County of FORTY MILE & Village of FOREMOST



Bylaw No. 04/2020
& Bylaw No. 699/20

INTERMUNICIPAL DEVELOPMENT PLAN

November 2020

(Bylaws Adopted)

BY – LAW NO. 699

of the

VILLAGE OF FOREMOST

IN THE PROVINCE OF ALBERTA

BYLAW No. 699/20, being a bylaw of the Village of Foremost in the Province of Alberta, to adopt the County of Forty Mile No. 8 and Village of Foremost Intermunicipal Development Plan (IDP).

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 Village of Foremost IDP 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 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 Village of Foremost duly assembled hereby enacts the following:

1. Council shall adopt the County of Forty Mile No. 8 and Village of Foremost 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 Village of Foremost 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. Upon third reading, Bylaw No. 586, the Forty Mile Rural-Urban Fringe Agreement, and any amendments are hereby repealed.

READ a **first** time this 16th day of March, 2020.

Mayor – Lome Buis — *Chief Administrative Officer – Kelly Calhoun*

Seal

READ a **second** time this 16th day of November, 2020.

Mayor – Lome Buis — Acting Mun. Administrator–Marilynn Hirsche

Seal

READ a **third** time and finally PASSED this 16th day of November, 2020.

Mayor – Lome Buis — Acting Mun. Administrator–Marilynn Hirsche

BY-LAW NO. 04/2020

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

BYLAW No. 04/2020, 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 Village of Foremost 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 Village of Foremost 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 Village of Foremost 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 Village of Foremost Intermunicipal Development Plan in consultation and as agreed to with the Village of Foremost.
2. This plan, upon adoption, shall be cited as the County of Forty Mile No. 8 and Village of Foremost Intermunicipal Development Plan Bylaw.
3. The Intermunicipal Development Plan becomes official with the Village of Foremost adopting a corresponding bylaw
4. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 11th day of March, 2020.

***Reeve** – Steven Wikkerink*

***Administrator** – Keith Bodin*

READ a **second** time this 25 day of November, 2020.

***Reeve** – Steven Wikkerink*

***Administrator** – Keith Bodin*

READ a **third** time and finally PASSED this 25 day of November, 2020.

***Reeve** – Steven Wikkerink*

***Administrator** – Keith Bodin*

Acknowledgements

This planning document was created as a partnership between the County of Forty Mile and the Village of Foremost. 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

Village of Foremost

Lorne Buis - Mayor
Tyson Ormann - Councillor
Larry Robinson - Councillor
Blake Klatt- Councillor
Stewart Payne - Councillor
Kelly Calhoun - CAO
Marilynn Hirsche - Acting 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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PART 1

INTRODUCTION

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

PART 1 INTRODUCTION

1.1 Introduction

The County of Forty Mile (County) and the Village of Foremost (Village) have a history of collaborating on issues of mutual interest. In respect of this, the two municipalities have prepared an Intermunicipal Development Plan (IDP or Plan) intended to foster ongoing cooperation between the County and Village by providing a forum to discuss and manage planning matters in consideration of each party's interests and concerns. Both parties recognize that land surrounding the urban municipality (i.e. fringe) is often subject to competing interests by landowners, developers, and even the municipalities. In respect of this, the IDP is intended to create a jointly shared vision by the County and Village for managing growth and development by establishing a long-term strategy which attempts to balance the interests of each municipality.

In 1999, the County and Village had first entered into a multi-municipal joint urban fringe agreement, referred to as the Rural-Urban Fringe Plan Agreement. It was updated in 2003 (to remove Burdett) but since that time there has not been a great need to enter into a newer IDP format, potentially due to limited growth pressures. However, in respect of new 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 the Plan include:

- Land use;
- Coordinated growth planning;
- Support of local economy;
- Annexation criteria;
- Transportation, utilities and servicing;
- Consultation and referral mechanisms; and
- Dispute settlement.

The IDP focuses on collaboration, consultation, land use, growth, coordination and related matters requiring intermunicipal cooperation and commitment

1.2 Purpose of the Plan

The purpose of the Intermunicipal Development Plan (IDP) is to address planning issues and the coordination of future land use on lands within both municipalities. The Plan also enables a means of exchanging information and communication between the County and the Village. It also is a 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.

As a reciprocal agreement, the Plan contains policy that applies to lands within the County in the fringe area of the Village, as well as within the Village (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 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.*

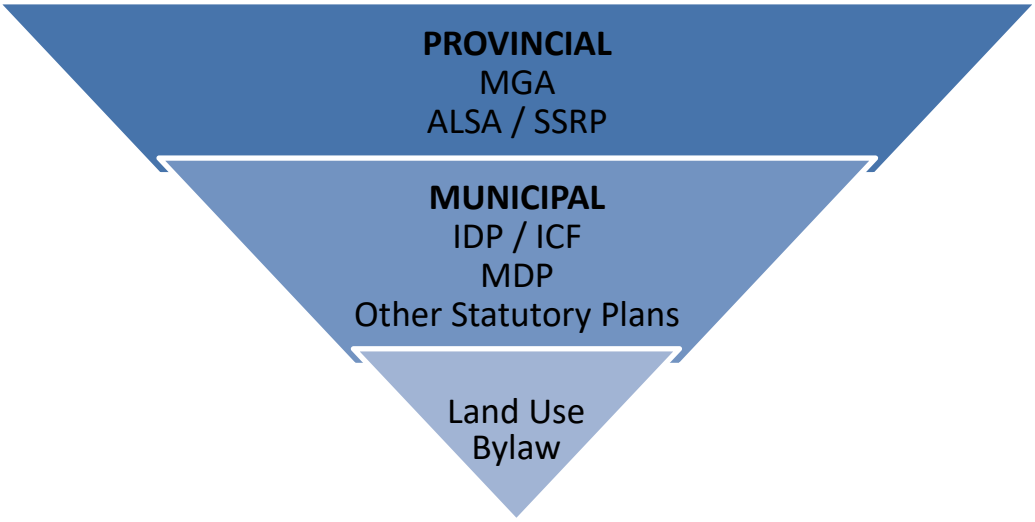
8.6 *Pursue joint use agreements, regional services commissions and any other joint cooperative arrangements that contribute specifically to intermunicipal land use planning.*

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 Village 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.

