circumstances warrant earlier consideration.)

4.6.5 At such future time when the Town feels annexation to accommodate growth is warranted, it will discuss such needs with the County in respect of the framework outlined in Part 5 of this Plan.

4.7 Roads and Transportation

Intent

The Road and Transportation policies are intended to outline a logical framework to facilitate orderly and planned growth with respect to safety and ensuring area road network connectivity is considered. The policies are to help ensure future road systems are functional, compatible and that enhanced coordination occurs to enable the planning of linked road networks so future growth and development is not compromised.

Policies

4.7.1 Any prepared conceptual design scheme or Area Structure Plan submitted in respect of lands located in Land Use Concept Areas 1 through 7 must address and define in some detail, the integration of lot layout and future transportation linkages between the two municipalities to allow for access/road linkages to provide connectivity into the adjacent future growth areas.

4.7.2 Both the County and Town recognize that the long-term planning of Land Use Concept Areas 2, 3, 4, and 5 will require consultation with Alberta Transportation as part of the planning process, and any transportation access networks, access requirements or required Traffic Impact Analysis (TIAs) needed in relation to potential impacts to Highway 3 must be addressed to the satisfaction of the provincial transportation department.

4.7.3 The County and Town will consult with Alberta Transportation as needed regarding the on-going implementation of this Plan. If a developer/landowner is required to conduct a Traffic Impact Analysis study with respect to Highways 3 and 879 both the study and any upgrading/improvements identified by the TIA, will be implemented at the sole cost of the developer/landowner, not the municipalities, and to the satisfaction of Alberta Transportation.

4.7.4 If either municipality requires the dedication of road is as a condition of subdivision approval, the landowner/developer will be required to enter into a development agreement with the applicable municipality having jurisdiction over the lands for road construction and associated costs.

4.7.5 As development and growth occurs in the future Land Use Concept areas, and may develop in phases overtime, the County and Town should consult on boundary road conditions. Where a new road network may interconnect (cross-over the shared boundary), the two municipalities may agree to apply the same common standard of road construction on each side of the municipal boundary to ensure a uniform roadway is constructed.

4.7.6 In the future, if a new subdivision or development creates a scenario where the proposal will result in access being required from an adjoining road under the adjacent municipality's control or management, the affected municipality must give its approval or decision in writing prior to

the application being considered as complete by the other municipality. The developer may be required to enter into an approach or road access agreement with the municipality when requested.

4.7.7 In the future, if the SW 06-11-10-W4 (Land Use Concept Area 1) is incorporated into the Town's municipal jurisdiction through an annexation process, the west adjacent road presently within the County (Rge Rd 110) should be included in the proposal at that time to create a contiguous area with the lands to the west which are within the Town boundary. The terms and any potential compensation that may be agreed to and apply to any County investments in improvements made to the road should be discussed at that time, and must be addressed in the Growth Study or Annexation Report.

4.7.8 Alberta Transportation has prepared a functional planning study pertaining to a recommended future bypass route for Highway 3 in the Bow Island area (the approximate location is depicted on the IDP maps). Both municipalities will attempt to effectively plan and make land use decisions that do not negatively affect the integrity and future development of the bypass route and proposed interchanges.

4.7.9 Once the Highway bypass is completed, the Town and County will continue to consult and work with Alberta Transportation regarding the future ownership and maintenance of the 'old' highway roadway, whether provincial or municipal, as it will be subject to future negotiation with the provincial transportation department.

4.7.10 Both the County and Town understand the importance of the railway system along the Highway 3 corridor and the economic benefits to the region and agree to regulate land uses to ensure compatibility adjacent to the rail lines by applying the *FCM: Guidelines for New Development in Proximity to Railway Operations (2013).*

4.8 Utilities and Servicing

Intent

The provision of the infrastructure to adequately service development based on the required needs often is dependent on location, capacity and feasibility issues. The County and Town both recognize that accessible and feasible servicing infrastructure is needed to accommodate growth and development. The province is encouraging adjacent municipalities to discuss and make agreements on the efficient and effective provision of such services and where practicable and logical, work together to manage the delivery of such services.

Policies

4.8.1 Both the County and Town recognize the importance of the provision of efficient utilities and services for developments and agree to consult and coordinate, wherever possible, to determine appropriate locations and alignments of any utility or servicing infrastructure required to serve a proposed subdivision or development within the Plan Area.

4.8.2 When non-municipal utilities (e.g. gas, electricity, fibre-optics) from private agencies are proposed in proximity to the Town or are to transcend the shared municipal boundary, the County and Town should attempt to jointly consult with the utility provider and ensure the siting of infrastructure does not interfere with the planning and road connectivity of the future Land Use Concept growth areas.

4.8.3 Both municipalities will try to coordinate and attempt to direct proposed land uses to the appropriate areas in consideration of the IDP Land Use Concepts and regard for the type of services and utilities that may be required by the type of development.

4.8.4 Developments in the Plan Area of the County may be serviced to a rural standard (i.e. non-municipal) provided they are suitable for the type of development proposed, they are low-volume water users, and an on-site private sewage system can manage the estimated effluent volumes associated with the development. (Low-volume water users are considered those users who use 5,000 litres per day or less or are handling less than 25 cubic metres (5,500 Imp gallons) of sewage volume per day.)

4.8.5 If a private on-site individual sewage system is intended to serve a subdivision or development, a professional soils analysis and report from an accredited agency must be performed prior to a decision being made on an application to ensure it meets provincial guidelines and regulations.

4.8.6 Land use and development decisions by both municipalities should place considerable weight on the availability of necessary servicing for the development proposal and if the provision of water and sewer services is feasible.

4.8.7 The County and Town may discuss, negotiate, and make agreements regarding the provision of municipal services that transcend municipal boundaries. It is understood by both parties that development should not be approved that proposes to obtain municipal services from the adjacent municipality until the two municipalities have consulted and if agreed to, a formal agreement has been negotiated to address the terms of providing the municipal service.

4.8.8 If municipal services are provided outside a municipal boundary, both municipalities should consult and plan to coordinate in order to delineate logical locations for aligned utility corridors or right-of-way's that may need to be registered between municipal jurisdictions.

4.8.9 Prior to any subdivision or development approval which proposes the use of municipal water or wastewater (sewer) under the adjacent municipality's control or management, the developer/landowner must obtain approval in writing from the applicable municipality regarding the use of such infrastructure to serve the development or subdivision.

