

Intermunicipal Development Plan

CARDSTON COUNTY & TOWN OF CARDSTON
BYLAW NO. 763.2021 & BYLAW NO. 1697

JUNE 2021







OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Prepared for Cardston County and the Town of Cardston

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CARDSTON COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO 763.2021

BEING a bylaw of Cardston County in the Province of Alberta for the purpose of adopting the Town of Cardston and Cardston County 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 transcends municipal boundaries;

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the intermunicipal plan 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 Town of Cardston;

AND WHEREAS both the Councils of the Town of Cardston and Cardston County 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, and Chapter M-26 as amended, the Council of Cardston County duly assembled hereby enacts the following:

1. Council shall adopt the Town of Cardston and Cardston County Intermunicipal Development Plan in consultation and as agreed to with the Town of Cardston.
2. This plan, upon adoption, shall be cited as the Town of Cardston and Cardston County Intermunicipal Development Plan Bylaw No. 763-2021 and Bylaw No. 1697.
3. Bylaw No. 519/2007 is hereby rescinded, being the former Intermunicipal Development Plan, is hereby rescinded.
4. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 22nd day of February, 2021.

Randall M. Bullock
Reeve *– Randall M. Bullock*

County Administrator *– Murray Millward*

READ a **second** time this 10th day of May, 2021.

Randall M. Bullock
Reeve *– Randall M. Bullock*

County Administrator *– Murray Millward*

READ a **third** time and finally PASSED this 10th day of May,2021.

Randall M. Bullock
Reeve *– Randall M. Bullock*

County Administrator *– Murray Millward*

TOWN OF CARDSTON
IN THE PROVINCE OF ALBERTA

BYLAW 1697

TOWN OF CARDSTON AND CARDSTON COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

A BYLAW FOR THE PURPOSE OF ADOPTING THE TOWN OF CARDSTON AND CARDSTON COUNTY 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 transcends municipal boundaries;

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban-rural interface 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 Town of Cardston;

AND WHEREAS both the Councils of the Town of Cardston and Cardston County 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, and Chapter M-26 as amended, the Council of Cardston County duly assembled hereby enacts the following:

1) Council shall adopt the Town of Cardston and Cardston County Intermunicipal Development Plan in consultation and as agreed to with the Town of Cardston.
2) This plan, upon adoption, shall be cited as the Town of Cardston and Cardston County Intermunicipal Development Plan Bylaw No. 763-2021 and Bylaw No. 1697.
3) Bylaw 1565, being the former Intermunicipal Development Plan, is hereby rescinded.
4) This bylaw shall come into effect upon third and final reading thereof.

Received First Reading this 23rd day of February, 2021

Public Hearing held this 23rd day of March, 2021

Received Second Reading this 22nd day of June, 2021

Received Third & Final Reading this 22nd day of June, 2021

Signed by the Mayor and the Chief Administrative Officer this 25th day of June, 2021

TOWN OF CARDSTON

MAYOR – *Maggie Kronen*

CHIEF ADMINISTRATIVE OFFICER – *Jeff Shaw*

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PART 1 INTRODUCTION

1.1 INTRODUCTION

Historically, an *Intermunicipal Development Plan (IDP* or Plan*)* was general in scope and often served as a very general land use plan centered on dispute resolution mechanisms and referral and consultation policies. More recently, municipalities have changed their approach in the preparation and adoption of an IDP. IDPs often provide more detailed, prescriptive based land planning documents, with an approach based on environmental protection, transportation management, servicing considerations and sustainable planning practices.

This Plan is intended to provide guidance for land use development that could affect both the Town of Cardston and Cardston County. The plan will also foster on-going coordination, collaboration, and cooperation between the municipalities by providing a forum to discuss planning matters. Each municipality, however, is ultimately responsible for making decisions within their municipal jurisdiction while having regard to the policies and procedures as provided in this Plan.

1.2 PURPOSE OF THE PLAN

The IDP is a statutory planning document that serves as an agreement between two adjacent municipalities. The purpose of the agreement is to manage expectations with respect to land use related matters. An IDP addresses land use and development matters that occur in one jurisdiction and have the potential to impact the neighbouring municipality.

