Lethbridge County

&

Town of Coaldale

INTERMUNICIPAL DEVELOPMENT PLAN

Bylaw No. 23-005 and Bylaw No. 861-P-01-23

Town of COALDALE
A Wise Choice

LETHBRIDGE COUNTY

LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA

BYLAW NO. 23-005

Bylaw No. 23-005 of Lethbridge County is for the purpose of adopting the Lethbridge County and Town of Coaldale Intermunicipal Development Plan in accordance with sections 631 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcend municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe area and within parts of the Town 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 Lethbridge County and the Town of Coaldale agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

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

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

1. That Bylaw 1337 be rescinded.
2. Council shall adopt the Lethbridge County and the Town of Coaldale Intermunicipal Development Plan in consultation and as agreed to with the Town of Coaldale.
3. This plan, upon adoption, shall be cited as the Lethbridge County and Town of Coaldale Intermunicipal Development Plan Bylaw No. 23-005 and Bylaw No. 861-P-01-23.
4. This bylaw shall come into effect upon third and final reading thereof.

GIVEN first reading this 2nd day of February 2023.

Reeve

Chief Administrative Officer

GIVEN second reading this 2 day of March, 2023.
As Amended

Reeve

Chief Administrative Officer

GIVEN third reading this 2 day of March, 2023.

Reeve

Chief Administrative Officer

BYLAW NO. 861-P-01-23
TOWN OF COALDALE
PROVINCE OF ALBERTA

BEING A BYLAW OF THE TOWN OF COALDALE TO ADOPT THE COUNTY OF LETHBRIDGE AND THE TOWN OF COALDALE INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS Bylaw 861-P-01-23 of the Town of Coaldale is for the purpose of adopting the County of Lethbridge and Town of Coaldale Intermunicipal Development Plan in accordance with sections 631 and 692 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

AND WHEREAS municipalities are encouraged by the province to expand intermunicipal planning efforts to address common planning issues and where the possible effects of development transcend municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe area and within parts of the town 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 Lethbridge County and the Town of Coaldale agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

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

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

1. That Bylaw 631-P-02-10, and 785-P-07-20 be rescinded.
2. Council shall adopt the Lethbridge County and the Town of Coaldale Intermunicipal Development Plan in consultation and as agreed to with Lethbridge County.
3. This plan, upon adoption, shall be cited as the Lethbridge County and the Town of Coaldale Intermunicipal Development Plan Bylaw 23-005 and Bylaw 861-P-01-23.

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

READ a FIRST time this 27th day of February,2023 for Intermunicipal Development Plan 861-P-01-23.

Mayor – Jack Van Rijn

CAO – Kalen Hastings

Motion #: 50-2023

The Public Hearing for Intermunicipal Development Plan 861-P-01-23 was held at 5:05pm at the Regular Council Meeting on March 13, 2023.

READ a SECOND time this 13th day of March, 2023, for Intermunicipal Development Plan 861-P-01-23.

Mayor – Jack Van Rijn

CAO – Kalen Hastings

Motion #: 66-2023

READ a THIRD and FINAL time this 13th day of March, 2023, for Intermunicipal Development Plan 861-P-01-23.

Mayor – Jack Van Rijn

CAO – Kalen Hastings

Motion #: 67-2023

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PART 1 - INTRODUCTION



1.1 Purpose of the Plan

Lethbridge County (County) and the Town of Coaldale (Town) recognize that the land identified within the Intermunicipal Development Plan (IDP) boundary is of mutual interest requiring a collaborative approach to planning in this area. The Intermunicipal Development Plan addresses existing and future land uses and the policies around sound decision making to avoid future land use conflicts and to foster on-going coordination, collaboration, and cooperation between the two municipalities.

The Town and the County share common interests and goals for development wishing to grow in a manner that compliments the agricultural environment while capitalizing on established infrastructure such as the Highway network (Highways 3, 845 and 512), Malloy Drainage Master Plan, and irrigation works.

This plan has been prepared in accordance with the *Municipal Government Act (MGA)* and the provincial *South Saskatchewan Regional Plan (SSRP)* which encourage cooperation and coordination between neighbouring municipalities. In keeping with the intent of the MGA and SSRP, both the Town and the County agree to collaborate on planning matters and ensure that development occurs in a manner that is efficient and mutually beneficial. Each municipality, however, is ultimately responsible for making decisions within their municipal jurisdiction using the policies and procedures as provided for in this Plan.

1.2 Legislative Requirements

Municipal Government Act

Recent updates to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA) now mandate the adoption of IDPs between adjacent municipalities. Specifically, the MGA states:

631(1) Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and 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.

(2) Subsection (1) does not require municipalities to adopt an intermunicipal development plan with each other if they agree that they do not require one, but any of the municipalities may revoke its agreement at any time by giving written notice to the other or others, and where that notice is given the municipalities must comply with subsection (1) within one year from the date of the notice unless an exemption is ordered under subsection (3).

(3) The Minister may, by order, exempt one or more councils from the requirement to adopt an intermunicipal development plan, and the order may contain any terms and conditions that the Minister considers necessary.



(4) Municipalities that are required under subsection (1) to adopt an intermunicipal development plan must have an intermunicipal development plan providing for all of the matters referred to in subsection (8) in place by April 1, 2020.

(5) If 2 or more councils that are required to adopt an intermunicipal development plan under subsection (1) do not have an intermunicipal development plan in place by April 1, 2020 because they have been unable to agree on a plan, they must immediately notify the Minister and the Minister must, by order, refer the matter to the Land and Property Rights Tribunal for its recommendations in accordance with Part 12.

(6) Where the Minister refers a matter to the Land and Property Rights Tribunal under this section, Part 12 applies as if the matter had been referred to the Tribunal under section 514(2). (7) Two or more councils of municipalities that are not otherwise required to adopt an intermunicipal development plan under subsection (1) may, 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.

(8) An intermunicipal development plan

(a) must address

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

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.

(9) Despite subsection (8), to the extent that a matter is dealt within a framework under Part 17.2, the matter does not need to be included in an intermunicipal development plan.

(10) In creating an intermunicipal development plan, municipalities must negotiate in good faith

South Saskatchewan Regional Plan

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. The SSRP has four key parts including the Introduction, Strategic Plan, Implementation Plan and Regulatory Details Plan. Pursuant to section 15(1) of ALSA, the Regulatory Details of the SSRP are enforceable as law and bind the Crown, decision makers, local governments and all other persons while the remaining portions are statements of policy to inform and are not intended to have binding legal effect.

The Regional Plan is guided by the vision, outcomes and intended directions set by the Strategic Plan portion of the SSRP, while the Implementation Plan establishes the objectives and the strategies that will be implemented to achieve the regional vision. As part of the Implementation Plan, Section 8: Community Development includes guidance regarding 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.

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

1.3 Guiding Principles

1. The Town of Coaldale and Lethbridge County will maintain a relationship built on clear expectations, cooperation and trust supported through creating processes for open and honest communication.
2. The Town of Coaldale and Lethbridge County will work together to advance the region's interests while remaining mindful of each municipality's vision and mandate.
3. The Town of Coaldale and Lethbridge County will collaboratively address planning issues, including future growth and development activity, referrals and circulations, and plan amendments.
4. The Town of Coaldale and Lethbridge County will establish and maintain public consultation requirements concerning planning matters that may affect either municipality.
5. The Town of Coaldale and Lethbridge County will support the coordination of regional and intermunicipal services and amenities.
6. The Town of Coaldale and Lethbridge County will ensure that the policies of this Plan are consistently and reasonably implemented.

1.4 Plan Goals

The two participating municipalities' overall goal of this plan is to encourage orderly and economical development in the Coaldale fringe area based on the designated plan boundary that has regard to the needs of both municipalities. More specific goals are as follows:

- To address the Municipal Government Act requirements with respect to intermunicipal conflict resolution procedures, plan administration, and plan amendments.
- To provide a clear policy framework to guide future land use decisions, by both municipalities, for lands located within the plan boundaries.
- To facilitate sound development, growth and economic opportunities for both municipalities based on shared land use strategies.
- To establish clear principles whereby both municipalities may consistently apply planning policies and land use bylaw decisions within their respective jurisdictions, which respect the goals and objectives of this plan.
- To provide for a continuous planning process that facilitates ongoing consultation, collaboration, and cooperation between the two municipalities.

- To provide for a continuous and transparent planning process that facilitates ongoing consultation and cooperation among the two municipalities and affected landowners and citizens.
- To establish an agreeable planning approach to identify possible areas to enter into joint ventures and agreements for more efficient planning and potential delivery of services.
- To enable both municipalities to grow and prosper together in a regional context and to identify logical areas to accommodate future development and growth, as agreed to by both parties.
- To achieve a balance of land uses compatible with agriculture, urban interest, economic growth and sustainable development practices.



Procedure for Adoption

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

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

PART 2 - IDENTIFICATION OF ISSUES AND AREAS OF COMMONALITY

Extensive Agriculture

Much of the plan area is used for extensive agriculture and crop production, while there are also some mixed farming operations. Good quality land is worth protecting, but there is pressure to develop these lands as their land value increases the closer proximity to town they are.



One of Lethbridge County's numerous intensive livestock operations

Impacts or problems have traditionally occurred between agriculture uses and urban areas in terms of:

- Noise from farm equipment
- Dust from hauling or harvesting activities
- Odour from feeding operations or the spreading of manure
- Flies generated from feeding operations
- Weed control
- Insect control and pesticide application
- Potential environmental problems from agricultural runoff; and
- Irrigation

Agricultural operations may also experience impacts of urban proximity in terms of:

- Increased traffic on rural roads
- Garbage and waste dumping
- Trespass and property vandalism
- Complaints against normal farming practices
- Weed control

2.2 Intensive Agriculture

Currently, new confined feeding operations are prohibited in the designed Rural Urban Fringe, however, the final decision on any new or expanding operations is up to the NRCB Natural Resources Conservation Board (NRCB).

2.3 Industrial/Commercial Land Uses

Industrial and commercial uses typically increase in the fringe areas around an urban area. Both municipalities respect each other's desire for commercial and industrial developments and agree that growth in this regard is properly managed. The Town and County have identified the areas around the existing industrial park (north end of Coaldale) and along Highway 3 as suitable areas for industrial and commercial development (see Map 2).

2.4 Urban Expansion and Annexation

In 2018 the Town of Coaldale was successful in annexing sufficient land for 25 years of development. Any future growth plans of the Town beyond what was annexed in 2019 will be discussed with the County in the

future. The Town and the County agreed through a Memorandum of Understanding (MOU) signed in September 2016 that the western boundary of the Town will not be expanded any further (see Appendix A).

2.5 Land Uses and Development Standards

Poorly planned developments can create impacts that go beyond individual property lines or municipal boundaries. Consideration for applying some development standards between municipal jurisdictions warrants review, especially regarding professional information for developments within the urban fringe area of the County and on adjacent lands within the Town.

2.6 Transportation and Road Networks

Provincial plans for Highway 3 and the Canamex corridor will affect both municipalities. The County and the Town should work cooperatively to form policies that address and take advantage of the pressure for development that will likely result. The local road network inter-connects through both municipalities as it moves persons and goods through the region.

2.7 Shared Services & Economic Development Cooperation

There is provincial support for shared services and tax revenue between municipalities in some situations. Economic growth and development of the Town and County are linked, and additional cooperative agreements may be investigated and pursued by the two municipalities. Both the County and the Town see opportunities in working together to bring municipal services to future intensive development areas. Services and service sharing may be discussed including the topics of:

- Availability
- Cost and tax sharing
- Process for implementation

2.8 Area of Special Consideration

There are specific areas that warrant further investigation and consideration by both municipalities including:

- Stormwater drainage and the Malloy Drain
- Birds of Prey Centre



Birds of Prey Centre

2.9 Reciprocal Policies

The Intermunicipal Development Plan should consider both sides of the municipal boundary, not just one or the other. In each land use policy area, the reciprocal nature of the policy should be discussed, and such policies should apply to area structure plans, engineered plans, stormwater plans, referral notifications on applications, so that each municipality is following a common practice, and gives each other the same courtesy.

2.10 Planning and Administrative Issues

For a plan to be successful, clear processes will need to be outlined in the plan to enable both municipalities and their administrative staff to implement and monitor the plan. The administration section should address referrals and notifications, meetings, role of ongoing committee, staff roles and authority in implementing the plan, ongoing public participation, dispute resolution, and the update and amendment process for the Plan.

Part 3 - BACKGROUND AND ANALYSIS

3.1 Background

Lethbridge County and the Town of Coaldale recognize the importance of working together for the benefit of not only the two municipalities but also the region as a whole. The IDP addresses the fact that there are different pressures, problems and opportunities that exist in the fringe areas surrounding the Town of Coaldale.