FIGURE 1 – PLANNING HIERARCHY



1.4 Plan Guiding Principles

1. The County and Village will seek to reach consensus on issues as much as possible and seek agreeable solutions to issues that may arise.
2. The County and Village will attempt to balance municipal interests and work together on mutually beneficial opportunities wherever able.
3. Policies should strive to encourage consultation and cooperation as much as possible.
4. The two municipal parties shall strive to build partnerships and foster collaborative relationships to encourage healthy growth for the region as a whole.
5. The County and Village agree that they shall ensure that the policies of this plan are properly, fairly and reasonably implemented.

1.5 Plan Goals

The intended general goals of the Intermunicipal Development Plan are:

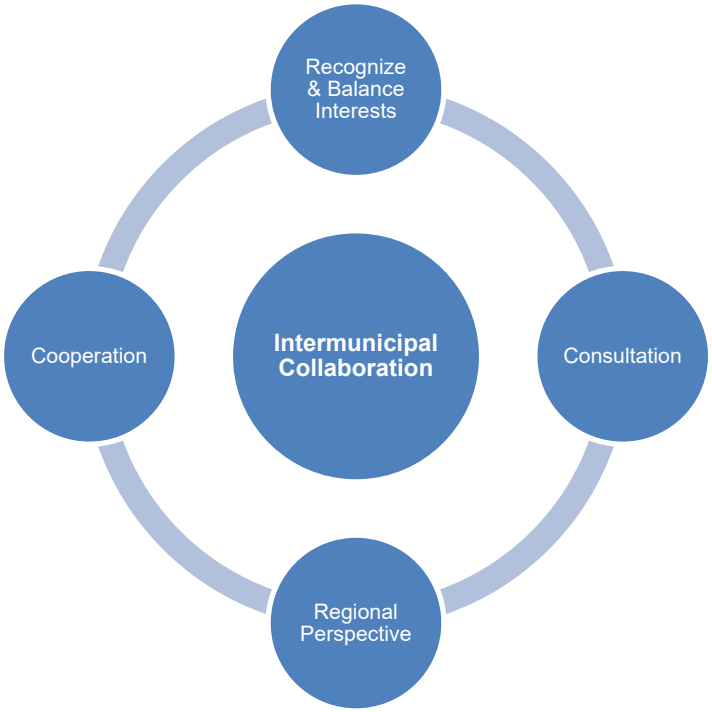
1. To address the requirements of the *Municipal Government Act* with respect to plan administration, plan amendment and dispute resolution procedures, in an agreed to framework.
2. To enable both the County and Village to grow and prosper in a regional context and to identify logical areas to accommodate 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 enable and encourage a new opportunities to work collaboratively together and support a more regional perspective in making decisions that may benefit both municipalities.

5. 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.

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

FIGURE 2 - IDP PRINCIPLES AND GOALS
Enhance Municipal Collaboration



1.6 Plan Preparation Process

The IDP process was guided by the CAOs and administrative staff from each municipality, as well as 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 consultation, detailed discussions, and the review of input and submissions received throughout the plan preparation process, the IDP was adopted by both the Village and County, respectively.

PART 2

BACKGROUND ANALYSIS & AREAS OF COMMON AGREEMENT

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

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 Village of Foremost is subject to different pressures, conflicts, and opportunities than a typical rural or urban area on its own. Over time as municipalities grow and economic opportunities arise, it is obvious that municipalities need to coordinate and work together to make effective land use decisions.

A detailed analysis of the Plan Area was undertaken to provide an overview of the existing conditions in an approximately 3-mile area around the Village in order to assist in the development of a functional, effective planning document. The Maps (see Part 7) are to help illustrate and provide a basic understanding of existing conditions, opportunities, and constraints associated with future growth and development in the Plan area.

2.2 Existing Planning Documents, Agreements & Partnerships

The Village of Foremost and County of Forty Mile adopted a joint intermunicipal Rural-Urban Fringe Plan Agreement in 1999, and amended in 2003, which provided a general overview of planning concerns and provide some policy direction to agree how to manage some land use issues in the fringe area. The plan was reviewed in 2010 but no new intermunicipal plan has been implemented since that time. The following are more recent planning initiatives:

- The Village has taken steps to manage its growth by identifying priorities and logical growth directions in its 2019 Municipal Development Plan (MDP). This includes identification of preferred areas of growth for new Residential, Commercial, and Industrial land. Furthermore, the plan acknowledges the need for residential growth to first occur through the development of existing land areas. The MDP also acknowledges the need to consult with the County to find ways to collaborate and plan for growth.

- The Village acknowledges its close ties to the surrounding rural area and the importance of agriculture by recognizing its function as a service centre to the surrounding rural community, but also as a growing residential community for people employed in local farming operations and for people retiring from rural operations.

- The County has an MDP and its' primary focus is on retaining and supporting its agricultural sector, but also enabling opportunity to diversify and expand its tax base to continue to provide needed and affordable services to ratepayers. The County's MDP and land use bylaw contain policies and regulations that respect and help protect the urban communities, such as having an Urban Fringe

District that prohibits certain types of noxious or incompatible land uses, and having an established confined feeding operations exclusion zone around the urban centres.

In regards to partnerships between the Village and County, the two parties currently share or partner in the following services:

- delivery of regional emergency services provisions through intermunicipal agreement
- South Forty Waste Services Commission
- cooperation and partnerships on regional waterline infrastructure
- Protective Services Committee
- 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, and the Canadian Badlands Economic Initiative
- member of the Shortgrass Library System
- 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 study area provided an overview and basic understanding of existing conditions. 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 Village municipal boundary and for an approximately two-mile radius, with the majority of other land (additional 1-mile) zoned Agricultural District within the County of Forty Mile land use bylaw.
- Land use is predominantly extensive agricultural uses. Land west and northwest of the Village boundary in the vicinity around the airport (located within the S½ 24-6-11-W4) is designated as Airport Protection (comprising 2,240 Acres of land).
- There is very little other isolated land uses designated for industrial, highway commercial, or county residential use, by comparison, such as you would typically find in many other municipalities urban fringe areas. Map 8 illustrates existing zoning within the Plan Area.
- The Village's sewage lagoons are located northeast of the Village, east of Highway 879 (S½ 28-6-11-W4) and there is a waste transfer station located to the northeast of the airport (NW 19-6-11-W4).