Municipalities are required by the province to adopt an IDP to:

- promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined Plan Area;
- provide a framework for addressing land use concerns with regard to joint planning matters;
- establish procedure for dealing with development proposals within the Plan Area; and
- address any other matters relating to development considered necessary within a joint planning area.

This IDP 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. Cardston County and the Town of Cardston have agreed to develop this IDP in order to facilitate orderly and mutually beneficial planning practices for an agreed upon Plan Area.

1.3 LEGISLATIVE REQUIREMENTS

In order to foster cooperation and mitigate conflict between municipalities, the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA)* has included two mechanisms within the planning legislation which allows a municipality to:

1. include policies regarding coordination of land use, future growth patterns and other infrastructure with adjacent municipalities in their municipal development plans if no intermunicipal development plan exists with respect to those matters, and;
2. complete and adopt an intermunicipal development plan with adjacent municipalities to address the above matters.

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.*

631(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.

Furthermore,

638(3) *An intermunicipal development plan prevails to the extent of any conflict or inconsistency between*

(a) a municipal development plan, an area structure plan or an area redevelopment plan, and
(b) the intermunicipal development plan

in respect of the development of land to which the conflicting or inconsistent plans apply.

In addition to *Municipal Government Act* requirements, the South Saskatchewan Regional Plan (SSRP) became effective September 1, 2014, and introduced additional considerations affecting intermunicipal land use matters. The SSRP uses a cumulative effects management approach to set policy direction for municipalities for the purpose of achieving environmental, economic and social goals within the South Saskatchewan Region until 2024.

Pursuant to section 13 of the *Alberta Land Stewardship Act (ALSA)*, 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.

Figure 1. Planning Hierarchy Flowchart



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

PLANNING COOPERATION & INTEGRATION (FROM SSRP)

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 processes 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 plans 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 are to be considered by both municipalities when developing policy within this IDP and 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, and other statutory plans and through policies found within this Plan.

1.4 GUIDING PRINCIPLES

The guiding principles for the Intermunicipal Development Plan are:

1.4.1 Cardston County and the Town of Cardston will maintain a positive and mutually beneficial relationship between each other.

1.4.2 Cardston County and the Town of Cardston will attempt to collaborate and work more cooperatively on matters that may impact or be of mutual benefit to both municipalities.

1.4.3 Cardston County and the Town of Cardston will support the mutually beneficial coordination and delivery of infrastructure and services that support economic development in both municipalities.

1.4.4 Cardston County and the Town of Cardston will promote and safeguard rural land uses by supporting increased density (ie. infill developments) and overall growth within the Town of Cardston.

1.4.5 Cardston County and the Town of Cardston will ensure that the policies of this Plan are consistently and reasonably implemented.

1.4.6 Cardston County and the Town of Cardston will monitor and review the policies of this Plan on a regular basis to ensure the policies remain current, relevant and continue to meet the needs of partnering municipalities.

1.5 Plan Goals

The intended goals of the Plan are:



1.5.1 To promote an orderly and efficient development pattern within the Plan Area that balances the long-range interests of the County and Town.

1.5.2 To provide for a continuous planning process that facilitates ongoing consultation, collaboration, and cooperation between the two municipalities.

1.5.3 To enable both municipalities to coexist in a regional context and to identify logical areas that accommodate future development and growth, as agreed by both parties.

1.5.4 To achieve a balance of land uses compatible with agriculture, urban interest, economic growth and sustainable development practices.

1.5.5 To provide a clear policy framework that serves to guide future planning decisions for lands located within the Plan Area, affording more certainty for and better coordination of development within the Plan Area.

1.5.6 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.

1.5.7 To address the requirements of the *MGA* with respect to plan administration, plan amendment and dispute resolution procedures.

1.6 Plan Preparation Process & Procedure for Adoption

A detailed background report and land analysis was completed as part of the preparation of this Plan. An IDP steering committee, composed of Council members and staff from each municipality, met multiple times throughout the plan preparation process in 2019 and 2020. Following detailed discussions and the review of submissions received throughout the plan preparation process, the Plan was mutually adopted by the Town and County.

In February of 2021, a direct notice was mailed to all landowners within the Plan Area and the CFO Exclusion Area. Submissions were reviewed and considered by the Committee prior to the preparation of the final plan.