4.8.10 Any costs associated with an individual developer/landowner connecting to Town municipal water and wastewater, including extending waterlines and installing associated infrastructure typically will be at the expense of the developer/landowner, and will be defined in an agreement between the County and Town, and then subsequently between the County and developer/landowner. It is acknowledged that, although these circumstances may arise and benefit all parties concerned:

(a) this does not commit the Town to providing any new services outside the Town boundaries and it will decide on a case-by-case basis, and

(b) the County should not approve any application requiring/requesting Town municipal services until a servicing agreement has been negotiated with the Town, as the County will not assume the Town will provide such services.

4.8.11 In respect of policy 4.8.10, the County and Town both understand and agree that municipal water and wastewater service will not be provided on an isolated individual basis to private landowners or businesses, but would need to be provided to the other municipal entity that would be responsible for the management (i.e. delivery and billing) of the service within its own jurisdiction. (Policy context note: This is required on the basis that only the municipality who has jurisdiction may enforce development agreements or place costs on the tax roll if utility services are unpaid or in arears.)

4.8.12 When municipal water and wastewater services are installed to a defined area and are specifically planned for and intended by both municipalities to service any proposed subdivision or development in that area, the developer/landowner will be required to connect to such services as required by the County or Town, unless special circumstances exist that the municipalities agree to make an exemption.

4.8.13 If it is deemed to be feasible and the Town is agreeable to provide municipal water and wastewater services to a private subdivision or development outside its municipal corporate boundary, the Town and County may consult and negotiate fairly the terms of entering into expenditure and revenue or tax sharing agreements between the two municipalities to apply to the specific subdivision or development benefiting from the requested municipal service provision. Any sharing agreement terms should reasonably reflect the level of all municipal services provided by each municipality in calculating an equitable formula.

4.8.14 In addition to municipal water and wastewater services, both municipalities agree in principle that expenditure and revenue or tax sharing agreements may be entered into and apply to all

types of municipal services that may be either impacted or provided between the County and Town, such as transportation networks, road maintenance, storm water drainage management systems, etc.

4.8.15 In respect of policies 4.8.13 and 4.8.14, the County and Town may agree to address the provision of municipal services to each other through the negotiated ICF agreement, or subsequent amending agreement, but preferably the details and terms would be provided through a separate agreement.

4.9 Storm Water Drainage

Intent

The County and Town will address the management of storm water drainage and attempt to limit impacts as much as possible. Both municipalities require landowners/developers to address storm water management as it pertains to their development and parcels of land.

Policies

4.9.1 Each municipality will ensure that developers are responsible for properly addressing drainage in their subdivision and development plans, and parcels located adjacent to the shared municipal boundary shall not create drainage or flood problems onto neighboring parcels of land in the adjacent municipality. Professionally engineered storm water drainage plans and lot grading plans may be required to be provided developers to manage storm water run-off.

4.9.2 Developers undertaking subdivision or development in either municipal jurisdiction are required to address storm water drainage management as part of their proposal, and are responsible for obtaining any necessary approvals from Alberta Environment and Parks that may be required with respect to the provincial *Water Act*.

4.9.3 In regard to effectively managing storm water and outlining a guide to proving storm water management plans, the following requirements are to be considered:

(a) developers should be encouraged to work with neighbors and develop comprehensive storm water management systems for a larger catchment area than their individual parcel(s) provided it is efficient, feasible and professionally engineered;

(b) future planning for vacant in-fill lands within the Town must address the management of storm water drainage and include a professionally prepared storm water management plan;

(c) the incorporation of storm water management Best Management Practices in the design of facilities is highly encouraged and to be pursued, where possible.

4.9.4 The County and Town may discuss and agree to examine the feasibility of jointly developing a regional storm water management plan within the Plan Area for known problem areas that impact both municipalities or for the illustrated Land Use Concept growth areas where both municipalities may mutually benefit from future growth and development occurring. The SMRID should be consulted and included in regional drainage and storm water management discussions and partnerships.

4.9.5 If the two municipalities agree to collaborate and formally undertake a more detailed storm water management study, any consulting and engineering costs involved in creating a plan will be through a separate agreement between the two municipalities, and the SMRID if in agreement to be involved, prior to engaging in any such process.

4.10 Environmental & Historical Matters

Intent

The policies in this section are intended to address local compliance with the MGA and SSRP which mandates the consideration and protection of natural environmental and historical resources in the planning process. The IDP attempts to also encourage consultation and define a mutually shared approach between the County and Town protecting such resources.

Policies

4.10.1 Potential historical resources throughout the Plan Area as identified by the province are illustrated on Map 6. For any subdivision or development proposal on lands that may contain a historic resource value (HRV), the developer is responsible for consulting the *Historical Resources Act,* contacting Alberta Culture and Tourism and for conducting a historical resource impact assessment (HRIA) when required.

4.10.2 Sections 34 & 35 in the 10-11-W4 immediately west of the Town are identified to potentially contain a historic resource value (HRV) of 4 and 5 and the developer is responsible for contacting Alberta Culture and Tourism and for conducting a historical resource impact assessment (HRIA) if required.

4.10.3 For any subdivision or development on lands that have been identified within a possible environmentally significant area (ESA), or on lands in proximity to the coulees, or where the municipality within which the development is proposed is of the opinion that the land may be within an ESA, the developer is responsible for contacting Alberta Environment and Parks and may be required to conduct an environmental impact assessment (EIA).

4.10.4 As part of the subdivision and development process, each municipality is individually responsible for referring subdivision or development applications and other land use activities within their

own respective municipal jurisdictions to the appropriate provincial department to determine when an HRIA or EIA may be required.

4.10.5 Both the County and Town understand the value of wetlands to the environment and the economy, and will strive to protect sensitive wetland areas by adhering to the Alberta Wetland Policies mitigation hierarchy of avoidance, minimization and replacement. Where lands are likely to contain wetlands, the developer is responsible for contacting Alberta Environment and Parks, and for undertaking a wetland assessment if required, prior to a decision being made on a development application.

4.10.6 Both the County and Town agree that each individual municipality will be responsible to independently make its own determination of when it feels it may be appropriate to use environmental reserves, environmental reserve easements, or conservation easements when making decisions on subdivision proposals within its own municipal jurisdiction. Either municipality may consult with the other in making a determination if it is felt there may be mutual or regional benefits of requiring the dedication of such reserves.

4.11 Multi-jurisdictional Land Use Matters

Intent

Both the County and Town recognize certain developments or land uses may be subject to the jurisdiction of other levels of government or require multi-jurisdictional approval. The following policies are to help provide a coordinated approach in the Plan Area in managing various emerging industries, utilities or those uses that are subject to federal or provincial regulatory approvals.

Policies

4.11.1 When there is an application submitted for a new, expanded or retrofitted telecommunications tower within the Plan Area, the County and Town will notify each other of the proposal and seek the other municipal party's comments prior to approving an issuance of a 'letter of concurrence'.