Natural Environment

- Archeological, paleontological and historical resources of HRV 4 and HRV 5 value are believed to be located throughout the Plan Area, primarily in the coulee areas (refer to Map 6).
- Environmentally significant (sensitive) areas are also concentrated along the coulees.
- The general topography of the majority of the planning area can be categorized as being generally flat, with the exception of coulee land north of the Village and to the immediate east side of its municipal boundary. The west entrance into the Village on Highway 61 also crosses a significant draw just to the east of the cemetery, which creates a physical constraint.
- The coulee lands and slopes do present a physical challenge and barrier for growth for the Village to occur to the west, east and eventually to the north also.
- The Village obtains its source of water from nine natural artesian wells that are located within 2½-miles northwest of the Village in proximity of Chin Coulee, situated within Sections 19 & 30-6-11-W4M and Section 25-6-12-W4M.

Agricultural Practices

- A mix of agricultural operations exists, primarily involving the farming of land to grow various cereal and oilseed crops, forage crops, pulse crops and a variety of specialty crops. There are also mixed farms with cattle and bison in the Plan area.
- Land in the Plan Area is predominantly of a reasonably high quality, with the majority of lands being designated as class 2 (moderate limitations) with some areas of class 3 (moderately severe limitations). The slopes located in the coulee areas include soils in the class 6 (improvement practices not feasible) range, but may be used for grazing. Map 7 indicates the Canada Land Inventory (CLI) soil classification and agricultural capability of the lands within the Plan Area.
- There are currently no major confined feeding operations (CFOs) located within the Plan Area that fall under the jurisdiction of the NRCB. There are a couple of minor, seasonal or grazing animal operations.

Existing Subdivision & Development

- Residential development within the fringe Plan Area is sparse. There are a few isolated farmsteads or acreages but no designated Grouped Country Residential subdivisions.
- Most quadrants of the Plan Area within the County of Forty Mile are not fragmented, with most parcels remaining as unsubdivided quarter sections.
- The Village has some infill land available for growth south of the school at the south-end, west of Highway 879. There is also some vacant industrial land in the east portion of the Village, east of Highway 879 and north of Highway 61, available for industrial growth.
- There are special development restrictions/considerations in the vicinity around the airport (located within the S½ 24-6-11-W4) due to the Airport Protection designation.

Transportation Infrastructure

- Highway 61 and Highway 879 are the main transportation routes linking the two municipalities. Highway 61 is the primary highway that provides the east/west linkage, while Highway 879 is the north/south route.
- 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.

Wells and Pipelines

- There are a number of both active gas wells and abandoned gas wells in the urban fringe area of Foremost. There are also a few low pressure and natural gas pipelines throughout the Plan Area, with a few within ½-mile south and east of the Village boundary. Such infrastructure can pose an 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 Village acknowledge the importance of agriculture as a fundamental corner-stone of their community and local economy. Both parties feel that only broad, general agricultural policies need to be outlined in the IDP, and the Village is of the opinion many Village residents are involved in agriculture and understand farming practices.
- The County and Village are both supportive of prohibiting new Confined Feeding Operations (CFOs) being established within the rural urban fringe area of the urban municipality.
- Both parties agree that the Plan should look at both sides' needs, and the IDP should generally identify the main growth opportunities and constraints in the Foremost vicinity. This includes recognizing and understanding where the Village has identified as future growth directions or areas, and what opportunities may be present for the County.
- It is generally felt that there is not a strong interest in allowing a lot of Grouped County Residential land use in the IDP area, but the parties recognize that any subdivision proposal that involves 3 or more parcels would need the County to refer and discuss the proposal with the Village, and the land would need to go through a rezoning process.
- Both municipalities felt that the location and suitability of various land uses in proximity to the Foremost would need to be considered in the IDP. It was suggested that industrial land uses

should be carefully scrutinized and considered for suitability based on what type of use it is and locational factors, such as proximity to airport, highway or urban uses and potential impacts.

- The County and Village both see some merit to having a clear policy framework in the IDP to manage growth and annexation, so both parties are clear on the expectations and process to follow.
- Both the Village and County agree that the IDP should contain broad policies that pertain to collaborative planning and coordination of potential development amongst the two municipalities.
- County and Village both agree that IDP must be a reciprocal type document and both are open to discussing and exploring mutually beneficial projects/ developments that may come forward with each other.
- The County and Village agree that a simple clear dispute resolution process should be in place, and that attempts should be made to solve issues locally as much as possible, prior to engaging provincial officials.
- The two parties both see the Plan as a tool to help formalize (i.e. put in writing) some current practices and communication mechanisms the two neighboring municipalities already engage in.
- The Village and County both feel the two municipalities should continue to meet on regular basis, communicate often, and discuss issues before they become a major source of contention.
- Both parties are open to discussing and collaborating on opportunities or projects of mutual benefit, and feel the municipalities should strive for cooperation wherever possible.

PART 3

PLAN IMPLEMENTATION & ADMINISTRATION

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

PART 3 PLAN IMPLEMENTATION and ADMINISTRATION

3.1 Procedure for Adoption

Intent

The County and Village 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 Village 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 Village (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 Village 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 Village 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 Village 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 Village 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/Village boundary where the applicant proposes to use Village of Foremost 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; however, the response timelines as stipulated must be followed.

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.

3.4 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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 Village 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:

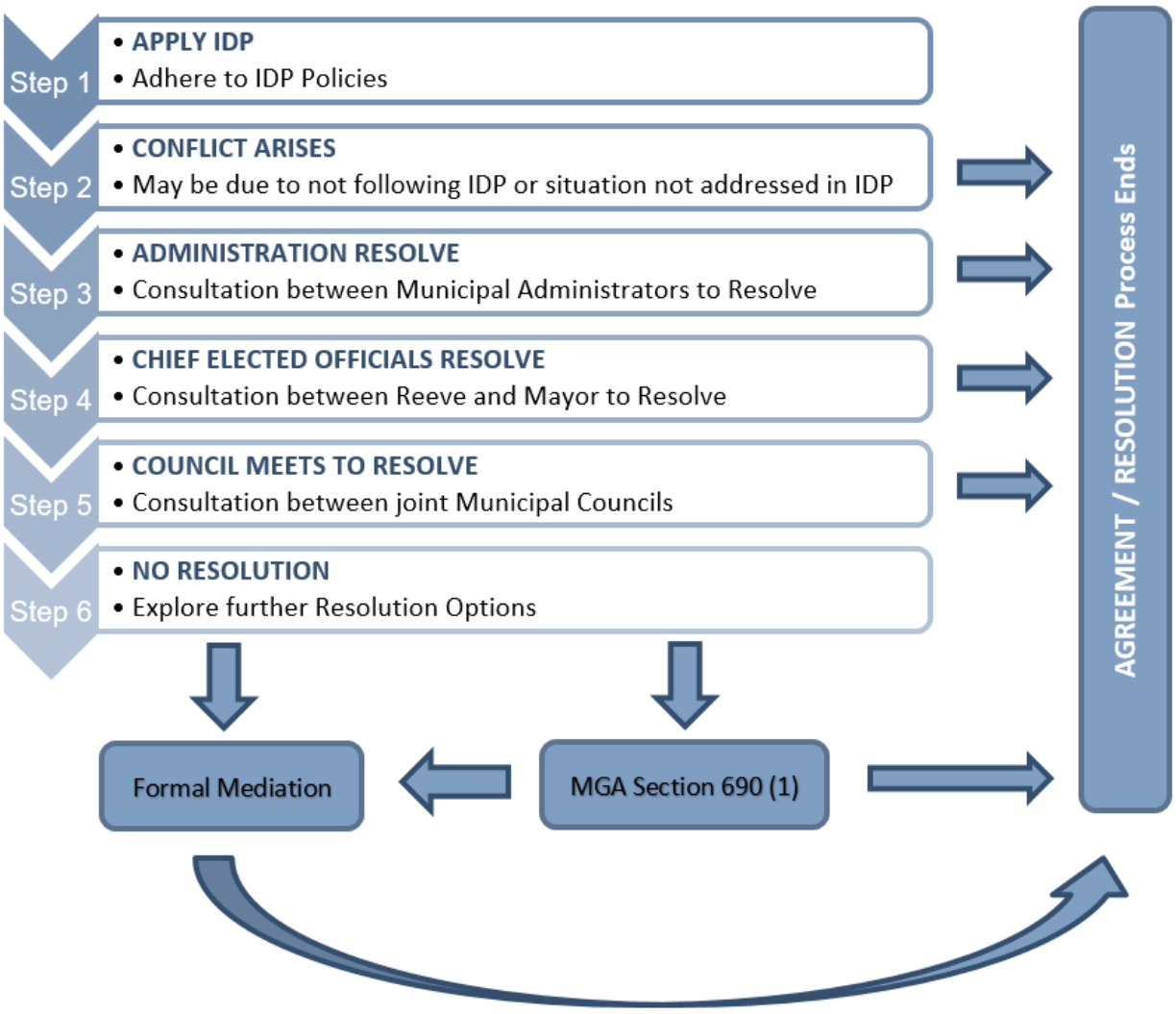
(a) the County and Village agree that they will consider and apply the adopted Regional Plan strategies, and are of the opinion this IDP aligns with strategies of the SSRP;

(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.

FIGURE 3
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.



PART 4

PLAN AREA COORDINATED MANAGEMENT STRATEGY

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

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 Village (and also includes lands adjacent to the municipal boundary within the Village). The land area comprises approximately 26,880 acres (10,878 ha) and is illustrated on Map 1. The Village of Foremost itself is comprised of an area of approximately 534 acres (216 ha) of land.

4.2 Applicability

For the purpose of coordinating and managing growth, the IDP Area has been divided into various policy areas and land use concepts as shown on Maps 3 and 4. Map 3 illustrates the primary development and growth areas that will likely experience the most pressure to be developed and where future growth should logically be 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).

Map 4 includes special planning considerations for the airport vicinity area and the highway entrances into the Village, referred to as the "Gateway Corridors." Most of the land outside of these special identified areas identified on Maps 3 and 4 are primarily utilized for agriculture. They will likely continue to be used for agricultural purposes unless circumstances present opportunity for some isolated non-agricultural development in areas deemed suitable and appropriate, and the proposals generally conform to the policies of this Plan.

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, Village of Foremost 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 Village. Any such proposals should be discussed between the two municipalities, and a formal application submitted must be referred to the Village in accordance with the referral policies of Part 3, section 3.3.

4.3.4 Both the Village 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. 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 Village 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 Village boundary or in the identified Land Use Concept and Growth Areas must be professionally prepared and engineered, unless the County and Village 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 Village 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 Village 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 Village (see Map 4) to help create a physical environment that will leave visitors with a positive impression of the community.

4.3.11 The Village sewer lagoons are situated within the S½ 28-5-12-W4 in the County of Forty Mile, and the municipality 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, certain proposals that require an application for a setback variance by the provincial authority may be supported if deemed warranted.

4.3.12 The regional solid waste transfer station site is located northeast of the airport within the NE 19-6-12-W4M, and the County must consider Sections 13 of the Subdivision & Development Regulation as certain specified subdivisions and development uses must not be approved if the building site is located within 300 metres of the working area of a waste storage 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 Village 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 Village and County will both endeavour to preserve good quality agricultural land and agree that the fragmentation or conversion of good agricultural land to other uses should not prematurely occur until absolutely necessary for growth. (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 Village 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 Village of Foremost 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 Village are indicated on Map 3 and the County and Village 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 Village 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 Village of Foremost.

4.5.8 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).

4.5.9 It is recognized there may not be a strong demand or municipal support for multi-lot or grouped country residential subdivisions within the Plan Area; however, for any grouped country residential proposals brought forward, such uses should not be permitted in the Lands Use Concept Areas 1 to 6 (refer to Map 3), but the County may consider such proposals outside those areas in accordance with its MDP and land use bylaw. In such circumstances, a redesignation application would be required along with an Area Structure Plan or conceptual design scheme and the referral policies adhered to.

Land Use Area 1 – Internal Village Growth Area

4.5.10 Vacant land in the south quadrant of the Village, west of Highway 879 adjacent to the rodeo grounds, is identified in the Village MDP as an internal growth area. It is recognized in conjunction with the Village MDP, this area would primarily be a mix of recreational uses including parks, open space and community facilities. As this area may have low opportunity for urban residential land use, Village growth may need to be planned to occur to the south outside the current boundary prior to the internal Land Use Area 1 being fully developed.

4.5.11 Should the Village plan to approve subdivision and/or development in the internal urban growth area (Land Use Area 1), 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 addresses at a minimum the concept, development/lot layout and land uses. The plan must meet the requirements of Village of Foremost 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

(c) the Village 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.