Adoption

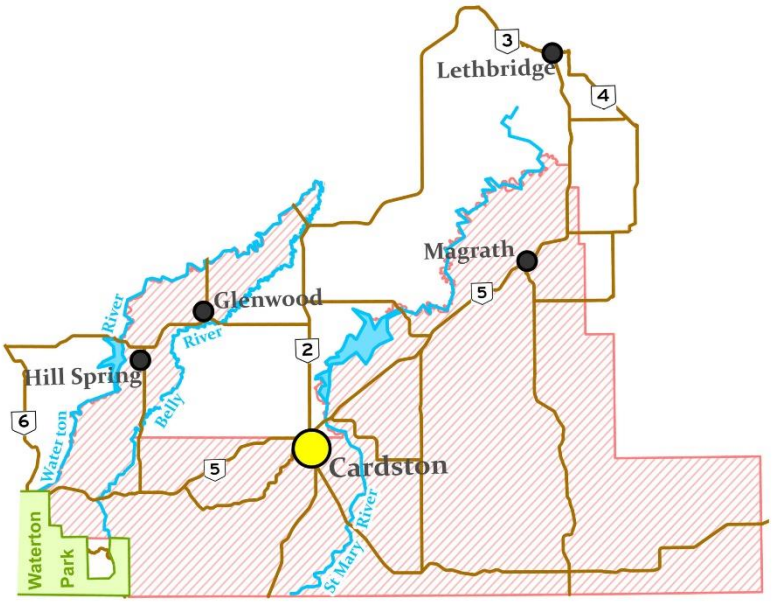
1.6.1 The County and Town prepared the Plan in accordance with the requirements of the *MGA*, including advertising and conducting a public consultation process, prior to passing the respective adopting bylaws.

PART 2 BACKGROUND & PLANNING CONTEXT

2.1 GEOGRAPHIC CONTEXT

Cardston County has a population of 4,590 (Alberta Municipal Affairs, 2019) over a geographic area containing 3,429 sq. km. and extending from the U.S.A boundary to a latitude just south of the City of Lethbridge and west to Waterton National Park. The County is an interesting blend of unique demographics: the 1420 sq. km. Kainai Blackfoot reserve (First Nations) is home to significant urban and rural population; a socially and economically influential faith community has its origin in settlement in the late 1800's; and there are several Hutterite colonies that trace directly to the 16th-century Reformation. Multiple hamlets exist within the County, as well as four incorporated urban municipalities, the largest of which is the Town of Cardston.

Figure 2. Regional Location



The Town of Cardston has a population of 3,653 (Alberta Municipal Affairs, 2019) and is the business hub for farming and ranching in the southwestern corner of the province. The Town attracts thousands of visitors each year through its multiple historic attractions and sites like the Remmington Carriage Museum, Cardston Alberta Temple, and the Courthouse Museum. The Town serves as a regional service centre and as the gateway to the changing landscape – where to the west the foothills and Rocky Mountains symbolize the change from primarily grain farming to a ranching and recreational environment.

2.2 PLAN AREA TOPOGRAPHY& NATURAL FEATURES

The land contained within the IDP planning area (see Map 1) can be characterized as undulating with rolling hills, and steep coulees framing watercourses and ravines. Notably, the steep slopes of Lee Creek present a significant challenge for development within the Town of Cardston and the surrounding area (see Map 5). Scattered wetlands exist throughout the Plan Area.

Lee Creek originates in the Rocky Mountains and is classified as a Class C water body, within the St. Mary River and Old Man River sub-basins of the South Saskatchewan drainage basin. Channel widening and modification works undertaken in 1983 have increased the conveyance capacity of Lee Creek. The creek has a history of flooding, the last of which happened in 2014. Flood hazard mapping exists for an approximate 6 km (3.7 mile) stretch of the creek through the Town, and was completed in 1992. Floods in the study area are usually caused by a combination of heavy rainfall events and mountain snowmelt runoff. Although peak flows can occur throughout the year, the highest flows which cause flooding typically occur in the open water season between mid-May and the end of June. It is noted that the *Flood Recovery & Reconstruction Act* (2013) established provision for the regulation of development in floodways. Specific regulations pursuant to the Act have not yet been released but are anticipated. Updated flood mapping for the Lee Creek basin is expected in support of the same.