4.11.2 It is the preference of both the County and the Town that co-utilization (co-location) of telecommunication facilities be undertaken where technically feasible and this position shall be submitted to the telecommunication company prior to the municipality's issuance of a 'letter of concurrence' or 'non-concurrence'.

4.11.3 Both municipalities may consider individual or small-scale renewable energy developments (e.g., solar, wind, etc.) within their respective municipal jurisdictions where deemed compatible with existing land uses, the Land Use Concept Areas of this Plan, and where allowed for in the land

use bylaw. Each municipality will refer such development applications to one another in accordance with Section 3.3 of this Plan.

4.11.4 Both municipalities understand that the Alberta Utility Commission (AUC) is responsible for ultimately making decisions on energy developments that provide power into the provincial grid. Both the County and Town agree that within the Urban Fringe District of the Plan Area, large-scale or commercial Wind Energy Conversion Systems (WECS) are not supported, and specifically, are to be prohibited within the IDP identified Airport Vicinity Policy Area (refer to Map 4).

4.11.5 In addition to policy 4.11.4, the County and Town both agree that commercial Wind Energy Conversion Systems are to be prohibited an additional ½-mile directly to the west of the Urban Fringe District boundary, out to the west boundary of the IDP and Highway 879.

4.11.6 The County and Town both may consider commercial or large-scale solar (photovoltaic) facilities within their respective municipal jurisdictions where deemed compatible with existing land uses and where allowed for in the land use bylaw. In respect of this, the following will be taken into consideration when making decisions on such applications:

(a) larger commercial scale solar facilities shall not be sited in the illustrated future growth Land Use Concept Areas so as not to impede or interfere with the potential use of the land for other higher priority land uses (i.e. residential, commercial, industrial);

(b) on lands in proximity to the Bow Island Airport within the illustrated Airport Vicinity Policy Area (Map 4) commercial scale solar facilities may only be considered if the photovoltaic cells are of a non-reflective (non-glare) type so as to not interfere with the airport and fight operations;

(c) each municipality will refer such development applications to one another in accordance with Section 3.3 of this Plan;

(d) the Town and County may coordinate a response and submission to the Alberta Utility Commission (AUC) with respect to the IDP policies and strategy, as the AUC is responsible for ultimately making decisions on commercial solar energy developments that provide power into the provincial grid.

4.11.7 Other types of new, alternative or renewable energy developments, such as biomass, geo-thermal, bio-fuel, may be considered by either municipality on a case-by-case basis with consideration for adjacent land uses, potential for off-site impacts, and whether the use is allowed in the applicable district of the municipality's land use bylaw. Such development applications are to be referred to one another in accordance with Section 3.3 of this Plan.

ANNEXATION FRAMEWORK

PART 5

PART 5 ANNEXATION FRAMEWORK

5.1 Future Annexation

Intent

The intent of this section is to define an agreed to framework to help guide any future annexation proposals. The policies are to provide a clear and agreed upon process to help manage annexation discussions and outline the information needed to support applications.

Policies

5.1.1 When the Town decides that the annexation of lands from the County is necessary to achieve the Towns' long-term growth strategy and accommodate urban expansion, the processes and policies of this Plan are to be respected.

5.1.2 Prior to proceeding with any formal intent to annexation notice being filed with the County and Municipal Government Board (MGB), the Town will prepare and share with the County a "growth or annexation study" which outlines the necessity of needing the land, what lands are being proposed, provides the Town growth projections, outlines proposed uses of the land, municipal servicing implications and any identified financial impacts to both municipalities.

5.1.3 Either the County or Town may initiate an application for annexation without the requirement for preparing a growth or annexation study if both municipalities agree the proposal is for a minor boundary adjustment between the two municipalities to accommodate existing title property line reconfigurations, roads, or utility rights-of-way that may be split by municipal jurisdiction boundaries.

5.1.4 Within 60 days of receiving a growth study for review, and prior to the Town submitting a notice of intent to annex land with the Municipal Government Board (MGB), the County will indicate in writing whether or not it has objections or concerns, or whether it requires additional clarification on any matters within the report or study.

5.1.5 If concerns are brought forward by one party, either municipality may request a meeting of the two joint Councils to discuss the concerns raised and attempt to arrive at a consensus on the issue. If the two Councils are unable to reach a consensus, the dispute resolution mechanism processes in accordance with this Plan may be initiated with the next step being formal mediation.

5.1.6 If no concerns or objections are brought forward, the municipality initiating annexation may proceed to file a Notice of Intent to Annex with the Municipal Government Board and proceed to undertake the annexation process within the framework outlined by the MGB.

5.1.7 The municipality initiating an annexation proposal is responsible for ensuring all affected parties are consulted and notified of the process, and provided all relevant details and information. The deemed affected parties would include at a minimum:

- The other (affected) municipality,
- The affected land owners whose land is subject to the annexation,
- Government departments, such a Alberta Transportation, irrigations districts, the health and school authorities, etc.,
- The utility providers of the area,
- The public at large,
- The provincial Minister of Municipal Affairs and the Municipal Government Board.

5.1.8 If there are concerns or objections regarding the annexation proposal, and these are unable to be resolved through the formal negotiations and mediation process, the municipality initiating the annexation may decide to proceed with a contested annexation application to the MGB, but any hearings before the MGB and associated costs, such as legal or consultant fees if applicable, will be at each municipalities own expense for what it individually incurs.

5.1.9 Within one year upon a MGB Order approving an annexation, the two municipalities will review the Intermunicipal Development Plan boundary to determine whether a need to amend the Plan boundary is warranted. Any IDP maps and diagrams that may need to be amended to conform to the new municipal boundaries must also be revised accordingly.

INTERMUNICIPAL COLLABORATION

PART 6

PART 6 INTERMUNICIPAL COLLABORATION

Intent

The County and Town recognize their economies are explicitly linked and efficiencies may be gained in some areas in working together in the delivery of municipal services. Cooperation and collaboration on joint policy areas is encouraged and should be looked at by both municipalities, as there are regional opportunities that may benefit both municipalities.

Policies

6.1.1 Both municipalities agree to proactively collaborate and try to enhance and improve the Bow Island-Forty Mile region for the benefit of both municipalities and its citizens as much as possible.

6.1.2 The County and Town agree that they will strive to continue to consult and work together with a 'regional perspective' in managing land use and development proposals for the Plan Area.

6.1.3 Whenever possible, the Town and County are open to exploring and supporting joint economic development initiatives with each other especially if it is foreseen to be mutually beneficial.