3.2 Existing Planning Documents, Agreements & Partnerships

Lethbridge County and the Town of Coaldale have jointly agreed to having an Intermunicipal Development Plan since the mid 1990's with the first Joint Municipal Development Plan coming into effect on March of 1994. The most recent IDP was approved February of 2010 with an amendment approved in September 2020. It was determined with the 2020 amendment that a more robust review and update was required to the IDP to appropriately reflect the current state of development and cooperation between the Town and the County.

The policies and intent of the IDP are consistent with those that had been previously adopted but bring the document relevant to the current date.

3.3 Land Use and Zoning

The Plan area largely reflects the lands within Lethbridge County. The lands contained within the plan area are primarily designated as Rural Urban Fringe and Rural Agriculture. There is a small Grouped Country Residential area to the southwest of the plan area as well as a portion of a parcel zoned Direct Control. Within the Town of Coaldale, the zoning is variable with Urban Reserve land mainly located on the west and south of the town, Industrial land in the north/north-east, and a mix of land use districts on the eastern side of the town consisting of Urban Reserve, Institutional, Utility, and Manufactured Home Park. Much of the lands that are designated Urban Reserve within the town area will be rezoned in the future as documented in the Town's Municipal Development Plan. The current zoning is noted in Map 2.



Land uses within the plan area are predominantly agricultural, with some country residential acreages and agricultural services development making up the rest of the land uses within the area. Most of the agricultural parcels area intact with only a small number of parcels that have been fragmented beyond the first parcel (county residential yard) taken out of the agricultural quarter section. Some fragmentation in the area has occurred due to the location of irrigation canal and works particularly on the east and north sides of the Plan area. Map 3 illustrates the existing land uses in the Plan Area.

3.4 Agricultural Practices

Map 4 identifies the Canadian Land Inventory (CLI) soil classification and agricultural capability of the lands (see Definitions for soil classification). Much of the plan area is of high quality, class 1 and 2, especially the land on the west portion of the Town.

The South Saskatchewan Regional Plan (SSRP) outlines policies with respect to agriculture with which all municipal plans, including Intermunicipal Development Plans, should comply. These include:

8.19 Identify areas where agricultural activities, including extensive and intensive agricultural and associated activities, should be the primary land use in the region.

8.20 Limit the fragmentation of agricultural lands and their premature conversion to other, non-agricultural uses, especially within areas where agriculture has been identified as a primary land use in the region. Municipal planning, policies and tools that promote the efficient use of land should be used where appropriate to support this strategy.

8.21 Employ appropriate planning tools to direct non-agricultural subdivision and development to areas where such development will no constrain agricultural activities, or to area of lower-quality agricultural lands.

8.22 Minimize conflicts between intensive agricultural operations and incompatible land uses by using appropriate planning tools, setback distances and other mitigating measures.

There are a small number of existing confined feeding operations (CFO's) within the plan area. Approvals for CFO's and the application and management of manure lies solely with the Natural Resources Conservation Board (NRCB). Prior to approving the establishment or expansion of a CFO, the approval officer of the NRCB will review local municipal plans (including this IDP where applicable) and request comments from affected municipalities. The "Agricultural Operations Practices Act Standards and Administration Regulation" generally limits the establishment or expansion of CFOs in designated fringe areas through the application of a minimum distance separation.

3.5 Existing Subdivision and Development

The plan area has some fragmentation, particularly around existing irrigation infrastructure (i.e. canals) which created cut off parcels. Over the last ten years the most prevalent type of subdivision activity within Lethbridge County has been in the form of farmsteads being subdivided from the quarter section. Lethbridge County allows for the subdivision of a single parcel from the quarter section without requiring any additional planning or redesignation (rezoning). Any subdivision beyond the first parcel out of the quarter section would require the parcel be redesignated to the appropriate land use district and may require additional planning documentation such as a conceptual design scheme or area structure plan.

With the Town of Coaldale there has been residential subdivision and development along the east side of the town. On the west side there is the development of the joint school and recreation facility along with planning for future residential subdivision and development. In the north end of the Town, there are plans in place for the expansion of the industrial park which will abut Highway 845. After the annexation of Lethbridge County lands in 2018 the Town has been continuing to work with the country residential subdivisions included in that annexed area.

3.6 Projected Growth

Residential

The Town of Coaldale has experienced significant growth over the last 10-year period. Residential growth within the town boundaries is expected to continue on the west side of the town (both north and south of Highway 3) and also on the east side of the town (south of Highway 3) and noted on Map 5. Lethbridge County has not had significant residential growth within the plan area and does not anticipate significant growth opportunities within the plan area except for a few parcels as noted in Map 5.

Commercial/Industrial

Industrial and commercial growth is anticipated in both the Town and the County. Within the town the north industrial park is planned to expand to the lands to the west, abutting Highway 845 and also the area along Highway 3 on the west side of the town. Within the County lands have been designated for future industrial or commercial uses around the areas abutting Highway 3 to the west of the town and also the lands surrounding the towns wastewater lagoons and industrial park on the north side of the town. Map 6 illustrates the approximate location of these areas.

No areas within the plan area have been identified for annexation to support the growth of the Town at this point in time as the lands annexed in 2018 are deemed to be sufficient for the next 20-30 years of growth for the Town of Coaldale.



PART 4 - ADMINISTRATION

4.1 Addressing Provincial Regional Planning Requirements

Intent

With the adoption of the South Saskatchewan Regional Plan (SSRP) the Town of Coaldale and Lethbridge County are under the mandate of this legislation and will need to comply with the adopted regional plan policies.

Policies

4.1.1 Both councils are supportive of the principle that an agreement negotiated locally between the two parties is more desirable than an agreement imposed by the province, and both municipalities will work together to cooperate on joint policy areas under the authority allowed by the province.

4.1.2 Both municipalities agree that they will work in a cooperative manner to address the terms and requirements imposed on them by the province through the SSRP, and any subsequent provincial regulations, and amend the Plan accordingly.

4.1.3 An updated Plan containing policies to address any provincial requirements will be reviewed by the Intermunicipal Committee, revised if needed, and then be prepared for municipal review.

4.1.4 If both councils are satisfied that the proposed amendments meet the requirements of the province, statutory public hearings can be conducted in accordance with Municipal Government Act notification and advertising requirements. The revised intermunicipal development plan may be adopted after the public hearings.

4.2 Addressing Municipal Amendments and Plan Validity

Intent

It is recognized that this Plan may require amendments from time to time to accommodate an unforeseen situation or keep the Plan up to date and relevant.

Policies

4.2.1 This Plan comes into effect on the date it is adopted by both the Town and the County.

4.2.2 Amendments to this Plan 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 amendments shall come into force until such time as both municipalities adopt the amending bylaw.

4.2.3 Requests for amendments to this Plan by parties other than the Town and the County (i.e. landowners 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.

- When such applications are submitted, the municipality receiving an amendment shall contact and advise the other municipality of such an application as outlined in the IDP referral policies

4.2.4 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.

4.2.5 The Intermunicipal Committee shall review the policies of the Plan annually and discuss land use planning matters, issues, and concerns on an ongoing basis. The Committee may make recommendations to be considered by the respective council for amendment to the Intermunicipal Development Plan to ensure the policies remain current and relevant and continue to meet the needs of both municipalities.

4.2.6 A formal review of the Plan should be undertaken every five years. The Intermunicipal Development Plan Committee shall report to the respective council regarding confirmation of validity of the Plan policies and /or may provide recommendations for: amendment(s), request for additional studies, or other matters identified by the Committee.

4.2.7 Either municipality may request that the Plan be repealed and replaced with a new IDP upon serving written notice to the other municipality. The dispute resolution process stipulated in Section 4.5 will be undertaken should the municipalities be unable to reach an agreement.

4.3 Intermunicipal Development Plan Committee

Intent

The implementation of this plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A joint representative committee will ensure continued cooperation, as the purpose of the committee is intended to promote cooperation and resolve potential conflicts, and wherever possible, come to a consensus decision.

Policies

4.3.1 For the purposes of administering and monitoring the Intermunicipal Development Plan the Lethbridge County and the Town of Coaldale agree that the Intermunicipal Development Plan Committee shall be the members assigned by each respective council.

4.3.2 The Intermunicipal Development Plan Committee shall be established and shall be a working committee consisting of six elected officials, three from the County and three from the Town. The hosting municipality will chair committee meetings and meetings will rotate between municipalities. At least one member of the Town's and the County's administrative staff should attend all meetings of the Committee.

4.3.3 The Town and the County agree that the main functions of the Committee are:

(a) to address concerns regarding the policies of the plan;

(b) to address proposed amendments to the plan;

(c) to address changes to land use districts or other land use amendments affecting the lands in the plan;

(d) to address issues in relation to implementation of plan policies, comments related to subdivision and/or development proposals;

(e) to engage in resolving any conflicts or disputes which arise from this plan — both municipalities will equally share costs associated with using outside assistance to resolve a dispute;

(f) any other land use issues deemed appropriate not explicitly identified in the plan.

4.3.4 Meetings of the Committee shall be held at least twice annually or at the request of either municipality, with the first meeting to be held prior to the last day of November of each year. Committee meetings should be held as quickly as possible if any conflict arises, or if any matter is brought before it.

4.3.5 If a matter has been referred to the Committee for comment, the Committee shall issue written comments as soon as possible. Both councils agree that the Committee shall issue its response in the form of comments, not recommendations.

4.3.6 A matter may be brought before the Committee by the administrative staff of either the Town or the County, or by any other person or entity affected by the plan (i.e. government, agency, landowner, developer).

4.3.7 A municipality may call a meeting of the Intermunicipal Development Plan Committee at any time upon not less than five days' notice of the meeting being given to all members of the committee and all resource persons, stating the date, time, purpose, and the place of the proposed meeting. The five days' notice may be waived with 4/6 of the Committee members' agreement noted.

4.3.8 All six members of the IDP Committee will make their best efforts to attend each meeting. Meetings will be held as long as each party is represented by a minimum of any two of its representatives. If a member must be absent for an extended period of time, the respective council will appoint a new member to the Committee.

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

4.3.10 Where a matter involving the two municipalities cannot be resolved to the satisfaction of the Committee, the Committee is authorized to initiate the conflict resolution system in this plan, Part 6, as follows.

4.4 Intermunicipal Referrals

Intent

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

Policies

General

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

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



4.4.3 Administrative staff or representatives, for Lethbridge County or the Town of Coaldale are encouraged to discuss with one another forthcoming Statutory Plans and Land Use Bylaws, including amendments, and other studies, projects, or proposals that may impact the Plan Area.

4.4.4 Administrative staff or representatives for the Town or the County are encouraged to discuss with one another forthcoming subdivision and development applications that may impact lands within the Plan Area.

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

Municipal Development Plans

4.4.6 A newly proposed Municipal Development Plan or amendment, by either municipality, shall be referred to the other municipality for comment prior to a public hearing.

Other Statutory Plans

4.4.7 A newly proposed Statutory Plan or amendment within the Plan Area shall be referred to the other municipality for comment prior to a public hearing.

Land Use Bylaws

4.4.8 All Land Use Bylaw amendments (including redesignations) in either municipality that are within the Plan Area, shall be referred to the other municipality for comment prior to a public hearing.

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

Conceptual Design Schemes and Outline Plans

4.4.10 All conceptual design schemes and Outline Plans in support of a subdivision or development within the Plan Area shall be referred to the other municipality for comment prior to Council resolution.

Subdivision and Development

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

a) An agricultural parcel subdivision of a quarter section that complies with the municipality's criteria for subdivision and does not take access from an adjoining road under the other municipality's control or management.

b) A single lot country residential subdivision that complies with the municipality's criteria for subdivision and does not take access from an adjoining road under the other municipality's control or management.

c) A cut-off parcel subdivision that complies with the municipality's criteria for subdivision and does not take access from an adjoining road under the other municipality's control or management.

d) An enlargement, reduction, or realignment of an existing separate parcel that complies with the municipality's criteria for subdivision and does not take access from an adjoining road under the other municipality's control or management, and

e) Subdivision application in areas with an approved Area Structure Plan where no road access is required from the adjacent municipality and the proposal conforms to the plan with no variances, different lot configuration, or servicing proposals than what was approved in the Area Structure Plan.

4.4.12 Each municipality shall refer all discretionary use development applications within the Plan Area to the other municipality for comment prior to a decision being rendered.

- Within Lethbridge County the lands would be those identified in Map 1 as the Plan area
- Within the Town of Coaldale, the applicable lands would be those adjacent to the County/Town boundary

4.4.13 Each municipality shall refer all development applications within the Plan Area that propose to take access from an adjoining road under the control or management of the other municipality for comment prior to a decision being rendered.