Land Use Area 2 – Internal Village Industrial / Business Growth Area

4.5.12 Lands in the southeast of the Village, east of Highway 879 and north of Highway 61 (in the SE 16-5-12-W4), are an existing industrial area for the Village, and are recognized as a possible future location for expansion growth of the Village business industrial sector. As the lands are presently owned by the County, it is recognized opportunity may be limited or very long-term. As a result, this area may not be developed out for industrial growth prior to the Village considering growth to the east outside the current boundary.

4.5.13 For Land Use Area 2, the County of Forty Mile public works facility is situated here and subdivision or discretionary development applications referrals are not necessary while the County owns all the land as no development will be occurring. The Village will only need to refer such applications to the County in the future if the County decides to relocate or subdivide and sell any land to the public.

Land Use Area 3 – Potential Future Industrial Area

4.5.14 Lands to the north of the Village, north of Highway 61 and west of Highway 879 (in the SE 20-5-12-W4), are adjacent to the rail-line and some existing industrial activity, and are identified as a logical future industrial land use area. Land uses that are incompatible with industrial activities shall not be considered for this area.

4.5.15 It recognized that Area 3 has some transportation road linkage and circulation challenges due to the location of the rail-line, Highway 61 and Highway 879. In respect of this, any future planning and subdivision of land in Area 3 will require an approved Area Structure Plan that contains a clearly defined transportation and road network plan for the area.

4.5.16 Area 3 could potentially accommodate isolated non-serviced industrial related activity that may be associated with the rail-line or access to highways, such as assembly or storage yards, prior to the need of preparing an Area Structure Plan. Such land use proposals should be discussed between the County and Village prior to the County making a decision on any such applications.

4.5.17 The County and Village will consult with Alberta Transportation as part of the planning process for Area 3, and any requirements or traffic impact analysis needed in relation to potential impacts to Highways 61 and 879 must be addressed to the satisfaction of the provincial transportation department.

4.5.18 The future growth and planning for Area 3 will require consultation and cooperation between both municipalities, as the Village has identified a portion of the area as a long-term future industrial growth area and the County also recognizes the area as a logical location for industrial activities. Separate discussions and agreements on planning, land use determinations, servicing, roads, and both expenditure and revenue sharing may be negotiated and entered into between the two municipal parties.

Land Use Area 4 – Potential Future Industrial / Highway Commercial Area

4.5.19 **Area 4A** - Land to the east of the Village boundary, north of Highway 61 (in the SE 16-5-12-W4), is identified as a logical future industrial expansion and growth area, and is recognized as being compatible with the adjacent Village industrial land to the west. Land uses that are incompatible with industrial activities shall not be considered for this area.

4.5.20 Any long-term planning for Area 4A, including Area Structure Plans, should include considerations for road connectivity to tie-in to the west existing industrial lands within the Village, and internal service road frontage along Highway 61.

4.5.21 It is recognized the County's land use bylaw Urban Fringe District may allow consideration for Area 4A to be developed for an isolated highway commercial or light industrial use. The Land Use Concept for Area 4A illustrates that such uses may be considered adjacent to Highway 61 based on the suitability of the use and what the servicing needs may be. Any such isolated commercial/light industrial proposal must address access to Highway 61 and future service road needs.

4.5.22 **Area 4B** - Land to the east of the Village on the north-side of Highway 61 (in the SE 16-5-12-W4), is identified as a potential future long-term industrial or highway commercial growth area. The existing farm yard and agricultural activities may continue on the land, but opportunities and planning may be considered to allow other non-agricultural land uses in the future if deemed appropriate.

4.5.23 For the Land Use Concept Area 4, any future planning, subdivision and development must take into consideration the existing pipelines and natural gas lines that transverse through the area (refer to Map 5).

4.5.24 For Land Use Concept Area 4B, an isolated light industrial or highway commercial development may be considered within the County if deemed suitable and the policies of this Plan are considered.

4.5.25 For both Areas 4A and 4B, the two municipalities 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 light industrial or highway commercial development 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.

Land Use Area 5 – Potential Future Highway Commercial

4.5.26 Lands in the County located southeast of the Village and southeast of the intersection of Highways 879 and Highway 61 (in the SE 09-5-12-W4), are identified as a potential 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.

4.5.27 The two municipalities 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 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.

4.5.28 Land Use Concept Area 5 may be developed within the County for highway commercial or possibly light industrial type uses if appropriately planned, designated (zoned), flood potential/drainage considered, and developed in accordance with the policies of this Plan.

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

4.5.30 As the intersection region of Highway 61 and Highway 879 within the Plan Area has been identified as an opportunity area for a highway commercial node, access to any future development site shall be to the satisfaction of Alberta Transportation.

4.5.31 For Land Use Area 5, anything more than an isolated single lot development should require the need for a professional Area Structure Plan or conceptual design scheme plan to be prepared for the area with the plan addressing storm water management.

4.5.32` Land Use Area 5 has a past history of experiencing flooding and an engineered drainage analysis (which includes adjacent lands as part of a drainage patterns study) would be required as part of the planning process and prior to any non-agricultural development occurring.

Land Use Area 6 – Potential Long-term Village Growth Areas

4.5.33 Land presently within the County (Land Use Area 6), south of the Village boundary and west of Highway 879 (SE 17-5-12W4) has been identified in the Village MDP as a potential long-term future growth area. It is recognized that this area could be a mix of urban residential, recreational, commercial and industrial land use (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.

4.5.34 The County and Village agree to consult and cooperate on any future plans to develop the lands in Land Use Area 6 from their current primarily agricultural state. While the land is within the County's jurisdiction, careful deliberation must be given to isolated developments that may come forward with consideration for compatibility, siting, access and future road linkages, servicing needs, and respect for the overall future Land Use Concepts outlined in the IDP.

4.5.35 For proposals within the County, any subdivision or land use development proposed that does not conform to the Urban Fringe District of the County's land use bylaw would require the benefit of a redesignation. In such circumstances, the referral polices as outlined in Part 3, section 3.3 of the IDP shall be adhered to.

4.5.36 For Area 6 any type of industrial land use planned for should be a light-industrial, non-noxious type, due to the southerly (southwesterly) location and potential residential development situated in close proximity to the north.