6.1.4 Both municipalities will strive to continue to engage and collaborate with regional stakeholders to expand and promote value added agriculture and technology sectors in the region.

6.1.5 As Alberta Transportation has identified a recommended future bypass route for Highway 3 in the Bow Island area, both the Town and County will continue to consult and work with Alberta Transportation regarding the on-going plans regarding the major transportation project that will impact both municipalities.

6.1.6 Both municipalities support the continued collaboration on addressing inter-regional issues, such as being members of the Highway 3 Twinning Development Association, and will continue to engage in such initiatives that are deemed important to both communities.

6.1.7 It is recognized that some economic or development proposals may be regionally significant and/or mutually beneficial to both parties, and the County and Town agree to meet to discuss such proposals when they come forward to find methods to support such proposals for the benefit of the shared region. Joint Council meetings between the two municipalities may be used as forum to discuss and negotiate particular proposals.

6.1.8 The County and Town agree to discuss and find positive ways to liaise with other government departments, agencies and utility service providers to help assist with the efficient delivery of

infrastructure and services that may transcend municipal boundaries and are of a mutual benefit.

6.1.9 The County and Town will endeavour to consult with St. Mary River Irrigation District (SMRID) on an on-going basis, as the SMRID may provide district project information that could impact various development projects, or the irrigation district may also provide valued input to consider in making municipal land use decisions and long-term plans, including storm water drainage plans.

6.1.10 The County and Town may explore opportunities and partner together in providing support to a wide range of community, economic, cultural/historical, recreational, and environmental conservation projects that may mutually benefit or enhance the quality of life of both County and Town residents within the region. Beyond financial, various supports could include advice, letters of endorsement, assisting with grant applications, donating municipal resources or staff time, acting as a liaison with government departments, and other assistance for projects of local or regional benefit.

6.1.11 In consideration of providing certain municipal services to areas or proposals agreed to between the two municipalities, the County and the Town may discuss the need to create and apply off-site levies, development charges, and/or servicing fees to any and all development areas as part of an infrastructure service delivery agreement.

6.1.12 Opportunities for partnership or collaboration between the Town and County for facilitating commercial and/or industrial development or regional business parks as joint partnership ventures may be explored where warranted.

6.1.13 The Town and County recognize that there may be areas of mutual opportunity and benefit in the provision of infrastructure and other services with each other and agree to discuss in good faith these opportunities as they may arise.

6.1.14 The two parties will proactively work together on preparing an Intermunicipal Collaborative Framework, as required by the Modernized *Municipal Government Act*, in a cooperative spirit in an attempt to give due consideration to regional perspectives on municipal governance decisions and providing community services.

InterMunicipal Development Plan

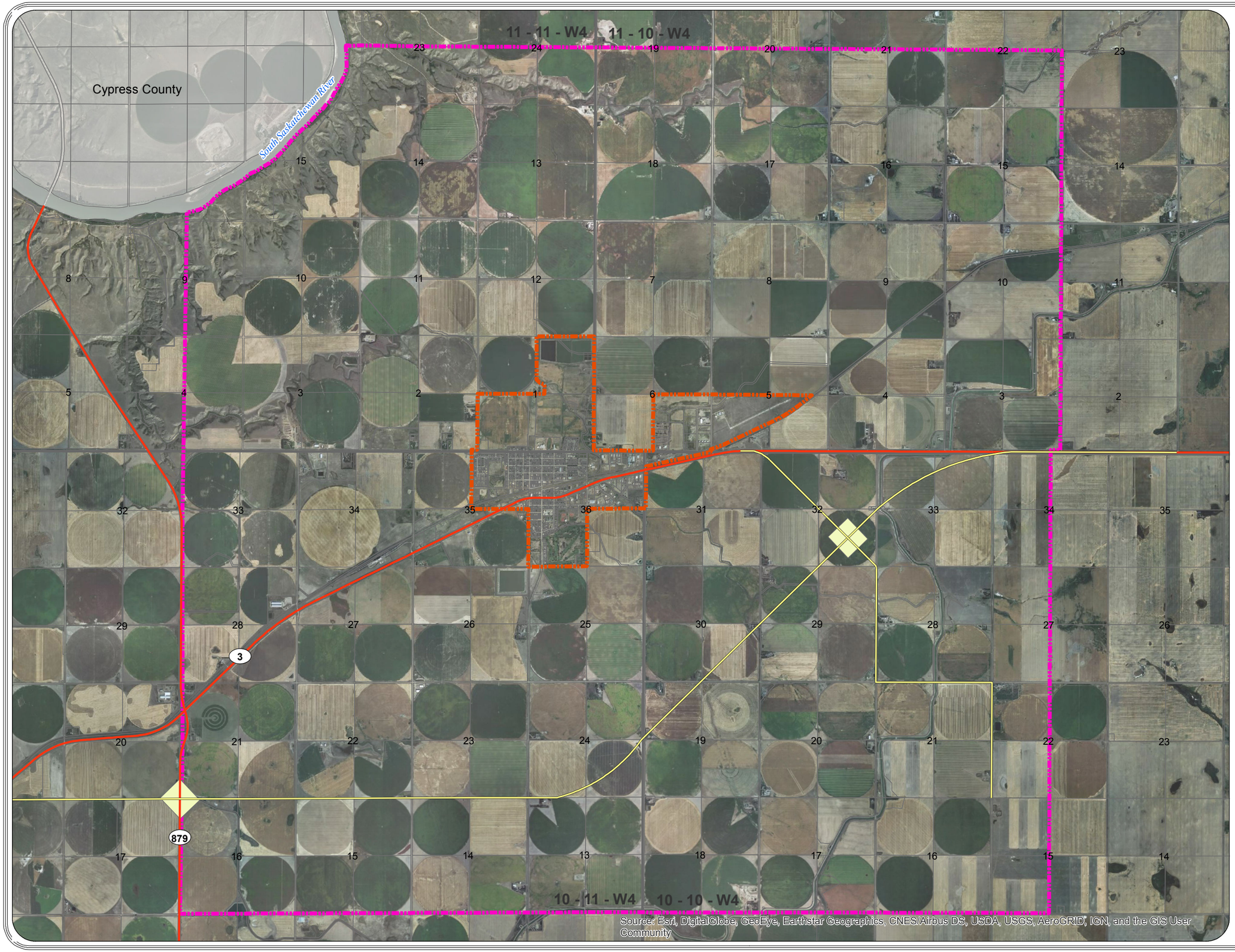
County of Forty Mile & Town of Bow Island

MAPS

PART 7

County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 1
IDP Boundary



- IDP Boundary
- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

COUNTY OF FORTY MILE
(BYLAW NO. 03/2020)
& TOWN OF BOW ISLAND
(BYLAW NO. 2020:02)