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

Response Timelines

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

a) 15 calendar days for all development applications,

b) 19 calendar days for subdivision applications,

c) 15 calendar days for a redesignation application or outline plans on land where an Area Structure Plan (ASP) has been adopted and the redesignation or outline plan is consistent with the adopted ASP.

d) 30 calendar days for all other intermunicipal referrals (statutory plans).

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

Consideration of Reponses

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

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

4.5 Dispute Settlement

Intent

By its nature, the policies of this plan are general and make each municipality responsible for decisions made in their own jurisdiction. This suggests that different plan interpretations or actions may result in disputes that may arise from time to time. Using the following system, it is hoped the dispute can firstly be avoided, and secondly, settled locally. Only after a series of steps would the dispute go beyond the local level.

Process

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

Step 1 It is important to avoid any dispute by ensuring the plan is adhered to as adopted, including full circulation of any permit or application that may affect a municipality or as required in this plan and prompt enforcement of the policies of the plan and Land Use Bylaw.

Step 2 When an intermunicipal issue comes to the attention of either party, it will be directed to the CAOs who will review the issue and make a decision within 10 days, if it is within their authority to do so.

Step 3 If an issue is contentious or outside the scope of the CAOs' authority or at the request of the CAOs, the matter will be referred to the Intermunicipal Development Plan Committee for its review and decision or comment. Additionally, should either municipality identify an issue related to this plan that may result in a more serious dispute, that municipality should approach the Joint Planning Committee to call a meeting of the Committee to discuss the issue.

Step 4 Prior to the meeting of the Committee, each municipality through its administration, must ensure the facts of the issue have been investigated and clarified, and information is made available to both parties. Staff meetings may occur at this point to discuss possible solutions.

Step 5 The Committee should discuss the issue with the intent to seek a solution by consensus.

Step 6 Should the IDP Committee be unable to arrive at a consensus, then either municipality will contact the appropriate chief elected officer to arrange a joint meeting of the two whole councils who will discuss possible solutions.

Step 7 Should the councils be unable to reach a solution, the two parties, by agreement, shall contact a professional mediator to commence a mediation process of which the results of the mediation report will be binding on each municipality. If one or the other parties is not in agreement with this private mediation step, then either municipality may contact Alberta Municipal Affairs to commence a mediation process under the department's guidance. The cost of mediation would be split equally between the two municipalities.

Step 8 In a case where further action under the Municipal Government Act is unavailable, the results of the mediation report will be binding on each municipality.

Step 9 In the case of a dispute regarding:

- a statutory plan or amendment, or
- a land use bylaw or amendment,

a dispute under section 690(1) of the Municipal Government Act may be initiated. Using this section of the MGA is the final stage of dispute settlement, as this outlines the procedure for the municipalities to request the Municipal Government Board to intercede and resolve the issue.

In relation to Step 9 above, if by the 25th day after the passing of a bylaw or statutory plan under dispute a resolution has not yet been reached at any step in the dispute resolution process, the municipality initiating the dispute action may, without prejudice, file an appeal with the Land and Property Rights Tribunal (for statutory plan or land use bylaw issues) so that the statutory right and timeframe to file an appeal is not lost.

- This appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two parties prior to the Land and Property Rights Tribunal 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.)*

PART 5 – INTERMUNICIPAL LAND USE POLICIES

5.1 Land Use

Intent

To create some common development practices between the two municipalities, both should request professional drafted area structure plans for new development as a standard practice.

Policies

5.1.1 Existing land uses with valid development permits that exist as of the date of approval of this plan may continue to operate in accordance with the provisions of the Lethbridge County Land Use Bylaw and the Municipal Government Act.

5.1.2 Parcels that are designated Rural Agriculture in Lethbridge County within the Plan Area will be redesignated to the Rural Urban Fringe District.



5.1.3 Any parcel that is zoned to districts other than the Rural Urban Fringe (RUF) may continue under those districts identified in the Lethbridge County Land Use Bylaw. New applications for subdivision and development on these lands shall be subject to any policies of this IDP.

5.1.4 All subdivision shall comply with the subdivision criteria found in the Lethbridge County and Town of Coaldale Land Use Bylaws for:

- agricultural uses,
- existing and fragmented parcels,
- residential and single lot country residential, and
- commercial and industrial uses.

5.1.5 Any application submitted for redesignation shall be accompanied by a professionally prepared area structure plan or conceptual design scheme if required by the respective municipality's Municipal Development Plan.

5.1.6 For Area Structure Plans and Conceptual Design Schemes within Lethbridge County, applicants may be asked to provide a conceptual "shadow plan" with eventual urban sized lots illustrated, road alignments, servicing corridors, and 'building pockets' shown as to where dwellings would be located, so as not fragment, or interfere with potential urban expansion, if it were to occur.

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

5.1.8 Both municipalities recognize the regional importance of the Birds of Prey centre and agree to take into consideration the Birds of Prey existing operations and expansion plans when making long-term land use decisions in proximity to the Birds of Prey centre.

5.1.9 For any development on lands that may contain a historic resource value (HRV), the developer may be required to conduct a historical resource impact assessment (HRIA) and is responsible for consulting the Historical Resources Act and contacting Alberta Culture and Tourism.

5.1.10 Developers preparing area structure plans (ASPs) are responsible for submitting the final approved ASP to Alberta Culture for review to obtain historical resource clearance and must file a copy of any clearance approval with the respective municipality.

5.1.11 Each municipality is responsible for referring development applications and other land use activities within their respective jurisdictions to the appropriate provincial department to determine when an EIA or HRIA may be required.

5.1.12 Both municipalities should consider the provincial Wetland Policy when making land use decisions with the goal of sustaining environment and economic benefits. The developer, not the municipality, is responsible for ensuring compliance with the provincial policy and any associated regulations.

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

5.2 General Development Standards

Intent

The County and the Town recognize there may be areas of mutual benefit in the provision of infrastructure and other services.

Policies

5.2.1 Both municipalities will require developers to prepare (at their own expense) storm water management plans, required as per the policies of this plan or a municipality's Municipal Development Plan, which must be professionally prepared by a licensed, qualified engineer.

5.2.2 If problems or disputes should arise between the two municipalities regarding any storm water issues, the two parties agree to consult with each other and attempt to resolve the issue locally prior to engaging Alberta Environment or other provincial authorities. If a simple resolution cannot be easily achieved, the two parties should use the dispute mechanism process as outlined in Part 4 of this plan.

5.2.3 Both municipalities recognize the importance of efficient provision of utilities and services and agree to 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.

5.2.4 It is recognized that standards of development are different for the County as a rural municipality, than the Town as an urban. As such the County and the Town will endeavor to ensure as best it can that quality developments are approved, and that the standards as outlined in each municipalities Land Use Bylaw and other guiding documents are adhered to.

5.2.5 Any development proposal within the Town of Coaldale and land within the Lethbridge County IDP boundary shall address storm water drainage and include considerations for how it may impact the Malloy Drain and the Town of Coaldale.



5.3 Agricultural Practices

Intent

Agricultural activities can continue to operate under acceptable farming practices within the Intermunicipal Development Plan Area. The policies of this section will seek to provide the opportunity for discussion and negotiation if problems should arise. The County and the Town recognize that it is the jurisdiction of the Natural Resources Conservation Board (NRCB) to grant approvals and regulate confined feeding operations (CFO's). However, both municipalities agree it is desirable to specifically regulate intensive agricultural operations within the defined Plan area in an attempt to minimize potential nuisance and conflict between land uses, especially residential, and CFOs with the plan area.

Policies

EXTENSIVE AGRICULTURE

5.3.1 Both councils recognize and acknowledge the main use of land found within the County portion of the Intermunicipal Development Plan area and some of the land within the Town is used for extensive agricultural activities (i.e. cultivation and grazing). These activities and other agricultural activities may continue to operate under acceptable farming practices and are protected under the Agricultural Operations Practices Act.

5.3.2 Extensive agriculture will continue to be the primary land use of the lands, until such time as they may be redesignated to non-agricultural uses in accordance with this plan. Until redesignation occurs, land uses within the plan boundary will be regulated in accordance with the Rural Urban Fringe district contained within the Lethbridge County Land Use Bylaw or the Urban Reserve District within the Town of Coaldale Land Use Bylaw.

5.3.3 Both municipalities will attempt to work cooperatively together in supporting and encouraging 'considerate' good neighbour farming practices, such as for weed, dust, and insect control adjacent to developed areas, through good agricultural management practices and Alberta Agriculture guidelines. If problems should arise, the Lethbridge County may be notified and will consult with the landowner to emphasize, and enforce if needed, the County's Agricultural Service Board's policies.

5.3.4 If disputes or complaints in either municipality should arise between citizens and agricultural operators, the municipality receiving the complaint will attempt to direct the affected parties to the appropriate agency, government department, or municipality for consultation or resolution wherever possible.

5.3.5 Both councils will attempt to protect good quality agricultural land and limit their premature conversion to other uses until such time it is absolutely needed for some other use. To assist in this endeavor, both municipalities will attempt to:

- dutifully take into consideration the location, type, and quality of agricultural land when making plan, bylaw, and subdivision decisions related to accommodating development.

INTENSIVE AGRICULTURE (CONFINED FEEDING OPERATIONS)

Intent

It is the desire of Lethbridge County and the Town of Coaldale to minimize potential conflict between residential uses and confined feeding operations within the Intermunicipal Development Plan area.

Policies

5.3.6 New confined feeding operations (CFOs) are prohibited to be established within the Intermunicipal Development Plan area.

5.3.7 Both Councils recognize and acknowledge that 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 Operations Practices Act, inclusive of the Standards and Administration Regulation.

5.3.8 With respect to existing confined feeding operations (CFOs), expansions shall be restricted in the plan area except in cases where the terms of policy 5.3.10 can be met.

5.3.9 For confined feeding operations, existing or proposed, located within the intermunicipal development plan area, the review process as outlined in the Agricultural Operation Practices Act should be followed by the Natural Resources Conservation Board (NRCB) and both municipalities must be notified in accordance with the review process.

5.3.10 The NRCB may consider allowing existing confined feeding operations to limited expansion and to upgrade and modernize within the requirements of the Agricultural Operations Practices Act and Regulations and that expansion includes::

a) That the expansion is no more than a 10% increase from the existing animal numbers;
b) Consideration of the minimum distance separation calculation contained in the Agricultural Operation Practices Act, Standards and Administration Regulation;
c) Demonstrating changes will reduce negative impacts to the rural and urban residents of the area;
d) Additional environmental protection will be considered; and
e) Comments from the County and Town area received and considered.

5.3.11 Th**e** Natural Resources Conservation Board (NRCB) is requested to discourage the **s**preading of manure in the plan area due to concerns with the quality of drainage entering the Town during a storm event. However, in all cases the procedures outlined in the Agricultural Operation Practices Act, Standards and Administration Regulation or the recommendations or conditions of the Natural Resources Conservation Board (NRCB) should be strictly adhered to, with some reasonable consideration for weather conditions present.

5.3.12 Both municipalities support confined feeding operators with a commitment to good standards of practice. The County and Town expect operators to follow and adhere to any regulations or permit conditions as required by the NRCB.

5.3.13 If problems or complaints of an operator's practices should arise and are brought to either the County or Town's attention, they will notify and consult the other municipality prior to engaging provincial authorities.

5.3.14 For statutory plan consistency, Lethbridge County shall review its Municipal Development Plan (MDP) and update its CFO policies and designated "Confined Feeding Operations (CFO) Exclusion Areas" Map 2 (2A & 2B) to reflect Exclusionary Areas, within six (6) months of this plan being adopted.



5.4 Subdivision and Residential Uses

Intent

It is acknowledged that lands within the Intermunicipal Development Plan area are influenced by the proximity to the Town of Coaldale. The fringe area is the focus of pressure by land owners and developers for conversion of traditional agriculture lands to non-agriculture uses. The policies within this section identify a framework and criteria to manage said lands.

Policies

5.4.1 Development proposals should be evaluated against regional and subregional plans, as applicable, the policies of this plan, each municipality's respective Municipal Development Plan (MDP), and corresponding statutory and non-statutory plans.

5.4.2 Unless otherwise stipulated in this plan, subdivision of a quarter-section within the Rural Urban Fringe and IDP boundary shall generally be restricted to first parcel out, as either an isolated farmstead/country residential title, the creation of two 80-acre titles on irrigated land, or a parcel defined as a cut-off parcel under the Lethbridge County Land Use Bylaw (as per the County's subdivision policy).

5.4.3 Further subdivision of a quarter-section that has been previously subdivided should not be allowed except in certain areas agreed to in the plan and as specifically authorized (see policy 5.4.4).