4.3.37 Regardless of what municipal jurisdiction Land Use Area 6 is in at the time when future large-scale development (i.e. more than a single isolated development) or multi-lot subdivisions are proposed, the following requirements will apply:

(a) applications for subdivision will be supported by an approved professionally Area Structure Plan that meets the requirements of the applicable municipality's Land Use Bylaw and Municipal Development Plan, and conforms to the IDP;

(b) the ASP must address the integration of lot layout and future transportation linkages, proposed land uses, density, servicing and utilities, storm water drainage management and potential phasing of developments; and

(c) the municipality in receipt of the proposal will refer the prepared Area Structure Plan to the other adjacent municipality for review and comment in accordance with the referral policies of this Plan as outlined in Part 3, section 3.3.

(d) Land Use Area 6 may be subdivided for a first parcel out subdivision or an agricultural subdivision of an 80-acre split without the requirement of an Area Structure Plan.

4.5.38 As presently the quarter-section that is identified as Land Use Area 6 is primarily agricultural land with some agricultural related buildings and structures on it, the land owner may apply to subdivide a first parcel out subdivision or an agricultural subdivision such as an 80-acre split, as it will not negatively impede future Village growth planning.

4.5.39 As Land Use Area 6 is contiguous to the Village boundary and has been identified in the Village MDP as a potential long-term future growth area, the Village agrees that when it is determined that outward growth expansion into this area is needed by the Village, 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.

4.5.40 For both the short-term and long-term management of Land Use Area 6, 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 logical growth area.

General Land Use Concept Policies

4.5.41 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. The ASP provision will be required after a single subdivision occurs, either a first parcel out or agricultural subdivision such as an 80-acre split of the 1/4 –section, prior to allowing additional subdivision.

4.5.42 Both the County and Village recognize that the long-term planning of Land Use Concept Areas 3, 4, 5 and 6 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 Highways 61 and 879 must be addressed to the satisfaction of the provincial transportation department.

4.5.43 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 Village.

4.5.44 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 6 (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

4.5.45 The highway 'Gateway Corridors' are illustrated on Map 4 and any future development proposed adjacent to the identified Village entranceways (along Highways 61 and 879) 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.

4.5.46 For parcels within the designated Gateway Corridors (refer to Map 5) and adjacent to the visible interface of Highway 61 and Highway 879, all storage must be related to and be an integral part of the commercial or business light 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.

4.5.47 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.

4.5.48 The County will refer discretionary development applications for parcels adjacent to the defined 'Gateway Corridors' to both the Village and Alberta Transportation for review and comment as part of the referral process. The County 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.

4.5.49 Both municipalities acknowledge that all development within 300 meters beyond the limit of Highway 61 or Highway 879, 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

4.5.50 The County currently has an Airport Protection District (AP) in its' land use bylaw applicable to land in proximity of the airport west of the Village, in the S½ 24-6-12-W4 (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.

4.5.51 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. Consideration should also include the potential impacts to the Unmanned Air Systems (UAS) Test Range and the beyond visual line of sight BVLOS applications operating.

4.5.52 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.

4.5.53 Any proposed development 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

4.5.54 The County and Village 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).

4.5.55 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.

4.5.56 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 Village ratepayers (refer to Map 3).

4.5.57 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.

4.5.58 Both the County and Village, 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

4.5.59 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.

4.5.60 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 will be required to perform a professional soil analysis with favorable results verified to the satisfaction of the County.

4.5.61 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 of the IDP.

4.6 Village Growth Management

Intent

To establish a series of policies applicable to the Village of Foremost 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 Applications for multi-lot subdivision within the Village in Area 1 of the Land Use Concept (Map 3) will be supported by a professionally prepared conceptual design scheme or Area Structure Plan which shall be referred to the County in accordance with referral policies of this Plan.

4.6.2 The eventual planning and development of Land Use Concept Area 1 will need to undertake a professionally prepared storm water drainage management plan for the area which must be referred to the County in consideration of the referral polices in Part 3, section 3.3.

4.6.3 The Village will try to ensure that development proposals within the Village 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 Village of Foremost will consider efficient use of land principles to accommodate growth and try to ensure vacant lands and in-fill potential within the Village are used to as much potential as possible prior to expanding its municipal boundaries. At such future time when the Village 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.

4.6.5 As part of long-term growth planning, the Village may at some future point initiate discussions with the County to examine the possibility of negotiating an annexation agreement for the undeveloped lands west of the golf-course and reservoir as they have severe development constraints for the Village. This may be accomplished as part of a potential boundary land swap or in conjunction with a separate future annexation proposal at the time it is warranted.

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 6 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 Village recognize that the long-term planning of Land Use Concept Areas 3, 4, 5 and 6 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 Highways 61 and 879 must be addressed to the satisfaction of the provincial transportation department.

4.7.3 The County and Village 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 61 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 Village 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.

4.8 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 Village 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 Village 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 Village or are to transcend the shared municipal boundary, the County and Village 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 Village 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 Village 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 Village, 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 Village to providing any new services outside the Village boundaries and it will decide on a case-by-case basis, and

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

4.8.11 In respect of policy 4.8.10, the County and Village 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 arrears.)

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 Village, unless special circumstances exist that the municipalities agree to make an exemption.

4.8.13 If it is deemed to be feasible and the Village is agreeable to provide municipal water and wastewater services to a private subdivision or development outside its municipal corporate boundary, the Village 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 Village, 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 Village 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 Village 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 Village 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 Village 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.

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 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 Village regarding protecting such resources.

Policies

4.10.1 The lands northwest of the Village in proximity of Chin Coulee (Sections 19 & 30-6-11-W4M and Section 25-6-12-W4M) contain the nine artesian wells that provide the main source of water for Village of Foremost and the regional water line. Both municipalities recognize the vital importance of protecting these wells water supply, and development or land use activities shall not be approved in the vicinity that may negatively affect the wells or water source.

4.10.2 Potential historical resources 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.

4.10.3 For any subdivision or development on lands that have been identified within a possible environmentally significant area (ESA), or on lands in proximity to Chin Coulee, 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 Village 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, based on provincial data or other professional information, 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 Village 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 Village 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 Village 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 Village 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 Village agree that within 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 Village both agree that commercial Wind Energy Conversion Systems are to be prohibited an additional 1-mile to the west of the IDP boundary to protect the operations and flight path of the Foremost Airport (see Map 4).