BOW ISLAND
Incorporated 1912

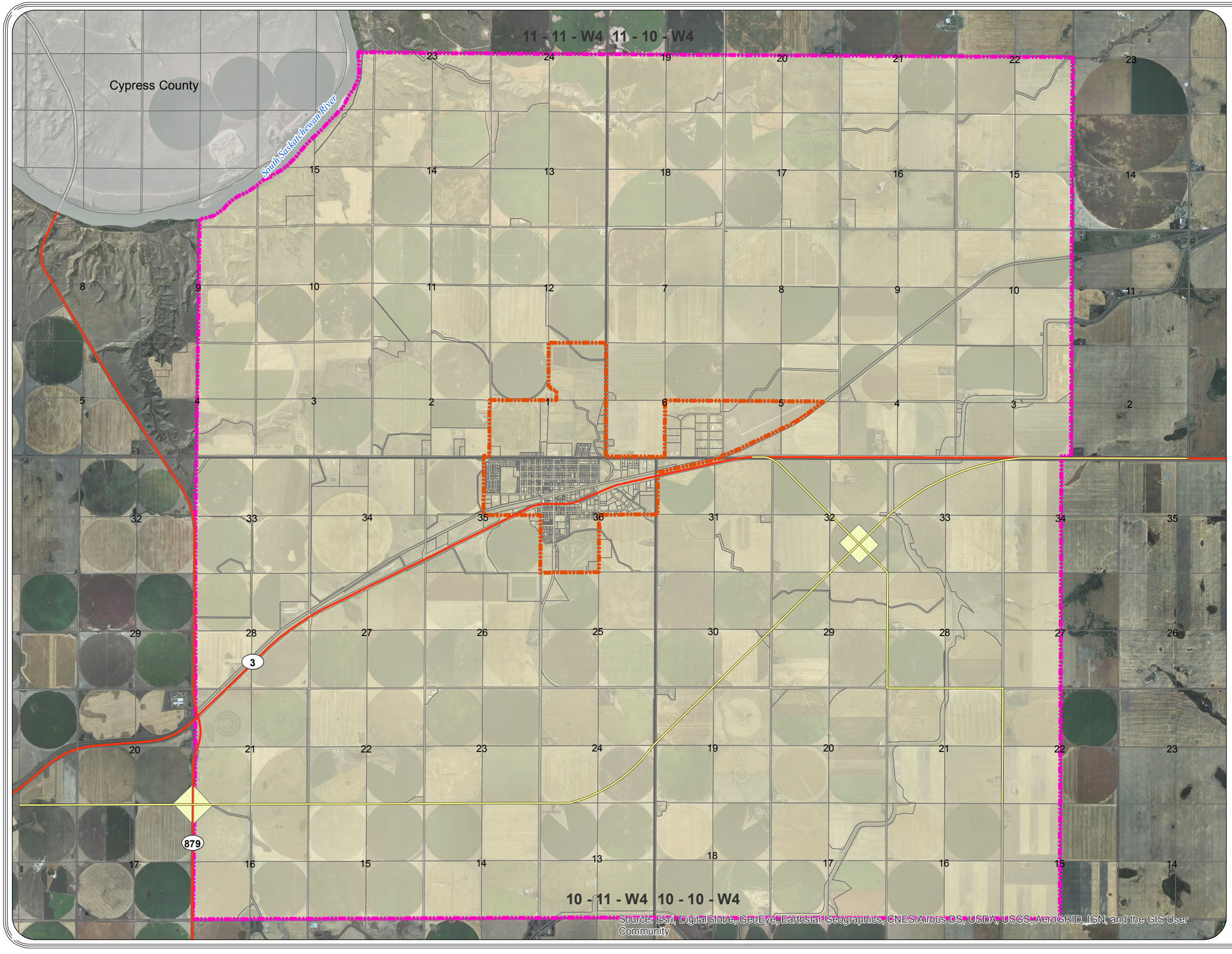
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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 2
CFO Exclusion Area



- IDP Boundary
- Town of Bow Island Boundary
- CFO Exclusion Area from Forty Mile Land Use Bylaw 10/2009
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

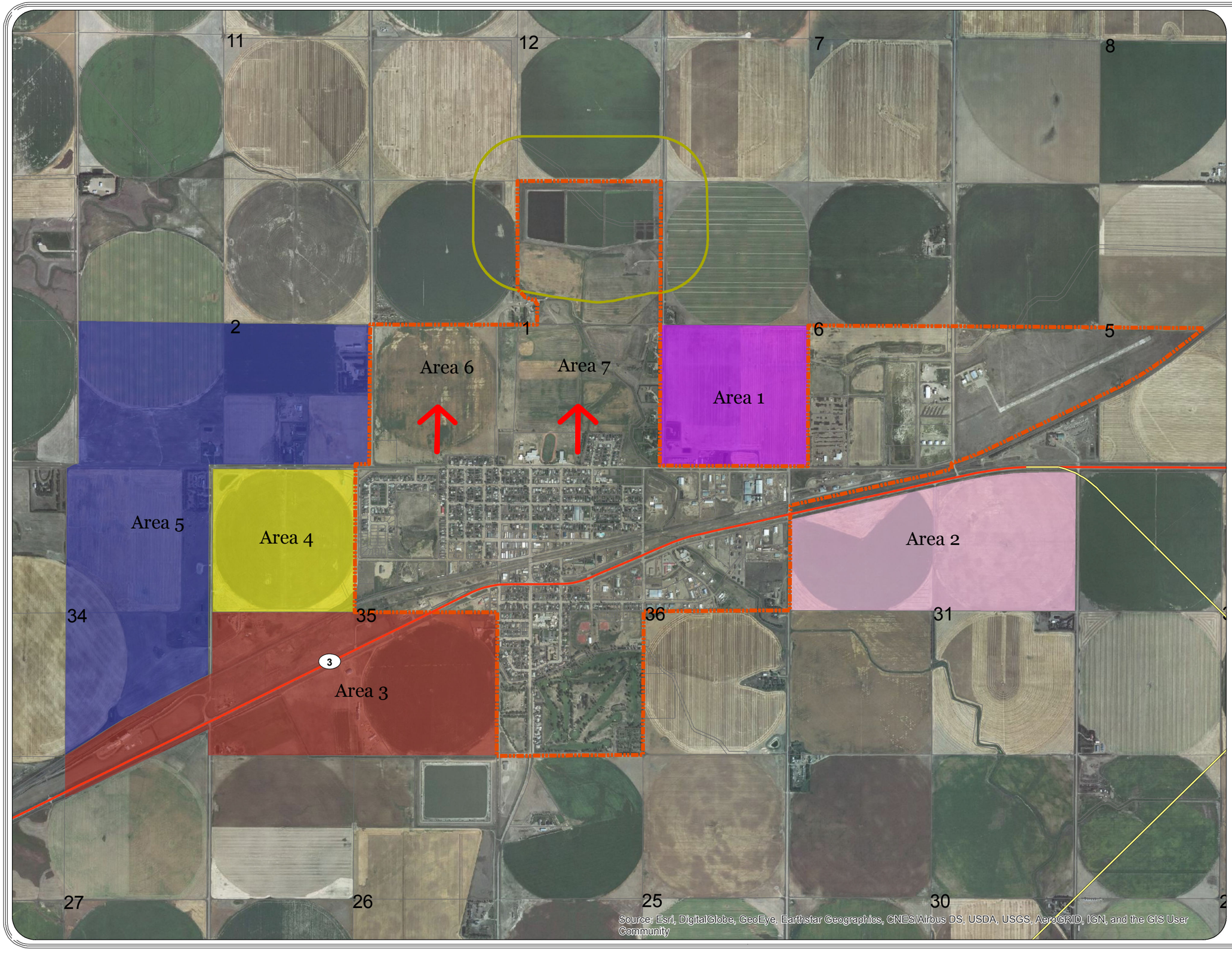
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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 3
Land Use Concepts