5.4.4 Certain areas in the fringe may be considered suitable for further subdivision by the Lethbridge County,

a) The proposal is well-planned and meets the County's subdivision policy;
b) Compatibility with adjacent land uses is a consideration; and
c) An acceptable Area Structure Plan is adopted.

This decision-making process should include consideration for the investment and location of Town infrastructure to ensure it is not adversely impacted.

5.4.5 New land uses proposed within the Town should be compatible to the existing or planned land uses within the County and should be comprehensively planned.

5.4.6 Any new development within the Town should be developed to urban standards and meet the density targets as set out in the Town's municipal development plan.

5.4.7 If an Area Structure Plan, or equivalent, is not in place then the host municipality shall evaluate applications for redesignation, subdivision, and development proposals according to the following criteria:

a) Strategic policies outlined by the host municipality including their MDP;
b) The policies of this plan;

c) Impacts on existing and planned uses in the vicinity of the proposal; and
d) Consideration of environmental impacts in accordance with the policies and the procedures of the municipality in which the proposal is made, and requirements of Alberta Environment.

5.4.8 Certain existing fragmented areas of parcels 20 acres or less in size have been identified and mapped (see Map 5). These areas may be considered for further residential subdivision with an approved conceptual design scheme or Area Structure Plan outlining the details of the subdivision and development and including a storm water management plan as a component, to be prepared at the developer's expense.

5.4.9 For any further subdivision proposal in conjunction with policy 5.4.8, the referral process will involve Lethbridge County referring the submitted draft conceptual design scheme or Area Structure Plan to the Town of Coaldale to review and be able to provide comment on, as per the agreed to referral policies in Part 4 of this plan.

5.4.10 For any multi-lot subdivision or development proposal within the IDP plan area including those within the Town, the County and the Town will require architectural controls, as approved by the municipality, to be applied and registered on title to ensure quality development. This component should be submitted by the developer as part of the required Area Structure Plan submission requirements.

5.4.11 Major subdivision or development proposals located on either side of the joint municipal boundary which may affect or impact the other municipality, should be circulated to the other respective municipality for consideration and commentary on the proposal.

5.4.12 Both municipalities will stipulate that any required reports and plans to be provided by developers for major or multi-lot subdivisions or development proposals within their jurisdiction (for lands lying on either side of the joint municipal boundary) be expertly prepared by land use planning professionals (i.e., architect, engineer, planner).

5.4.13 Both municipalities agree that they will strive to better communicate, cooperate, and share any information provided on storm water management plans for developments, when plans are required as outlined in this agreement.

5.4.14 All storm water management plans required as per the policies of this plan and as submitted to either municipality must be professionally prepared by a licensed engineer and approved by Alberta Environment.

5.4.15 Lethbridge County has adopted an ***Engineering Guidelines and Minimum Servicing Standards*** manual which shall apply as a minimum stipulation to any subdivision or development proposal on any lands within the County jurisdiction of this plan.

5.4.16 Both municipalities shall require, as a condition of approval, that existing standards identified in Alberta Environment's ***Environmental Reference Manual*** and Municipal Affairs' ***Private Sewage Standards Guidelines*** in relation to private septic systems are met.

5.5 Industrial and Other Non-Agricultural Uses

Intent

Both municipalities recognize the importance of industrial and commercial development within the region and particularly the agri-food/protein corridor designated around Highway 3. This section provides direction for types of land uses deemed industrial or commercial to appropriate areas within the Plan Area.

Policies

5.5.1 It is recognized that both municipalities have the right to commercial and industrial development within their jurisdiction as identified on Map 6.

5.5.2 Commercial and industrial development shall be done in manner that it is compatible with what is development/pre-planned with the adjacent municipality.

5.5.3 Commercial and industrial development within both jurisdictions will require the appropriate zoning and be appropriately planned in conformance with the IDP policies.

5.5.4 Some lands contained within the plan area are already zoned, subdivided, or developed for non-agricultural uses. It is recognized that any existing non-agricultural uses located within the plan area are permitted and may continue their operations.

5.5.5 Both municipalities agree that good land use practices should be followed when considering industrial development proposals, and each municipality should determine the compatibility to adjacent land uses, either existing or proposed future, and potential impact to adjacent residents.

5.5.6 Transition between industrial and residential should be proportionate to the level of impact between existing and planned land uses to mitigate potential health, safety, and nuisance factors.

5.5.7 Residential uses of any type should be discouraged by both municipalities in the northeast area of the plan boundary, as identified in Map 6, being near the Town's industrial area and sewage lagoons, and any use should be compatible and meet appropriate setbacks.

5.5.8 Both municipalities recognize that some types of large-scale industrial developments require adequate municipal servicing and approval will be dependent on the need and availability of servicing in relation to that use and whether they can connect to existing services and infrastructure.

5.5.9 Large-scale industrial development proposals that require substantial servicing may be an opportunity for both municipalities to engage in a joint venture.

5.5.10 For major development proposals, the Intermunicipal Development Plan Committee may meet on a request basis by either municipality for review and commentary.

5.5.11 When considering applications for redesignation, subdivision and/or development approval for industrial, light industrial, or commercial uses, all applications must meet or exceed the County's ***Engineering Guidelines and Minimum Servicing Standards Manual***, and the Town's internal standard of the City of Lethbridge's ***Design Standards***, for minimum performance standards. The County and Town may impose additional requirements and standards, as deemed necessary.

5.5.12 Land use proposals that do not conform or are not clearly defined within this Plan, may be discussed, and considered with agreement between the two municipalities. Such proposals must be brought before the Intermunicipal Development Plan Committee for discussion and commentary. Further to this, any major amendment to the plan must be agreed to by both municipal councils.

5.6 Urban Expansion and Annexation

Intent

The Town of Coaldale recently annexed lands from Lethbridge County in 2018 and as such there is no specific area identified for growth of the Town within this Plan. The following policies are in place to ensure the feedback of all relevant stakeholders is taken into consideration if annexation is being proposed.

Policies

5.6.1 As a commitment to both municipalities Municipal Development Plans, the Town and County will encourage private landowners to consider developing existing areas that can accommodate infill development and will also consider and support compact design concepts for development.

5.6.2 The Town of Coaldale annexed lands from Lethbridge County in 2018 based on a 25-year projected growth and land supply which Lethbridge County did not contest. If any annexation application is contemplated by the Town prior to this growth and timeline build out, the town would have to consult with the County and demonstrate the purpose and need to the County's satisfaction.

5.6.3 If the Town determines that annexation is necessary to accommodate growth, it will prepare and share with Lethbridge County a growth strategy or study indicating:

a) Necessity of the land;
b) Proposed uses;
c) Servicing implications; and
d) Any financial implications for both municipalities.

5.6.4 Annexation involves several stakeholders that need to be involved in the process, including:

a) Landowners directly affected by the application, who must be a part of the negotiation process;
b) The Town of Coaldale, who must make the detailed case for annexation and be a major participant in any negotiations;
c) Lethbridge County, who must evaluate the annexation application and supporting documentation for the impact on its financial status, land base and taxpayers.

5.6.5 The County will, as part of the negotiation with taxpayers, wish to see arrangements made by the Town regarding, but not limited to:

a) Property taxes of ratepayers;
b) Use of land continuing as agriculture until needed for development;
c) Ability to keep certain animals on site;
d) Consideration by agencies such as Alberta Transportation and Alberta Environment; and
e) Consideration by the Land and Property Rights Tribunal, who will evaluate the proposal and all stakeholder feedback.

5.6.6 Any growth strategy or study for an annexation proposal must include:

a) Proposed annexation boundaries based on the principle of including the outer limits of any adjacent road right-of-way boundary to demonstrate the accommodation of urban growth (i.e., parcels subject of the annexation).

b) Accurately demonstrating that all parcels subject of the annexation will be under the control and management of the Town and the County will not be affected or responsible for any future management or maintenance as a result of the urban expansion.
c) A detailed description of rural municipal roads that may be affected by the annexation or the municipal boundary change.

5.6.7 Within 60 days of receiving a growth study or report to review, and prior to the County or the Town submitting a notice of intent to annex land with the Land and Property Rights Tribunal, the County or the Ton shall indicate in writing whether it has objections or concerns, or whether it requires additional clarification on any matters within the study or report.

5.6.8 With regards to policy 5.6.7, if concerns are brought forward, a meeting of the Intermunicipal Committee can be requested by either municipality to discuss the concerns raised or conclusions presented and attempt to arrive at a consensus on the issue. If the committee is unable to achieve consensus, the dispute resolution mechanism processes can be initiated in accordance with this Plan.

5.6.9 Notwithstanding the previous policy, the County or Town may initiate an application for annexation should the proposal be minor in nature such as a boundary adjustment to accommodate:

a) Existing title property line reconfigurations; or
b) Roads, canals, or utility rights-of-way that may be split by municipal jurisdiction boundaries.
c) Cases where there is agreement by the two municipalities that the annexation proposed is both minor and logical.

5.6.10 Proposed annexation boundaries should follow existing legal boundaries to avoid creating fragmented patterns or titles with split municipal jurisdiction.

5.6.11 Within six (6) months of the Land and Property Rights Tribunal approving the annexation, the Intermunicipal Development Plan boundary shall be reviewed and amended as required to reflect the municipal boundary change.

5.6.12 Within the same six (6) month timeframe described in the policy above, the County's Rural Urban Fringe (RUF) district boundary and the Town's respective change in zoning in their Land Use Bylaws shall also be amended to reflect the expansion and ensure all plans, boundaries and described areas are in conformity with each other.

5.6.13 The western boundary of the Town shall not be further expanded (through annexation) as per the Memorandum of Understanding signed between the County and the Town in September of 2016.

5. 7 Transportation and Road Networks

Intent

Policies should attempt to address and deal with expected development and growth pressures and provide a forum for consultation when dealing with transportation issues that will impact both municipalities.

Policies



5.7.1 The County and Town should work cooperatively together to provide a cohesive and joint policy when dealing with transportation issues that will impact both municipalities.

5.7.2 In conjunction with any annexation study or application proposed by the Town must include identification and a detailed description of rural municipal roads that may be affected by the annexation or municipal boundary change.

5.7.3 Each municipality must be duly notified for any development or subdivision proposal in the other municipality that will result in access being required from an adjoining road under its 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, as blanket conditional approvals for road access should not be permitted. In relation to this policy, the referral time frames as stipulated in Part 4 of this plan should be respected.

5.7.4 If both municipalities agree, an *"Assignment of Jurisdiction"* as it applies to public roads may be discussed and agreed to, in consultation with and approval by Alberta Transportation, if all parties agree that it is an appropriate mechanism to address a road or access issue for a particular development proposal.

5.7.5 Whenever possible, urban designs and Area Structure Plans within the Town should be prepared in such a way as to limit the number of entry points on roads that are either under County jurisdiction or link directly to the County Road system.

5.7.6 The Town and County may agree to consult and cooperate on the preparation of future Transportation Master Plans if it is determined that the plan may have implications or benefits to the other municipality, such as for road networks that transcend through each respective jurisdiction.

5.7.7 The two municipalities may enter discussions to create and identify standards for a hierarchy of roadways to be established between the two jurisdictions. Access control regulations should also be established to ensure major collectors and arterials are protected.

5.7.8 If required by Alberta Transportation or either municipality, at the time of subdivision or development, the developer shall conduct traffic studies with respect to impact and access onto Highways 3, 845, and 512 and the future Highway 4 Bypass (future CANAMEX Corridor). Any upgrading identified by such studies shall be implemented by the developer at its sole cost and to the satisfaction of the municipality and Alberta Transportation.

5.7.9 Any future land use impacts that may result from the Canamex highway and potential effects to Highway 3 may be evaluated and discussed by the Intermunicipal Committee as part of ongoing monitoring of this plan.

5.7.10 Both municipalities acknowledge that a Traffic Impact Analysis (TIA) may be required prior to any intense or large-scale major development to confirm access management standards, road cross-sections and other functional considerations, which should be provided at the expense of the developers.

5.8 Mutual Benefit and Cooperation

Intent

Consultation and cooperation on joint policy areas that may affect or benefit one or both parties should be encouraged and looked at by both municipalities.

Policies

5.8.1 Lethbridge County and the Town of Coaldale agree to work together to try and enhance and improve the region for the benefit of both municipalities.

5.8.2 The County and the Town agree to continue to have an active intermunicipal committee (either as an Intermunicipal Committee or Joint Planning Committee) whose composition shall be agreed upon by both municipalities and will include representatives of Council with support from administration.

5.8.3 It is recognized by both municipalities that some economic or development proposals may be regionally significant or mutually beneficial to both parties and the two agree to meet to discuss such proposals when they come forward. Joint council meetings may be used as a forum to discuss and negotiate proposals.