4.11.6 The County and Village 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 Foremost 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 Village 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.

PART 5

ANNEXATION FRAMEWORK

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

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 Village decides that the annexation of lands from the County is necessary to achieve the Villages' 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 Village will prepare and share with the County a "growth or annexation study" which outlines the necessity of the land, what lands are being proposed, provides Village 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 Village 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 Village 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 as 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.

PART 6

INTERMUNICIPAL COLLABORATION

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

PART 6 INTERMUNICIPAL COLLABORATION

Intent

The County and Village 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 Foremost-Forty Mile region for the benefit of both municipalities and its citizens.

6.1.2 The County and Village 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 Village 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 the Village and County are supportive of innovative local initiatives, such as the Unmanned Air Systems (UAS) Test Range becoming a leader of beyond visual line of sight BVLOS technologies and applications, and the Len Mitzel Logistics Yard (transload facility), and the potential local growth and spin-off opportunities associated with such endeavours.

6.1.5 It is recognized that some economic or development proposals may be regionally significant and/or mutually beneficial to both parties, and the County and Village 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.

6.1.6 The County and Village 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.

6.1.7 The County and Village 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 Village 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.

6.1.8 In consideration of providing certain municipal services to areas or proposals agreed to between the two municipalities, the County and the Village 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.

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

6.1.10 The two municipalities acknowledge the success of jointly collaborating in completing a new Village water treatment plant in 2018, and enabling water to be provided to Village residents and the County for the regional water supply pipelines to various County hamlets. Both parties are supportive of continuing these types of collaborations if mutually beneficial and feasible in the future.

6.1.11 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.

PART 7

MAPS

InterMunicipal Development Plan

County of Forty Mile & Village of Foremost

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 1
IDP Boundary



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

IDP Boundary

Village of Foremost Boundary

Highways

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

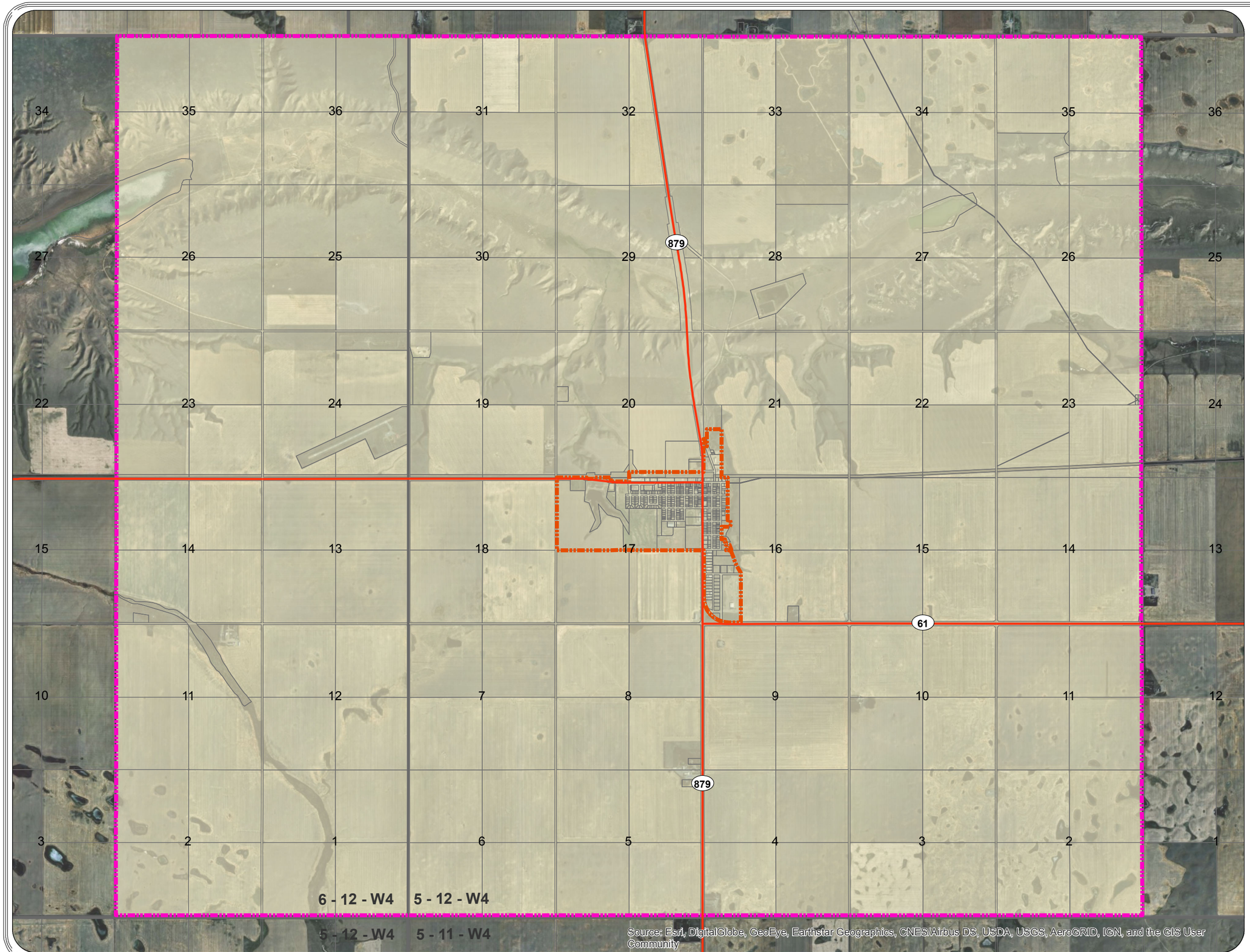
Kilometers

0 0.5 1 1.5 2

N

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 2
CFO Exclusion Area



IDP Boundary

Village of Foremost Boundary

Highways

CFO Exclusion Area

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

Kilometers

0 0.5 1 1.5 2

N

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 3
Land Use Concepts



Village of Foremost Boundary

Highways

Land Use

Area 1 - Internal Village Growth Area

Area 2 - Internal Village Industrial/Business Growth Area

Area 3 - Potential Future Industrial Area

Area 4A - Potential Future Industrial Area

Area 4B - Potential Future Industrial/Highway Commercial Area

Area 5 - Potential Future Highway Commercial Area

Area 6 - Potential Long-Term Village Growth Areas

Area 6A - Potential Highway Commercial Area

Area 6B - Potential Residential/ Public Institutional Area

Area 6C - Potential Industrial

Primary Future Land Use Growth Direction

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

Meters
0 250 500

N

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

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 4
Special Planning Considerations