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- 300m Sewage Lagoon Buffer

Land Use Concepts

- Area 1 - Future Industrial Area
- Area 2 - Potential Commerical/Industrial Area
- Area 3 - Potential Commercial Area
- Area 4 - Future Town Residential Growth
- Area 5 - Special Consideration (No Industrial)
- Areas 6 & 7 - Future Town Growth Area (Internal)

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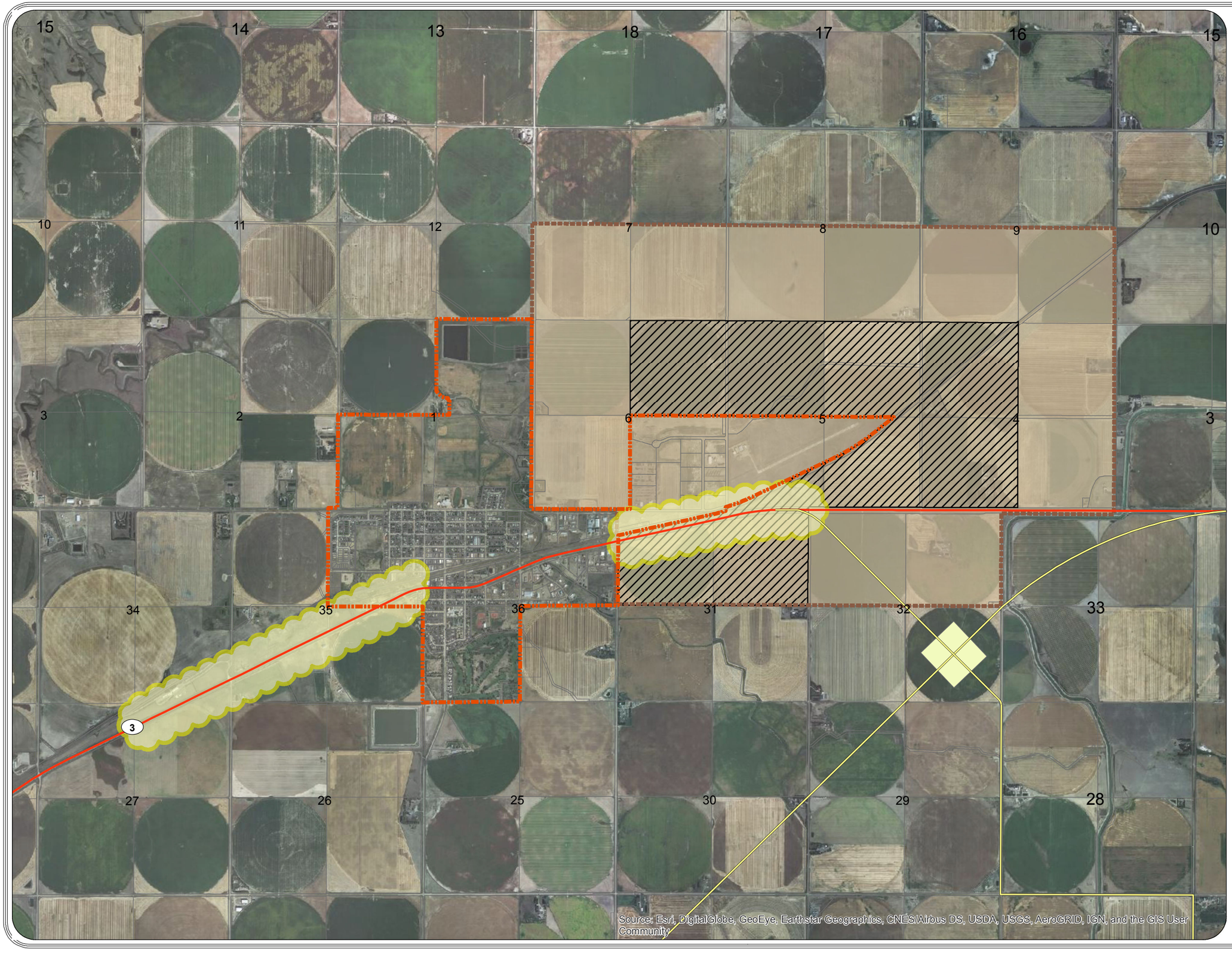
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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 4
Special Planing Considerations



- Town of Bow Island Boundary
- Highways
- Airport Vicinity Policy Area
- Airport Protection District (AP) From Forty Mile LUB
- Gateway Corridors
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