5.8.4 It is recognized by both municipalities that benefits can occur through cooperation, and both may explore various intermunicipal options, such as sharing future services and / or revenues (taxes), through the development of special agreements negotiated between the County and the Town.

5.8.5 Any special agreements negotiated between the County and the Town should be negotiated in good faith. Both parties agree to honour the agreements reached and the agreements must be clear about what has been decided and how the agreement will be carried out.

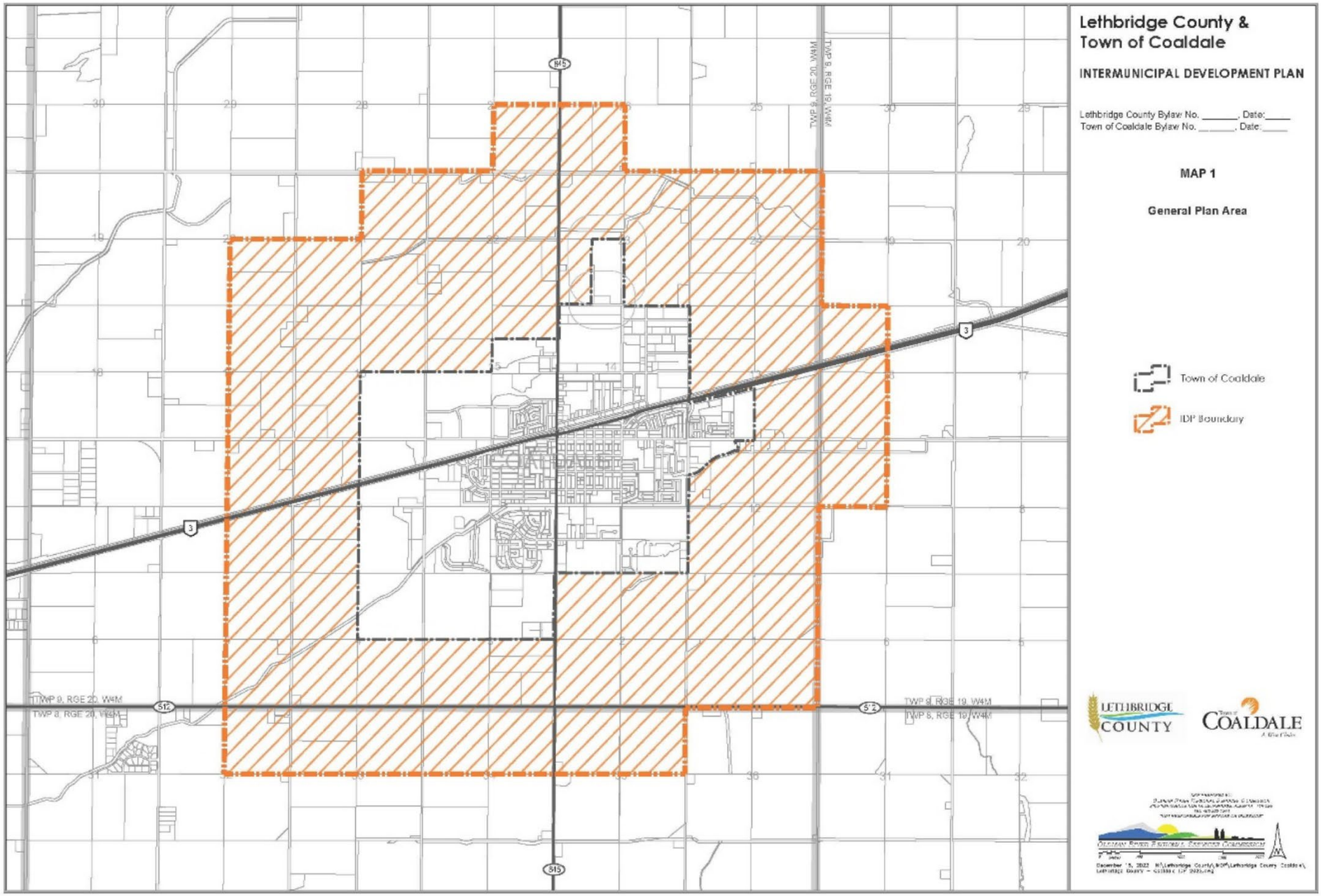
5.8.6 In consideration of providing certain services to areas or proposals agreed to between the two municipalities, the County and the Town may discuss the need to create and apply off-site levies, development fees or servicing fees to the recipient or proposal as part of the agreement.

5.8.7 As a municipal cost saving initiative, the County and the Town may discuss and plan for the sharing of various municipal equipment, machinery, and services where feasible, practical and workable, which would be managed through separate agreements.

5.8.8 The County and the Town will work together on reviewing and updating the Intermunicipal Collaboration Framework, as required by the Municipal Government Act, in a cooperative spirit in an attempt to give due consideration to regional perspectives on municipal governance and community services.

5.8.9 The County and the Town may collaborate and investigate methods of giving various support to a variety of cultural, recreational, environmental (wetlands, parkland etc.) or heritage projects that may mutually benefit or enhance the quality of life of the citizens of both municipalities. This could be in the form of time (municipal staff), gifts in kind, materials, municipal letters of support, unified government lobbying, applications for grants, or other arrangements if both municipalities agree.

Part 6 - MAPS


Lethbridge County &
Town of Coaldale
INTERMUNICIPAL DEVELOPMENT PLAN
Lethbridge County Bylaw No. _____, Date:____
Town of Coaldale Bylaw No. _____, Date:____
MAP 1
General Plan Area
Town of Coaldale
IDP Boundary
LETHBRIDGE COUNTY
COALDALE
TWP 9, RGE 20, W4M
TWP 8, RGE 20, W4M
TWP 9, RGE 19, W4M
TWP 8, RGE 19, W4M
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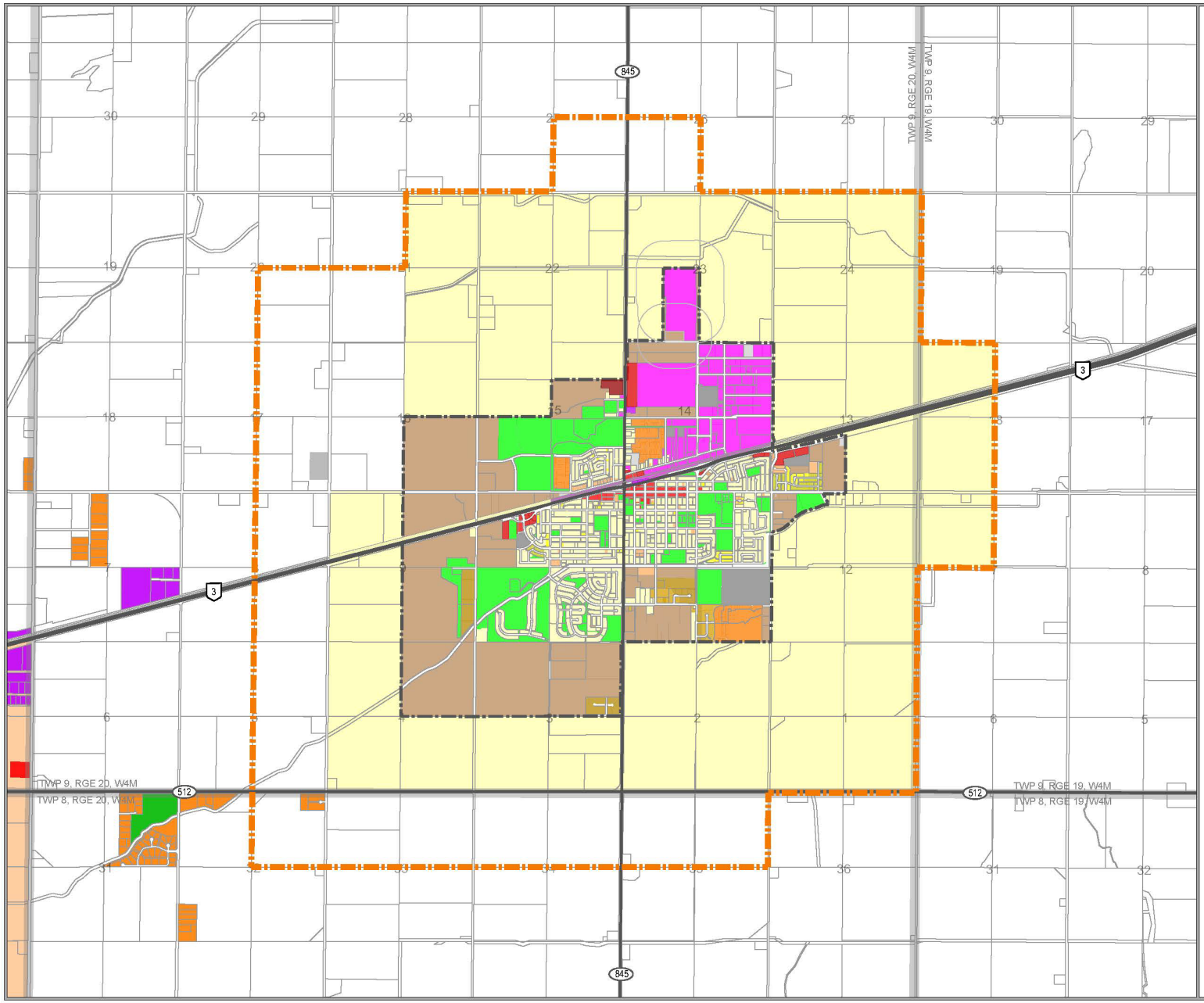
512
515
3
3



Lethbridge County & Town of Coaldale

INTERMUNICIPAL DEVELOPMENT PLAN

Lethbridge County Bylaw No. _____, Date:____
Town of Coaldale Bylaw No. _____, Date:____

MAP 2

Existing Land Use Zoning

- Town of Coaldale
- IDP Boundary

Land Use Districts
(Lethbridge County Bylaw No. 1404, amended to Bylaw No. 21-018)

- Business Light Industrial - BLI
- Direct Control - DC
- Grouped Country Residential - GCR
- Lethbridge Urban Fringe - LUF
- Rural Commercial - RC
- Rural General Industrial - RGI
- Rural Recreational - RR
- Rural Urban Fringe - RUF

(Town of Coaldale Bylaw No. 677-P-04-13, Amending Bylaw 848-P-04-22)

- Residential R-1A
- Residential Small Lot R-1B
- Residential Starter Lot R-1C
- Residential Multi-Unit Limited R-2L
- Manufactured Home Park R-3
- Country Residential One CR-1
- Country Residential One "A" CR-1A
- Country Residential Two CR-2
- Commercial C-1
- Highway Commercial C-2
- Neighbourhood Commercial C-3
- Institutional / Recreational I/R
- Industry I
- Light Industry I-2
- Urban Reserve UR
- Utility U
- Direct Control DC

LETHBRIDGE COUNTY

Town of COALDALE
A Wise Choice

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL 403-329-1344
NOT RESPONSIBLE FOR ERRORS OR OMISSIONS