LEE CREEK VALLEY WITHIN THE TOWN

2.3 AGRICULTURAL PRACTICES

Both the County and Town recognize the importance of agriculture as being foundational for the local economy. The Town of Cardston serves as a commercial service center for the surrounding rural lands whose focus is predominantly extensive farming practices. The County acknowledges the importance of agricultural sector in its MDP, with a principle to "protect agricultural land for agricultural activities, yet provide some flexibility recognizing individual property owners' rights to utilize their land."

Extensive agricultural practices comprise the majority of land within the Plan Area, and is central to the local economy. Irrigated agricultural activities within the Plan Area are supplied by both the Aetna and Leavitt Irrigation Districts. The County and Town both prosper from opportunities in agricultural industries which are key components of their local economies. The potential for value added agricultural processing industries to locate within or near the Plan Area is an opportunity that hasn't yet been realized. As population growth continues within each municipality, it is anticipated that future demand for country residential subdivision and other non-agricultural land uses in the Plan Area will increase, and potentially result in these quality agricultural lands being

taken out of production. The proposed conversion of land from an agricultural use to a non-agricultural use must be considered carefully to assess the benefits of the proposed land use with respect to the loss of agricultural land and the future expansion of the Town.



AGRICULTURAL LANDS WITH ROCKY MOUNTAIN BACKDROP

The Canada Land Inventory (CLI) determines the agricultural potential of soil, and ranks them on a scale of 1 (highest productivity) to 7 (lowest productivity). Land in the Plan Area is predominantly of a reasonably high quality, with the majority of lands being designated Class 2 and Class 3 (see Map 6) with few limitations. In general, a substantial portion of the Plan Area can be considered good quality agricultural land. A significant portion of lands within the Plan Area are under irrigation, which is supplied and managed by the Aetna and Leavitt Irrigation Districts respectively.

The SSRP clearly outlines policies with respect to agriculture with which all municipal plans, including an IDP, must consider. 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 not constrain agricultural activities, or to areas 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.

Confined Feeding Operations (CFOs) are regulated by the Natural Resources Conservation Board (NRCB), in accordance with the *Agricultural Operation Practices Act (AOPA)*. The NRCB sets out minimum distance separation (MDS) standards between a manure storage operation and the nearest residence. The separation barriers help address concerns related to odor, dust and other nuisances stemming from a livestock operation. According to the NRCB, "exclusionary zoning" is an effective way for municipalities to manage CFO development in proximity to urban areas. The NRCB must consider municipal development plan (including IDPs) provisions pursuant to section 20 of *AOPA*. Consideration of the potential impacts of future CFO development had an important role in the preparation of this Plan.

2.3 TRANSPORTATION ISSUES

Existing transportation connections have influenced the structure and function of the lands within both Cardston County and the Town. The Town of Cardston is a key transportation gateway, serving connections to Highways 2, 5 and 501.