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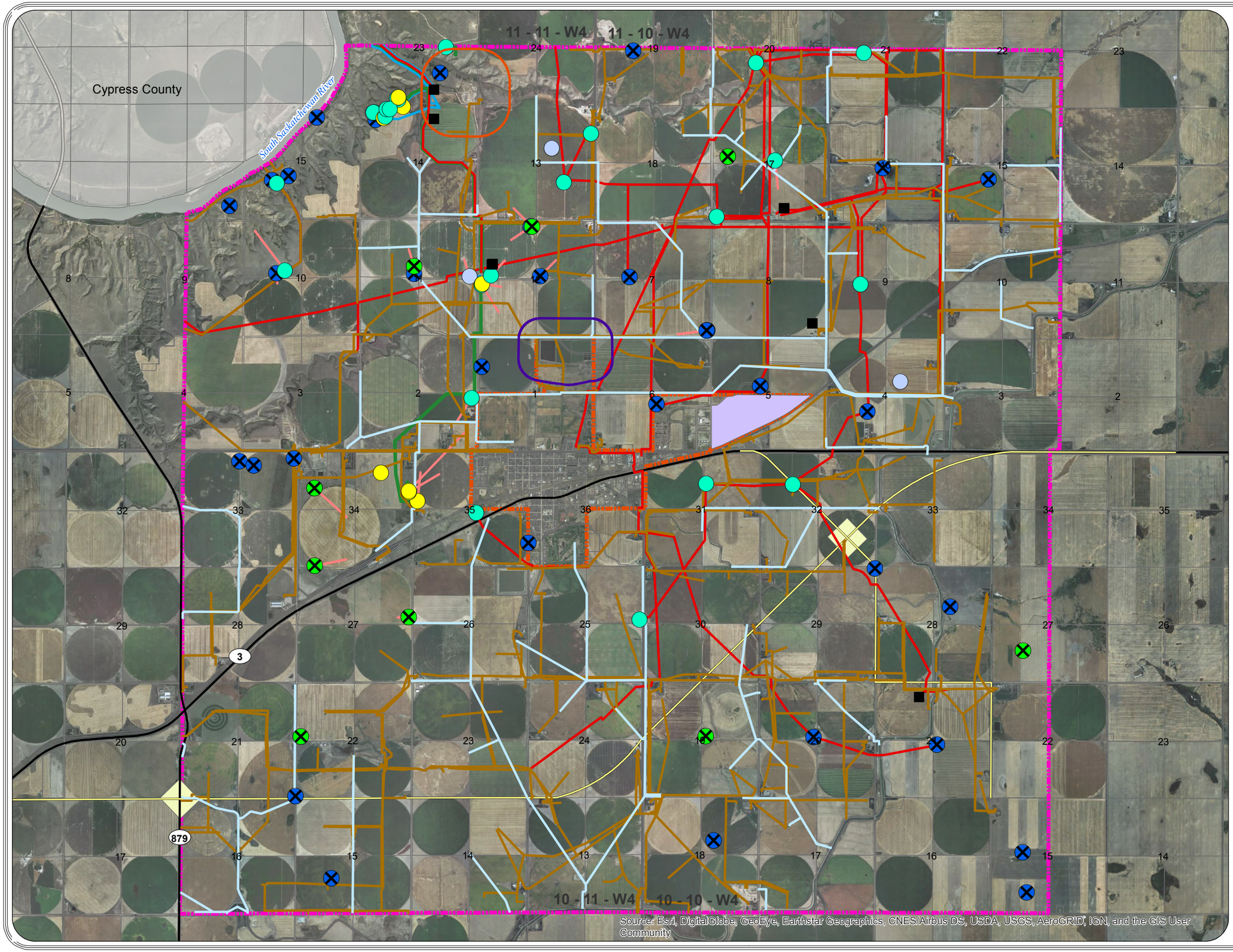
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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 5
Growth Constraints



- IDP Boundary
- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange
- Airport
- 300m Sewage Lagoon Buffer
- 450m Landfill Buffer
- ERCB Facility
- Sour Well
- Abandoned Sour Well
- Oil/Gas Well
- Abandoned Oil/Gas Well
- Water Well
- Irrigation Pipelines
- Low Pressure Pipelines
- Oil Gas Well Line

ERCB Pipeline - Substance

- Natural Gas
- Oil Effluent
- Salt Water

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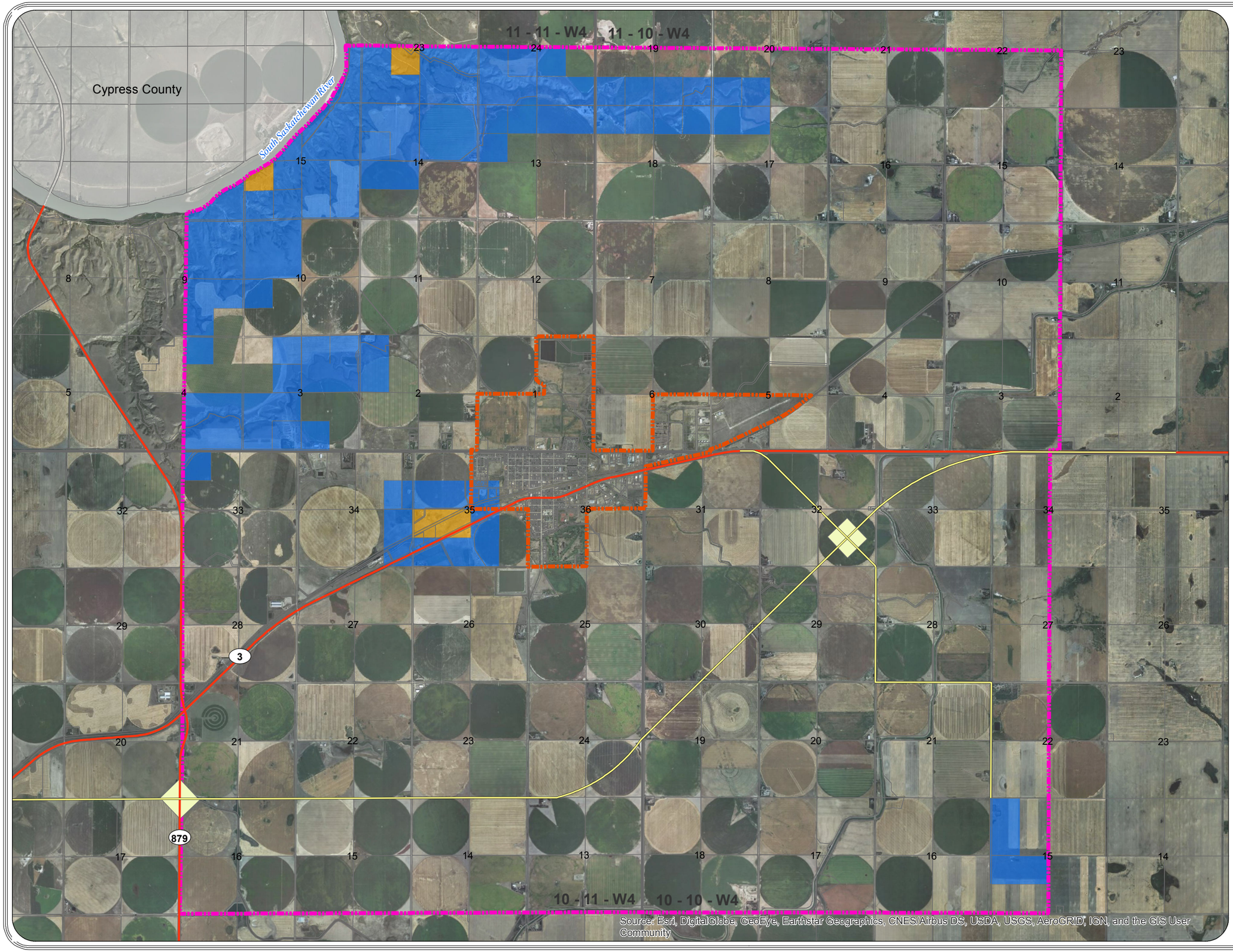
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 6
Historic Resource Values