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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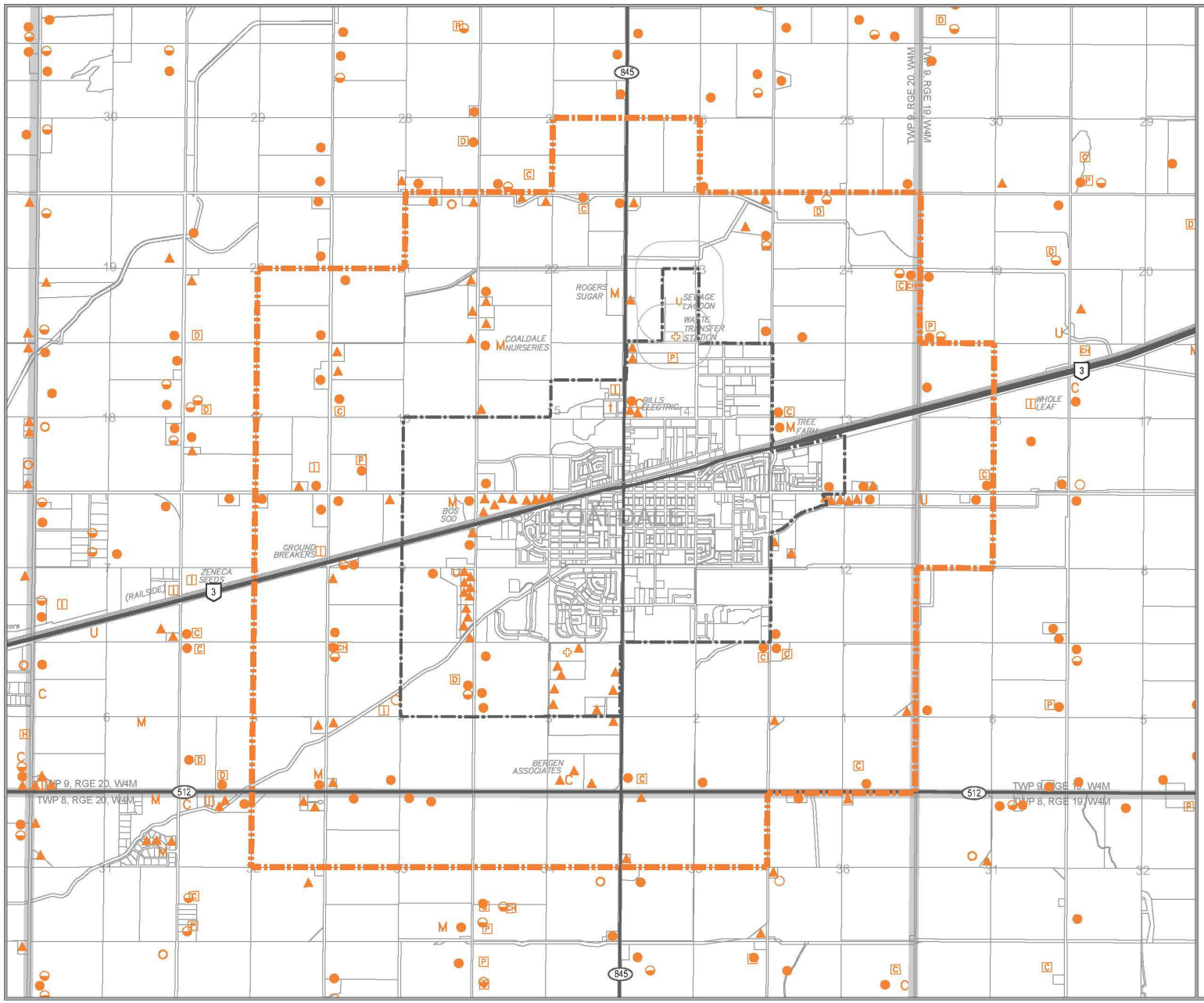

Lethbridge County & Town of Coaldale

INTERMUNICIPAL DEVELOPMENT PLAN

Lethbridge County Bylaw No. _____, Date:____
Town of Coaldale Bylaw No. _____, Date:____

MAP 3

Existing Land Uses

Town of Coaldale

IDP Boundary

Existing Land Uses
(Updated: September 5, 2008)

- Abandoned Farm Building
- Ancillary Farm Residence
- Cemetery
- Commercial
- Country Residence
- Dump/Junkyard
- Farmstead
- Farm Building
- Industrial

Intensive Livestock:

- Cattle
- Chickens
- Dairy
- Pigs

- Misc
- Utilities

LETHBRIDGE COUNTY

Town of COALDALE
A Wise Choice

MAP PREPARED BY:
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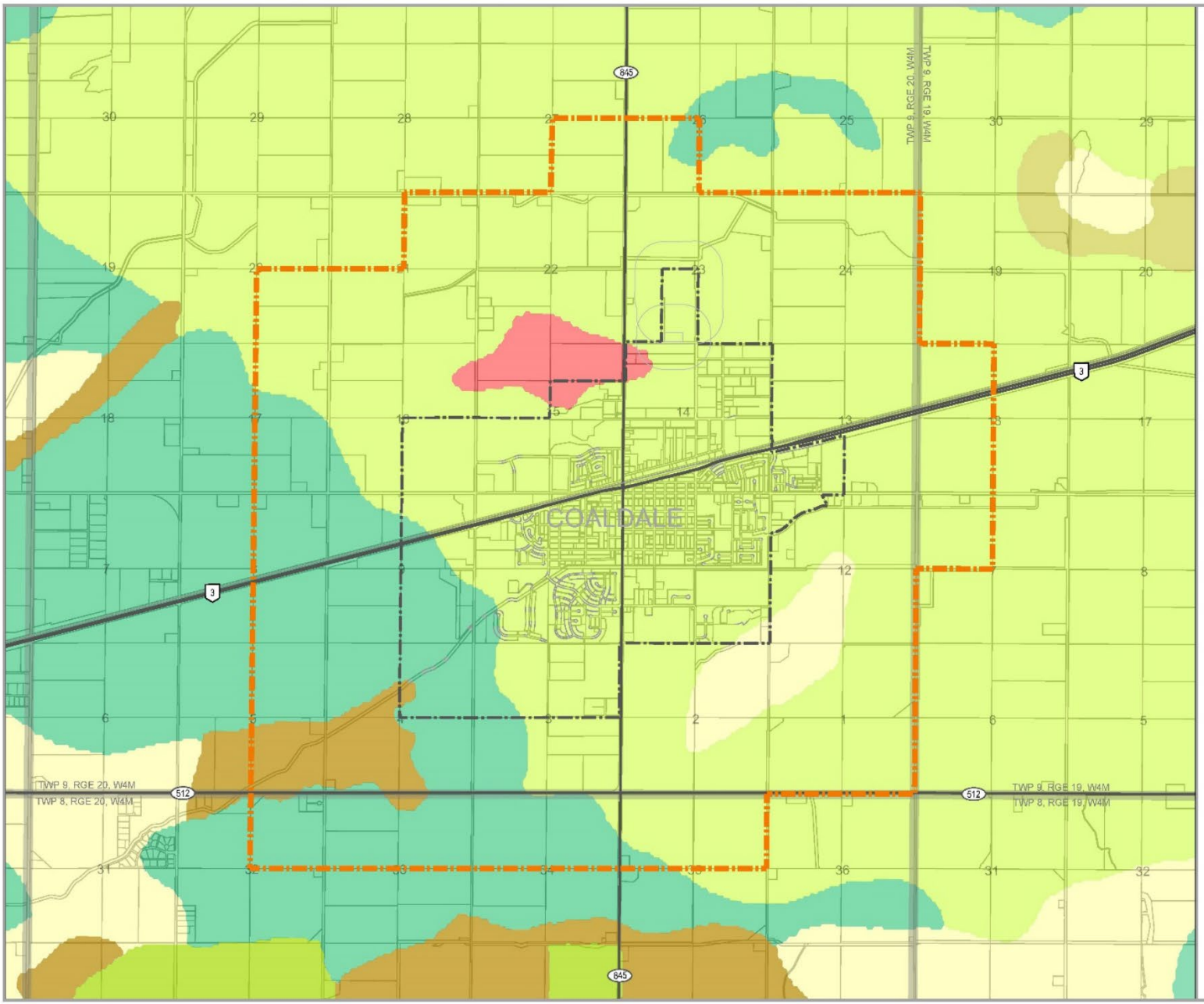


Lethbridge County & Town of Coaldale

INTERMUNICIPAL DEVELOPMENT PLAN

Lethbridge County Bylaw No. _____, Date:_____
Town of Coaldale Bylaw No. _____, Date:_____