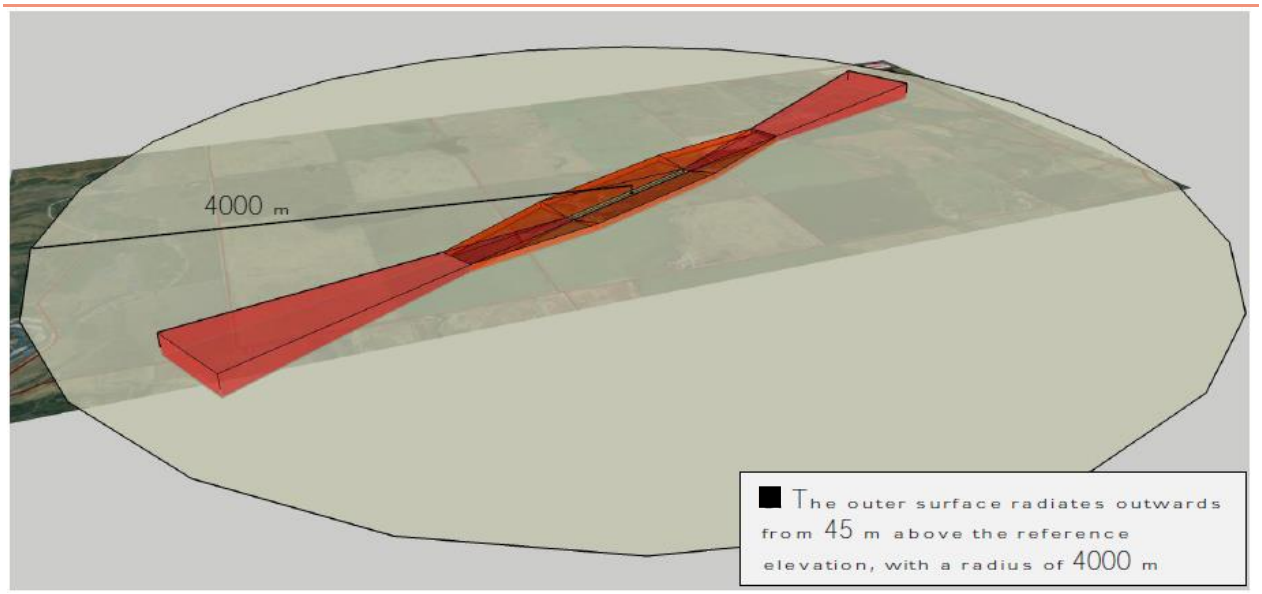
HIGHWAY 2 WITHIN THE PLAN AREA

Highway 2 is the southernmost portion of Alberta's main north-south transport route leading to the United States border port of entry at Carway, 23 km south of the Town. The highway proceeds directly through the heart of Cardston and, within the Town limits, is designated as Main Street. This highway brings commuter and commercial traffic through the Town, where commercial development has been built up between Highway 5/501 (1st Avenue) and Lee Creek. Highway 5, which terminates in Waterton Lakes National Park approximately 55 km to the west, acts as a boundary between the Town and the Blood Indian Reserve to the north. Highway 501 provides access to the Plan Area on the west and east sides of Town, and crosses Town north of the golf course (9th Avenue).

12th Street (west bypass) is a collector facility that provides an important linkage between Highway 5 and Highway 501. Other local roads of note within the Plan Area include Range Road 255 west of Town, Range Road 254 on the south end, and Homeseekers Avenue on the eastside.

The Cardston Airport (CEA6) is located approximately 4 km (2.5 miles) from the southeasterly boundary of the Town within the S½ 35-2-25-W4M. The facility hosts a 1,066 m (3,500 ft.) concrete runway and primarily supports hobbyists and the agricultural industry. In order to ensure that the flight paths of the airport are protected, Transport Canada regulations establish an Obstacle Limitation Surface (OLS) and an Outer Obstacle Identification Surface (OOIS). The OLS is the airspace in and around the runways that is to be maintained free of obstacles and includes both approach and transitional surfaces. The OOIS is a common plane established at an elevation of 45 m to a radius of 4 km (see Map 4 and Figure 3 below). Objects that penetrate the OOIS must be reported to NAV CANADA and Transport Canada for their assessment, which will include a study of impacts to arrival, departure, and circuit procedures, as well as a determination of whether the object must be lit, marked or displayed on an aeronautical chart.

Figure 3. Cardston County Airport Outer Obstacle Identification Surface



2.4 Existing Subdivision & Development

Between 1967 and 2018, a total of 56 subdivisions have been approved within the Plan Area. Historically, the majority of these subdivisions were agricultural, with a few country residential approvals, and non-residential subdivisions primarily along existing highway connections (Highways 2 and 501).



HOMESEEKERS AVENUE AREA

Pockets of country residential exist adjacent to the southwest corner of the Town including the Cricklewood area (Plan 081 2597). Near the southeast corner of the Town, the Homeseekers area (Plan 4180AL) contains multiple linear style country residential parcels that could be appropriate for resubdivision. A few scattered non-residential developments exist within the Plan Area as well as civic facilities like the Cardston Cemetery and water treatment plant. Currently, there exists a single Confined Feeding Operation (CFO) within the IDP Plan Area in the SW¼ 8-3-25-W4M with 85 milking cows.

2.5 Land Use & Zoning

The land use designations that exist within the IDP Plan Area include *Agriculture (AG), Grouped Country Residential (GCR), Rural Commercial/Industrial (RC/I), Single-Lot Country Residential (SCR)* and *Rural Small Holdings (RSH)*.

The following table highlights the intent of each land use district, as outlined in the *Cardston County Land Use Bylaw No. 443/98*. By understanding the intended purposes of these lands, the County and Town can consider and evaluate potential future uses.