- IDP Boundary
- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

Historic Resource Values (HRV)[1]*

- HRV 4: Contains a Historic Resource That May Require Avoidance
- HRV 5: High Potential to Contain a Historic Resource

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Source:

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

[1] Alberta Culture and Tourism
Government of Alberta, June 2019

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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 7
Soil Capability For Agriculture
Indexed by Canada Land Inventory

11 - 11 - W4

11 - 10 - W4

Cypress County

South Saskatchewan River

10 - 11 - W4

10 - 10 - W4

3

879

- IDP Boundary
- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

CLI Soil Classification

- 1 - Soils with no significant limitations in use for crops
- 2 - Moderately High to High Productivity, Moderate Crop Limitations
- 3 - Moderately High Productivity, Moderately Severe Crop Limitations
- 4 - Low to Medium Productivity, Severe Crop Limitations
- 5 - No Annual Field Crops, Severe Limitations
- 6 - Some Natural Grazing Potential but Improvement Practices Not Feasible

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*Source: Canada Land Inventory, National Soil DataBase, Agriculture and Agri-Food Canada. 1998.

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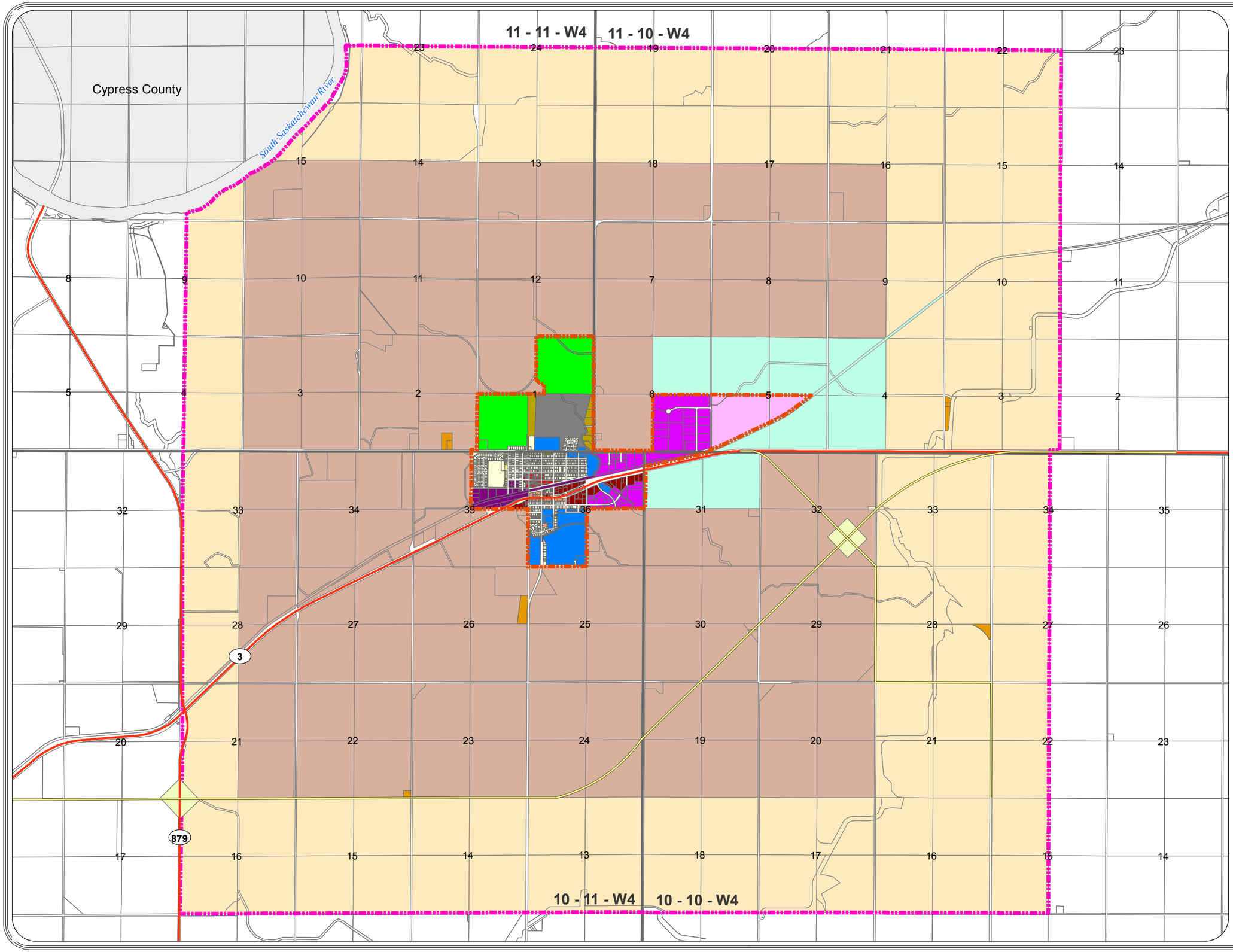
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County of Forty Mile
Town of Bow Island
Intermunicipal Development Plan

Map 8
Land Use Zoning



- IDP Boundary
- Town of Bow Island Boundary
- Highways
- Approximate Location of Highway 3 Bypass Recommended Route
- Highway 3 Bypass Interchange

Bow Island Land Use Bylaw No. 2003 - 07

- Residential District R-1
- Residential General District R-2
- Residential District R-3
- Mobile Home Park District - MHP
- Institutional District I
- Commercial District C-1
- Highway Commercial District C-2
- Highway Transitional District HT
- Light Industrial District M-1
- Industrial District M-2
- Railway Industrial District M-3
- Country Residential District CR
- Urban Reserve District UR
- Direct Control District DC

Forty Mile Land Use Bylaw No. 10/2009

- Agriculture District (A)
- Airport Protection District (AP)
- Country Residential (CR)
- Urban Fringe District (UF)

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