MAP 4

SOIL CLASSIFICATION

Town of Coaldale

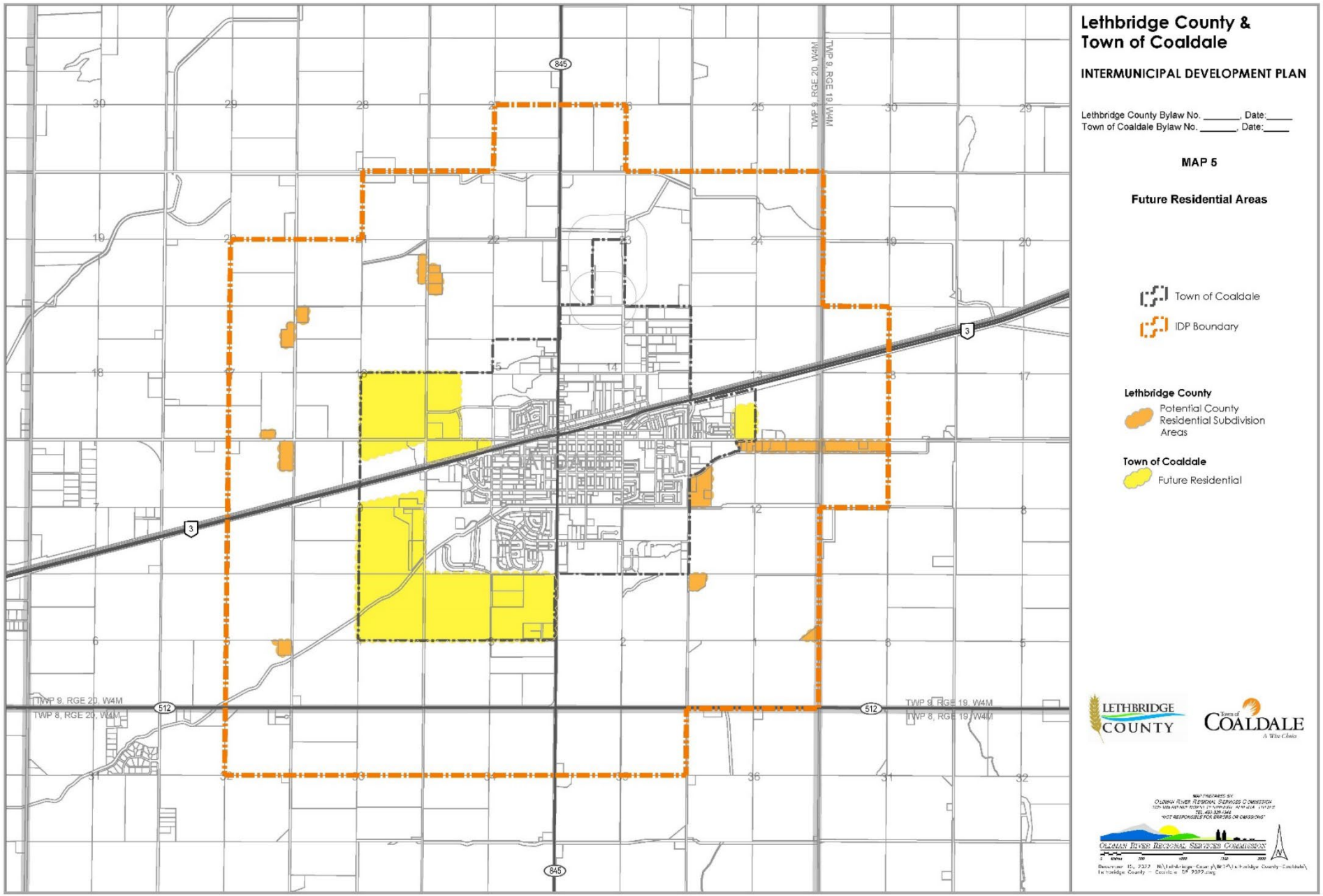
IDP Boundary

Soil Capability Classification

- Class 1
- Class 2C
- Class 2S
- Class 2T
- Class 3SW
- Class 3T
- Class 3W

LETHBRIDGE COUNTY

COALDALE


Lethbridge County &
Town of Coaldale
INTERMUNICIPAL DEVELOPMENT PLAN
Lethbridge County Bylaw No. _____, Date:____
Town of Coaldale Bylaw No. _____, Date:____
MAP 5
Future Residential Areas
Town of Coaldale
IDP Boundary
Lethbridge County
Potential County Residential Subdivision Areas
Town of Coaldale
Future Residential
TWP 9, RGE 20, W4M
TWP 8, RGE 20, W4M
TWP 9, RGE 19, W4M
TWP 8, RGE 19, W4M
845
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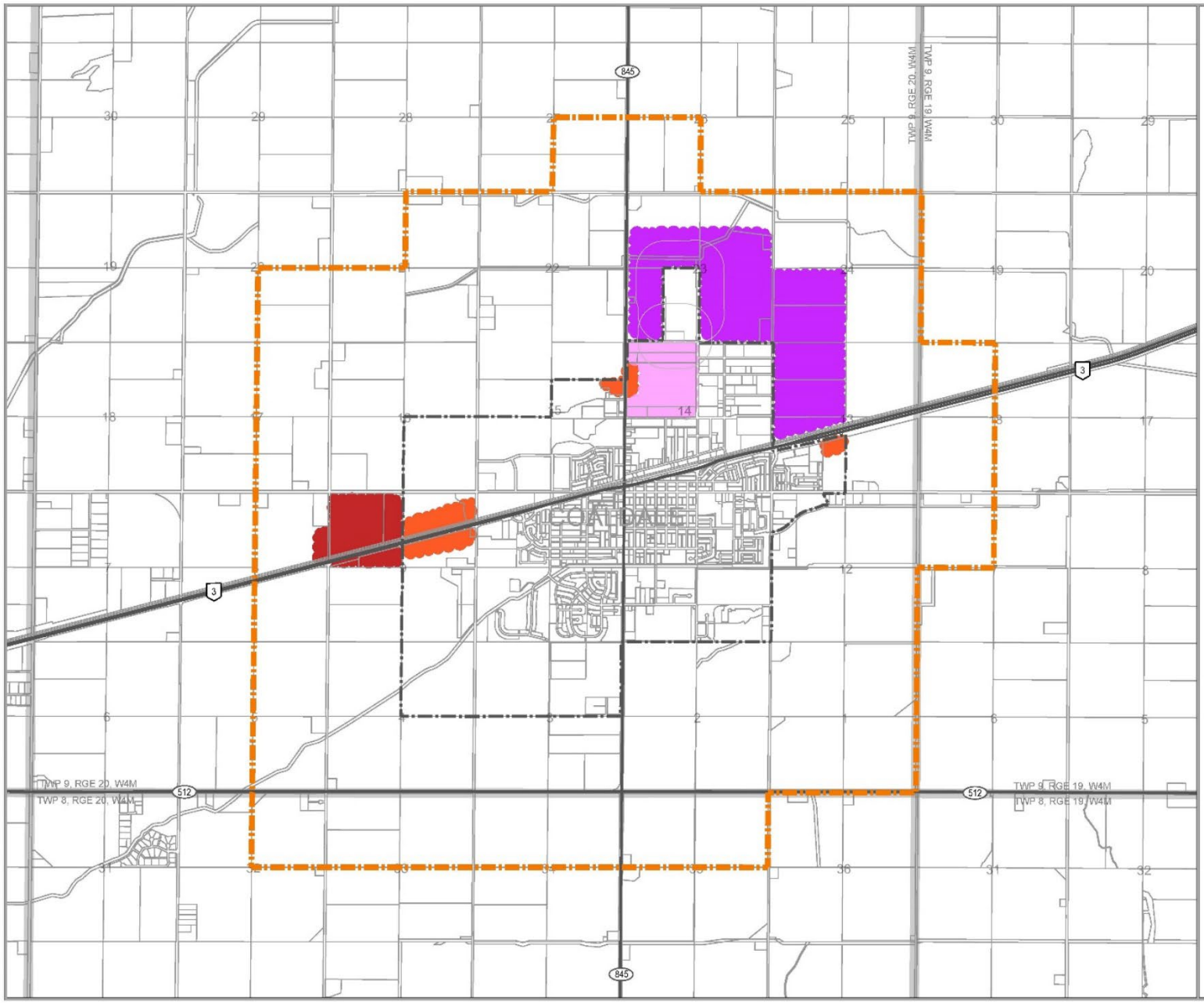
LETHBRIDGE COUNTY
COALDALE
OLDMAN RIVER REGIONAL SERVICES COMMISSION



Lethbridge County & Town of Coaldale

INTERMUNICIPAL DEVELOPMENT PLAN

Lethbridge County Bylaw No. _____, Date:_____
Town of Coaldale Bylaw No. _____, Date:_____

MAP 6

Future Commercial & Industrial Areas

Town of Coaldale

IDP Boundary

Lethbridge County

Future Industrial

Future Commercial or Light Industrial

Town of Coaldale

Future Commercial

Future Industrial

LETHBRIDGE COUNTY

Town of COALDALE
A Wise Choice

Part 7 - DEFINITIONS

Accessory Building means a building or structure, incidental, subordinate and located on the same lot as the principal building but does not include a building or structure used for human habitation.

Accessory Use means a use of a building or land, which is incidental to and subordinate to the principal use of the site on which it is located.

Adjacent Land means land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature and any other land identified in a land use bylaw as adjacent for the purpose of notifications under the Act.

Agricultural Land, Higher Quality means:

(a) land having a Canada Land Inventory (CLI) classification of 1-4, comprising 64.8 ha (160 acre) parcels of dryland or 32.4 ha (80 acre) parcels of irrigated land;

(b) land contained in an irrigable unit;

(c) land having a CLI classification of 5-7 with permanent water rights, with the exception of:

(i) cut-off parcels of 4.0 ha (10 acres) or less. To be considered a cut-off, a parcel must be separated by:

- a permanent irrigation canal as defined by the irrigation district,
- a permanent watercourse normally containing water throughout the year,
- a railway,
- a graded public roadway or highway,
- an embankment, or
- some other physical feature,

which makes it impractical to farm or graze either independently or as part of a larger operation, including nearby land;

(ii) land which is so badly fragmented by existing use or ownership that the land has a low agricultural productivity or cannot logically be used for agricultural purposes. For the purpose of subdivision, fragmented land may be considered to be land containing 8.1 ha (20 acres) or less of farmable agricultural land in CLI classes 1-4.

Agricultural Operation means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

(a) the cultivation of land;

(b) the raising of livestock, including game-production animals within the meaning of the "Livestock Industry Diversification Act" and poultry;

(c) the raising of fur-bearing animals, pheasants or fish;

(d) the production of agricultural field crops;

(e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;

(f) the production of eggs and milk;
(g) the production of honey (apiaries);
(h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
(i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes.
(j) the collection, transportation, storage, application, use transfer and disposal of manure; and
(k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

Agricultural Service Board means the Lethbridge County board which provides agricultural services, information, and new technology in liaison with other governments, jurisdictions, agencies and industry by establishing policy that ensures statutory requirements and the collective interests of clients are met. Several key pieces of provincial government legislation that are enforced are the Weed Control Act; the Agricultural Service Board Act; the Soil Conservation Act; the Agricultural Pests Act and the Agricultural Chemicals Act.

Architectural Controls means special standards or controls applied to development which are often restrictive in nature. Typically, this includes a specified building scheme that applies to building details, such as building types, finish, colors and materials, fences or landscaping. These controls may be registered by a Restrictive Covenant at the time a plan of survey is filed with Land Titles Office.

Area Structure Plan means a statutory plan in accordance with the Municipal Government Act and the Lethbridge County Municipal Development Plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality. The plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), storm water drainage, fire protection and other utilities across the entire plan area.

Assignment of Jurisdiction means the same as the provincial department of Transportation meaning and refers to Alberta Transportation allowing a portion of public road located in one municipal jurisdiction to be signed over by agreement to another municipal jurisdiction for control and maintenance.

Building Site means a specific portion of the land that is the subject of an application on which a building can or may be constructed (Subdivision and Development Regulation AR 43/2002).

Canamex Corridor or Highway means a provincial road development as such by Ministerial Order pursuant to the Highway Traffic Act, and is the designated freeway corridor as established and gazetted by the province with the purpose of efficiently moving goods and transport between Canada and Mexico.

Commercial Establishment means a building, or part thereof, for the sale of goods or services to the general public.

Commercial Use means the use of land and/or buildings for the purpose of public sale, display and storage of goods, merchandise, substances, materials and/or services on the premises. Any on-premises manufacturing, processing or refining of materials is typically incidental to the sales operation.

Committee means the Joint Planning Committee established in this Plan.

Conceptual Design Scheme means a general site layout plan which provides for the orderly development of a parcel or group of parcels, usually for less than five lots. It is a planning tool which is a type of "mini" area structure plan, usually less detailed, typically illustrating lot layouts & sizes, roads, topography and general servicing information. It is usually not adopted by bylaw, but may be if the municipality desires to do so.

Confined Feeding Operation means an activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the *Agricultural Operation Practices Act (AOPA),* as amended from time to time, but does not include seasonal feeding and bedding sites.

Country Residential, Grouped means existing or proposed residential uses on more than two adjacent parcels of less than the minimum extensive agricultural parcel size, and may consist of the yard site of a former farmstead.

Country Residential, Isolated means one or two existing or proposed country residential uses.

Country Residential Use means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied seasonally, for vacation purposes or otherwise, or permanently.

County means the Lethbridge County.

Development means:

(a) an excavation or stockpile and the creation of either but does not include turning over soil with no immediate activity on the land in the near future; or

(b) a building or an addition to, or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or

(c) a change of use, or a building, or an act done in relation to land or a building that results in, or is likely to result in, a change in the use of the land or building; or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the intensity of use of the land.

Discretionary Use means the use of land or a building in a land use district for which a development permit may be approved at the discretion of the Development Authority with or without conditions.

District means a defined area of a municipality as set out in the land use district schedule of uses and indicated on the Land Use District Map.

Dispute Settlement or Resolution means a formal process that provides the means by which differences of view between the parties can be settled, in a peaceful and cooperative manner. These differences may be over their opinions, interpretations, or actions of one party in regards to decision making in the IMDP plan area or interpretation of the IMDP policies.

Dwelling Unit means self-contained living premises occupied or designed to be occupied by an individual or by a family as an independent and separate housekeeping establishment and in which facilities are provided for cooking and sanitation. Such units include single-detached dwellings, modular homes, manufactured homes and moved-in buildings for residential use.

Extensive Agriculture means the general raising of crops and grazing of livestock in a non-intensive nature, typically on existing titles or proposed parcels usually 64.8 ha (160 acres) on dryland or 32.4 ha (80 acres) on irrigated land.

Farmstead means an area in use or formerly used for a farm home or farm buildings or both and which is impractical to farm because of the existing buildings, vegetation or other constraints.

Farming means the use of land or buildings for the raising or producing of crops and/or livestock but does not include a confined feeding operation for which a registration or approval is required from the Natural Resources Conservation Board.

First Parcel Out means the first subdivision from a previously unsubdivided quarter-section of land. The subdivision authority may consider a quarter-section to be unsubdivided if the previous subdivisions were for the purpose of public or quasi-public use.

Freestanding Sign means any sign or display supported by a freestanding column or structure.

Fringe or Urban Fringe means the approximate one-mile area around the municipal boundary of an urban municipality and includes the designated Rural Urban Fringe district of the Lethbridge County Land Use Bylaw.

Industrial means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution use which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard, or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

Intermunicipal (IDP) Development Plan Committee means the members assigned by each respective council to the Joint Planning Committee for the purposes of administering and monitoring the Intermunicipal Development Plan.

Intermunicipal (IDP) Plan Boundary means the agreed to area the IMDP will govern and is the referral area for the plan and all development applications and statutory bylaw amendments on lands within the identified plan area that will be referred to the IMDP Committee.

Malloy Drain is a channel located east of Coaldale which collects irrigation spill water from laterals in the Coaldale area and carries it to the Stafford Reservoir. The Malloy Drain was developed in the 1950's to drain pockets of water within the Malloy Basin and increase production and ¾ of the Malloy Drain is owned and operated by SMRID.

Malloy Drainage Basin is described as a topographic region lying between Stafford Reservoir and the eastside of the City of Lethbridge from which the Malloy receives **runoff, throughflow,** and **groundwater flow**. The drainage basin is the area of land that contributes the water it receives as precipitation (except for losses through evaporation, transpiration from plants, incorporation into the soil, groundwater, etc.) to the Stafford reservoir.

Major Tracts of Land means primarily undeveloped lands or parcels that are intended to be subdivided and are not what would normally be considered part of present developed areas.

May means, within the context of a policy, that a discretionary action is permitted.

MGA means the Municipal government Act Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Mixed Use means the land or a identified parcel may be used or designated for more than one specific type of land use, and typically involves some type of residential use mixed with commercial and/or public/institutional.

Municipal Council within the boundary of the Town of Coaldale means the Coaldale Council, and within the boundary of the Lethbridge County means the County Council.

Municipal Development Plan means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act, which is used by municipalities as a long-range planning tool.

Nuisance means any use, prevailing condition or activity which adversely effects the use or enjoyment of property or endangers personal health or safety.

Off-Site Levy means the rate established by a municipal Council that will be imposed upon owners and/or developers who are increasing the use of utility services, traffic services, and other services directly attributable to the changes that are proposed to the private property. The revenues from the off-site levies will be collected by the municipality and used to offset the future capital costs for expanding utility services, transportation network, and other services that have to be expanded in order to service the needs that are proposed for the change in use of the property.

Permitted Use means the use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

Plan means the Lethbridge County and Town of Coaldale Intermunicipal Development Plan.

Principal Building or Use means the building or use of land or buildings that constitutes the dominant structure or activity of the lot.

Provincial Highway means a road development as such by Ministerial Order pursuant to the Highway Traffic Act and described by plates published in the Alberta Gazette pursuant to Alberta Reg. 164/69 as 500, 600, 700 & 800 series or Highways 1 and 36.

Public and Quasi-Public Building and Uses means a building or use which is available to or for the greater public for the purpose of assembly, instruction, culture or community activity and includes, but is not limited to, such uses as a school, church, cemetery, community hall, educational facility, parks or government facilities.

Public Roadway means:

(a) the right-of-way of all or any of the following:
  (i) a local road or statutory road allowance;
  (ii) a service road;
  (iii) a street;
  (iv) an avenue; or
  (v) a lane;
  (vi) that is or is intended for public use; or
(b) a road, street or highway pursuant to the Public Highways Development Act.