Figure 4. Cardston County Plan Area Land Use Zoning

District	Area	Intent
Agriculture	96%	*"To provide for the protection of better agricultural land from undue fragmentation for non-agricultural uses"*
Grouped Country Residential	~3%	*"To accommodate clustered country residential development within comprehensively planned multi-lot areas designated on fragmented or poor agricultural land"*
Rural Commercial / Industrial	<0.5%	*"To accommodate one or more commercial and/or industrial land uses within the municipality which will not compromise either the use of agricultural lands for agriculture or the safe and efficient operation of the local and provincial transportation systems"*
Single-Lot Country Residential	<0.5%	*"To accommodate one or more single-lot country residential subdivisions within a quarter section of land which have already met or exceeded the maximum of four subdivisions within that specific quarter section within the municipality"*
Rural Small Holdings	<0.5%	*"To accommodate the creation of a limited number of smaller agricultural parcels while maintaining a desired density through the establishment of minimum parcel size"*

The Agriculture District (AG) is bestowed upon the majority of the lands within the Plan Area. It allows for a focused list of permitted land uses (mostly supporting agriculture and farmstead activities). The list of discretionary uses is broader, allowing the possibility of a multitude of non-agricultural uses, some of which could be viewed as incompatible in proximity to an urban centre (depending on location, scope and intensity of the development). The AG District also provides for subdivision opportunities of up to four parcels in a quarter section, including 80 acre parcels for agricultural use, vacant single lot country residential, and farmstead subdivision. Notably, grouped country residential is not allowed within the AG District.

2.6 Existing Planning Documents

Cardston County and the Town of Cardston have a long-standing history of cooperation and communication, as evidenced in their individual planning documents. A limited IDP, mutually adopted in 2007 (County Bylaw 519/2007 and Town Bylaw 1657), existed prior to the adoption of this Plan.

The Town has identified areas for future growth and development within its Municipal Development Plan (2015), which are internal to the existing Town boundary. These areas of future growth account for residential, commercial, industrial and general development, and have been appropriately located adjacent to similar uses and follow the logical extension of existing infrastructure connections. To this end, the Town has adopted two additional plans — the East Cardston Area Redevelopment Plan (2008) and the West Cardston Area Structure Plan (2007) — with the intention to capitalize on internal growth opportunities prior to initiating annexation discussions with the County.



The County conducted a Growth Study (2011) in order to evaluate potential opportunities for non-agricultural development on lands in the vicinity of the Town. The study offers a cursory look at opportunities and constraints, revealing capacity for water servicing and near-term development potential for lands south of Town.

2.7 Shared Services & Economic Development Cooperation

The province encourages municipal collaboration regarding shared services. Both the County and Town recognize the benefits in working jointly to extend municipal services to areas of future concentrated development. The presence or absence of municipal services will have significant influence on the type and cost of development on a parcel of land. Typically, municipal services, including water, stormwater and sanitary services are provided within urban municipal boundaries.

Currently, the County and Town participate in economic developments initiatives like the SouthGrow Regional Initiative, and Alberta Southwest and have partnered with other municipalities in southern Alberta to provide planning and geographical information system (GIS) through the creation and support of the Oldman River Regional Services Commission. The development of the Cardston County Emergency Services Authority – providing fire and emergency response services to the County and Town, as well as the Villages of Glenwood and Hillspring - demonstrates the positive impacts that can come about as a result of a harmonious working relationship with neighbouring municipalities. Other initiatives benefitting both

municipalities include the Regional Library System and Family and Community Support Services (FCSS), the Chief Mountain Regional Solid Waste Authority, a reciprocal business license program and a water agreement that allows the Town to supply clean water to some County residents.

Economic growth and development of the County and Town are fundamentally linked. As a result, additional cooperative agreements may be investigated and pursued by the two municipalities in the form of an Intermunicipal Collaborative Framework (ICF), with the interest of efficiency and economic prosperity. Both municipalities appreciate the opportunity to work cooperatively to bring services to future development areas. In addition, both municipalities are open and supportive of any regional opportunities that will benefit them.