- IDP Boundary
- Village of Foremost Boundary
- Highways
- Airpoirt Vicinity Policy Area
- Airport Protection District (AP) From Forty Mile LUB
- Gateway Corridors
- WEC Exclusion Area

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

Kilometers
0 0.5 1 1.5 2

N

6 - 12 - W4 5 - 12 - W4
5 - 12 - W4 5 - 11 - W4

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

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 5
Growth Constraints

- IDP Boundary
- Village of Foremost Boundary
- Highways
- Airport
- 300m Sewage Lagoon Buffer
- 300m Waste Transfer Station Buffer
- ERCB Facility
- Gas Well
- Water Well
- Abandoned Sour Well
- Abandoned Gas Well
- Low Pressure Pipelines
- Raw Water Pipeline
- Water COOP Pipeline

ERCB Pipeline - Substance

- Crude Oil
- Natural Gas

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

Kilometers
0 0.5 1 1.5 2

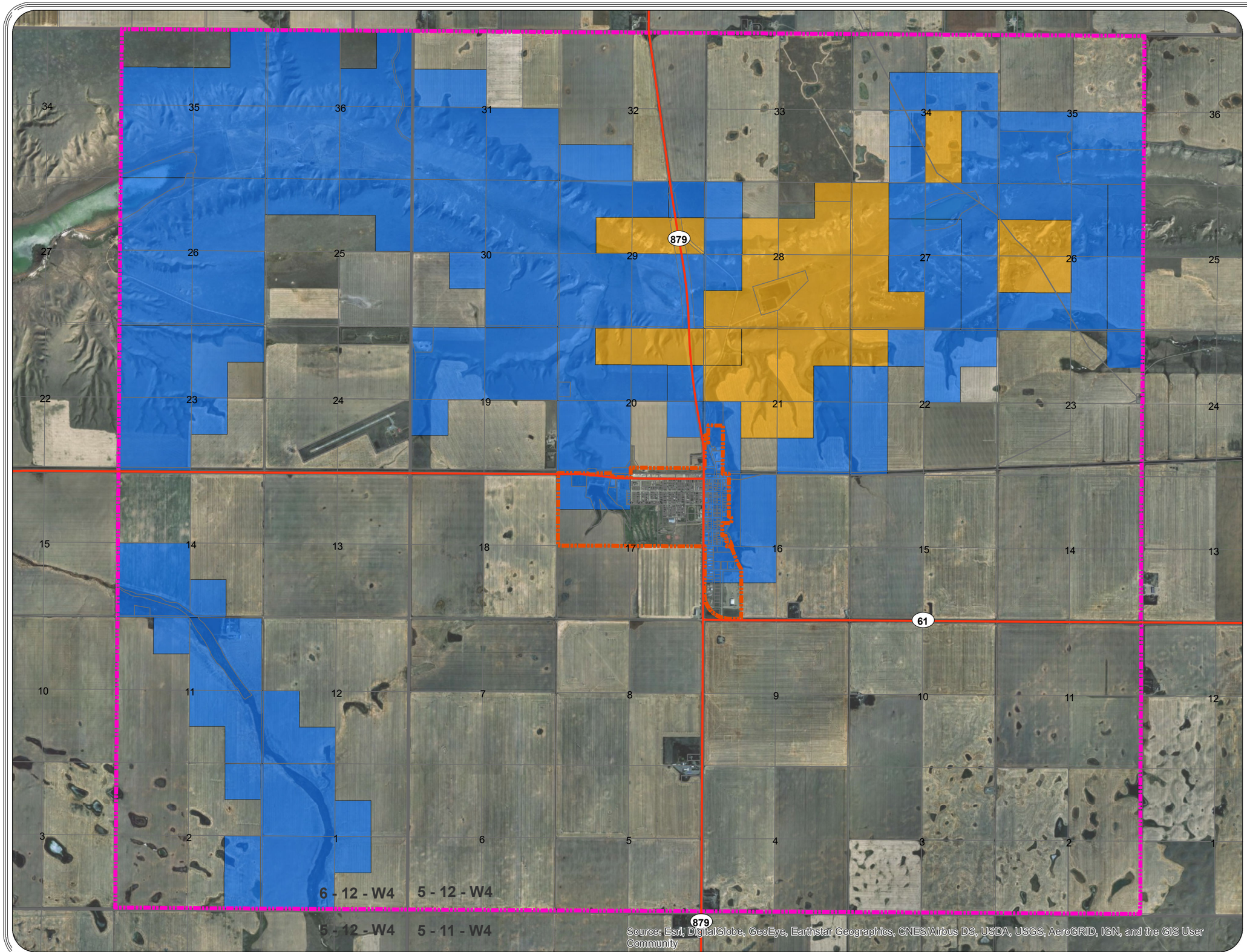
N

6 - 12 - W4 5 - 12 - W4
5 - 12 - W4 5 - 11 - W4

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

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 6
Historic Resource Values



- IDP Boundary
- Village of Foremost Boundary
- Highways

Historic Resource Values (HRV)[1]*

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

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

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, October 2018

Kilometers
0 0.5 1 1.5 2

N

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 7
Soil Capability For Agriculture
Indexed by Canada Land Inventory

- IDP Boundary
- Village of Foremost Boundary
- Highways

CLI Soil Classification

- 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

6 - 12 - W4 | 5 - 12 - W4

5 - 12 - W4 | 5 - 11 - W4

COUNTY OF FORTY MILE
(BYLAW NO. 04/2020)
& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

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

Kilometers
0 0.5 1 1.5 2

N

County of Forty Mile
Village of Foremost
Intermunicipal Development Plan

Map 8
Land Use Zoning

IDP Boundary

Village of Foremost Boundary

Highways

Forty Mile Land Use Bylaw No. 10/2009

(Only Displayed Within IDP Boundary)

Agriculture District (A)

Airport Protection District (AP)

Village of Foremost (FMST)

Urban Fringe District (UF)

6 - 12 - W4

5 - 12 - W4

5 - 12 - W4

5 - 11 - W4

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& VILLAGE OF FOREMOST
(BYLAW NO. 699/20)

Kilometers

0 0.5 1 1.5 2

N