Public Utility means a system, works, plant, equipment or service owned and operated by a municipality or corporation under agreement with or franchised by the municipality, or by a

corporation licensed under a Federal or Provincial Statute and which furnishes services and facilities to the public and includes, but is not limited to:

(a) communication by way of telephone, television or other electronic means;

(b) public transportation by bus or other means; and

(c) production, transmission, delivery or furnishing of water, gas or electricity to the general public.

Setback means the perpendicular distance that a development must be set back from the front, side, or rear property lines of the building site as specified in the particular district in which the development is located.

Shadow Plan means a conceptual design drawing which indicates how parcels of land may be further subdivided and typically illustrates minimum sized urban lots, road alignments to adjacent road networks, servicing corridors and building pockets as to where dwellings should be located, so as not to fragment land or interfere with urban growth plans.

Shall or Must means, within the context of a policy, that the action is mandatory.

Should means, within the context of a policy, that the action is strongly encouraged but it is not mandatory.

South Saskatchewan Regional Plan (SSRP) means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the Alberta Land Stewardship Act.

Soils Classifications means the classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based and intensity, rather than kind, of their limitations for agriculture. The classes as indicated on Map 4 include:

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 - Soils in this class have moderately severe limitations that restrict the range of crops or require special conservation practices.

Subclass S - limitations meaning adverse soil characteristics which include one or more of: undesirable structure, low permeability, a restricted rooting zone because of soil characteristics, low natural fertility, low moisture holding capacity, salinity.

Subclass T - limitations meaning adverse topography, either steepness or the pattern of slopes limits agriculture.

Subclass W - limitations meaning excess water – excess water other than from flooding limits use for agriculture. The excess water may be due to poor drainage, a high-water table, seepage or runoff from surrounding areas.

Town means the Town of Coaldale.

Waiver or Variance means a relaxation of the numerical standard(s) required of a development as established in the land use bylaw. A waiver cannot be granted for use.

Working Area means those areas that are currently being used or that still remain to be used for the placing of waste material, or where waste processing or a burning activity is conducted in conjunction with a hazardous waste management facility, landfill or storage site (Subdivision and Development Regulation AR 43/2002)

APPENDIX A - Lethbridge County and Town of Coaldale Memorandum of Understanding (MOU)

Memorandum of Understanding for annexation and related matters

August 2016

Memorandum of Understanding for annexation and related matters
(herein referred to as the "MoU")

BETWEEN THE PARTIES:

The Corporation of the Town of Coaldale
(herein referred to as "the Town")

AND

The Corporation of Lethbridge County
(herein referred to as "the County")

Signed on behalf of the Town of Coaldale:

Mayor – Kim Craig — Date: SEPT. 12, 2016

CAO – Kalen Hastings — Date: SEPT. 12, 2016

Signed on behalf of Lethbridge County:

Reeve – Lorne Hickey — Date: Sept. 6, 2016

CAO – Rick Robinson — Date: Sept. 6, 2016

PREAMBLE

This Memorandum of Understanding (MoU) represents the culmination of the work completed over many meetings of the Town of Coaldale and Lethbridge County Joint Planning Committee.

The Town of Coaldale (the Town) has made clear its intentions to annex lands from Lethbridge County (the County) to accommodate future growth, and the Town and the County have met and negotiated in good faith on annexation and other related matters over the past several months.

The Town either has, or will soon file a notice of intent to annex. The lands identified for annexation as per the notice of intent to annex reflect the same lands the Town and County agreed to, in principle, at the June 21st, 2016 meeting of the Joint Planning Committee.

MATTERS OF AGREEMENT

Lands to be annexed

The County has agreed, in principle, to the annexation of the following lands by the Town:

(Please note that the letters correspond with the letters found on attached Map 1)

A. SE 1/4 SEC. 9 TWP. 9 RGE. 20 W4M
B. SW 1/4 SEC. 15 TWP. 9 RGE 20 W4M
C. A portion of NW 1/4 SEC. 10 TWP. 9 RGE. 20 W4M including: Plan 731049, Block 3, Lots 1, 2, 3, 4, 5, 6 and Plan 7062JK, Block A, Lots 2, 3, 4
D. A portion of SW 1/4 SEC. 13 TWP. 9 RGE. 20 W4M including: Plan 0811507, Block 3, Lot 1
E. NE 1/4 SEC. 9 TWP. 9 RGE. 20 W4M
F. NW 1/4 SEC. 3 TWP. 9 RGE. 20 W4M
G.
H.
I.
J. NW 1/4 SEC. 14 TWP. 9 RGE. 20 W4M
K. A portion of NE 1/4 SEC. 15 TWP. 9 RGE. 20 W4M including: Plan 57JK, Blocks 1, 2, 3
L.
M. NE 1/4 SEC. 4 TWP. 9 RGE. 20 W4M
N.
O. NE 1/4 SEC. 3 TWP. 9 RGE. 20 W4M
P.
Q.

R. A portion of SW 1/4 SEC. 23 TWP. 9 RGE. 20 W4M including: Plan 8610846, Block 1, Lot 1 and Plan 9010972, Block 1, Lot 2, and the lot described as All those portions of legal subdivisions 3 and 6 in the south west quarter which lies west of plan 8610846 containing 0.505 of a hectare (1.25 acres)
S. SE 1/4 SEC. 16 TWP. 9 RGE. 20 W4M

In addition to the lands to be annexed, the roads and associated r-o-w internal to the areas of land proposed to be annexed, and the roads and associated r-o-w that are directly adjacent to areas proposed for annexation, are to be included within the future Town boundary. In addition, that portion of the road allowance directly adjacent to the east of SE ¼ SEC. 11 TWP. 9 RGE. 20 W4M (known in the Town as 8th Street) is to be in the Town's jurisdiction.

Other matters

Through the process of reaching an agreement in principle regarding lands the Town wishes to annex, the Town and the County agreed to a number of other related matters. The matters of agreement include:

- The Town will undertake proactive landowner consultations with the landowners of the lands that are within the annexation area, and those landowners that are within the current Intermunicipal Development Plan (IDP) area.

- Offers made by the Town to landowners within the annexation area, relating to matters such as municipal taxation, will be made consistently to all of the landowners, with no one landowner being offered more or less than any other landowner.

- As per policy 4.5.10 of the current IDP, an amendment to the IDP is required within six months of the Board Order approving annexation being issued by the province in order that the Town's new boundary may be reflected by the IDP. Other matters that will be considered during the amendment of the IDP include policies that effectively "freeze" the Town's western boundary, identify the NW ¼ SEC. TWP. 9 RGE. 20 W4M, that portion of the NE ¼ SEC. TWP. 9 RGE. 20 W4M that lies north of Highway 3, and that portion of the NW ¼ SEC. 9 TWP. 9 RGE. 20 W4M that lies north of Highway 3 as County growth nodes, for the purposes of non-residential development.

- The Town agrees to the extension of sanitary infrastructure to the Broxburn Business Park, in order that lands within the Highway 3 corridor between the Town and the Broxburn Business Park may make use of such infrastructure.

SCOPE OF THIS MEMORANDUM

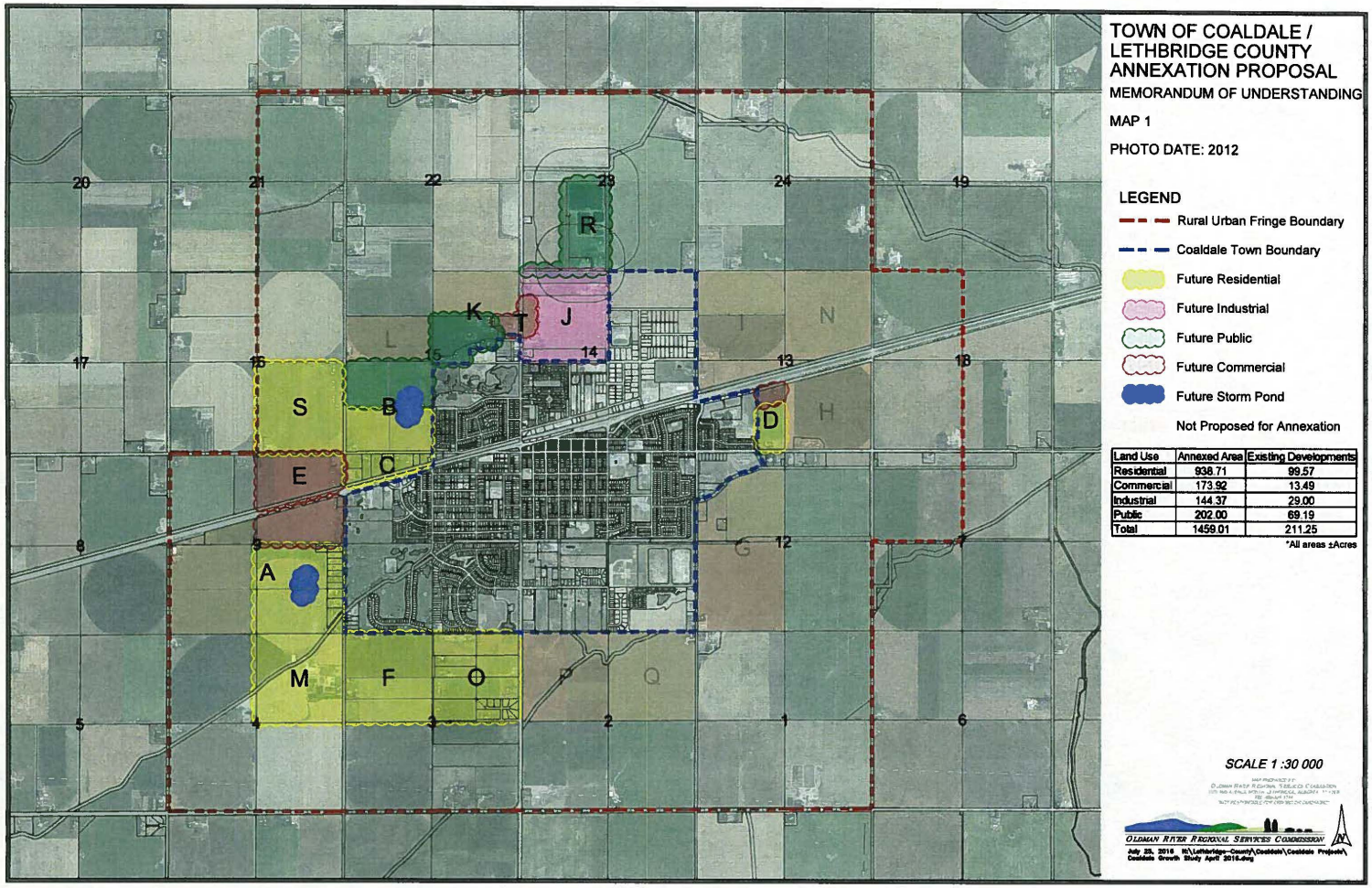
The Town and County recognize that this MoU is the result of the two parties negotiating in the spirit of good faith. This MoU reflects a commitment on behalf of both parties to continue to negotiate the terms of annexation in a spirit of cooperation and good faith.

The Town and County also recognize that some of the agreements made in this MoU require further discussion to ensure all parties are in agreement regarding specifics such as but not limited to the scope of what is being agreed to, timelines, financial arrangements, and jointly adopted development regulations.

The Town and County recognize that the agreements requiring further discussion include:

- The consideration of IDP policies that effectively "freeze" the Town's western boundary, identify the NW ¼ SEC. TWP. 9 RGE. 20 W4M, that portion of the NE ¼ SEC. TWP. 9 RGE. 20 W4M that lies north of Highway 3, and that portion of the NW ¼ SEC. 9 TWP. 9 RGE. 20 W4M that lies north of Highway 3 as County growth nodes, for the purposes of non-residential development.

- The Town's agreement to extend sanitary infrastructure to the Broxburn Business Park, in order that lands within the Highway 3 corridor between the Town and the Broxburn Business Park may make use of such infrastructure.


TOWN OF COALDALE / LETHBRIDGE COUNTY ANNEXATION PROPOSAL
MEMORANDUM OF UNDERSTANDING
MAP 1
PHOTO DATE: 2012
LEGEND
Rural Urban Fringe Boundary
Coaldale Town Boundary
Future Residential
Future Industrial
Future Public
Future Commercial
Future Storm Pond
Not Proposed for Annexation
Land Use | Annexed Area | Existing Developments
Residential | 938.71 | 99.57
Commercial | 173.92 | 13.49
Industrial | 144.37 | 29.00
Public | 202.00 | 69.19
Total | 1459.01 | 211.25
*All areas ±Acres
SCALE 1 :30 000
OLDMAN RIVER REGIONAL SERVICES COMMISSION
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