2.8 Renewable Energy Developments

Opportunities for renewable energy development continue to grow in southern Alberta and requires municipalities to examine different ways to pursue and manage renewable energy developments. In Cardston County, the renewable energy sector is an emerging economic influence, and significant wind and solar developments exist and/or are approved for development. The Town's Solar Farm, situated on 8.5 acres in the northwest industrial area, was energized in the summer of 2020, and provides 1.9 MW of green energy, off-setting the entirety of all Town electricity costs.

It is recognized that the Alberta Utilities Commission (AUC) deals with utility scale energy projects, including renewable energy projects, and that municipalities must be cognizant of the paramountcy of an approval of the AUC under sections 619 and 620 of the *MGA*. Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments, and Rule 012: Noise Control, are the most relevant rules dealing with the planning for and approval of renewable energy developments.



TOWN OF CARDSTON SOLAR PARK

2.9 Planning & Administrative Issues

An IDP acknowledges that the rural/urban interface area of an urban municipality such as the Town of Cardston is subject to different pressures, problems, conflicts and opportunities compared to an exclusive rural or urban area. The municipalities recognize the importance of an IDP to give guidance for development and redevelopment on both sides of the municipal boundary (i.e. be

reciprocal). Changing circumstances and conditions bring constant change to the living environment. As a result, this Plan is a living document which is subject to change in order to adjust to changes in the living environment. Policies in the Plan have been created to cooperatively address issues of common interest alongside administrative practices to support the same.

PART 3 RURAL/URBAN INTERFACE GROWTH STRATEGY

3.1 URBAN LAND INVENTORY

At this time, the Town has sufficient land to accommodate residential development based on its present growth rate. Significant tracts of vacant land exist within the West Cardston Area Structure Plan (2007) and East Cardston Area Development Plan (2008), and some areas are shovel ready for development, having gone through the benefit of a comprehensive planning process. Commercial and industrial growth opportunities within the Town boundaries are also available, but to a lesser degree, and are identified in the Town's Municipal Development Plan (2015).

3.2 URBAN EXPANSION IN THE RURAL/URBAN INTERFACE

The Town will continue to act as a service centre for the region while the County will maintain its primary mandate of utilizing farmland for agricultural purposes and maintain ranching and farming as the foundation for cultural and economic life. In order to maintain this spatial relationship, the Town needs to consider supporting increased residential densities, encouraging infill development and utilizing the growth areas identified within the corporate limits prior to initiating expansion efforts. Still, it is recognized that the timing and desire of private landholders is at their own will. Therefore the need to encourage a shift in the approach to residential land development (at a denser rate than previously and within lands already or partially developed) should be balanced with the recognition that the Town only has so much influence over land development, which may necessitate the need to pursue annexation prior available lands being exhausted. Equal emphasis is required by the County in considering subdivision applications in the rural/urban interface, knowing that fragmentation can make the process of land assembly more difficult. Pre-mature subdivision without the benefit of a comprehensive plan can also serve to preclude logical urban growth patterns and saturate the market prior to its readiness.

More than ever, municipalities are required to think regionally. This presents opportunity. Joint economic development initiatives that are able to align land use policy can share costs and benefits – potentially playing on the strengths of each respective municipality. These types of initiatives effectively erase (or at least de-emphasize) the shared municipal border, and can result in mutually beneficial outcomes while precluding the lengthy annexation process. The IDP includes policies for coordinating development within the Plan Area, and establishes the process for possible urban expansion into the County, or, alternatively, an initial framework for joint development.



RURAL/URBAN INTERFACE

PART 4 ADMINISTRATION

4.1 PLAN INTERPRETATION, VALIDITY & AMENDMENT

INTENT

The intent is to keep the Plan current and in conformity with any provincial regulations or initiatives. As a result, this Plan may require amendments from time-to-time.

POLICIES

4.1.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural, and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the *Interpretation Act*, shall be used in the understanding of this bylaw. Words have the same meaning whether they are capitalized or not.

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

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

4.1.4 The maps contained herein form part of this Plan. Appendices are included for information only.

4.1.5 Amendments deemed necessary by both municipalities must be adopted by both Councils using the procedures established in the *Municipal Government Act*. No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

4.1.6 Requests for amendments to this Plan by parties other than the County or Town 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.

4.1.7 If agreed to by both municipalities, a joint public hearing will be held in accordance with the *MGA* for any amendments to this Plan.

4.1.8 Municipal staff are encouraged to review the policies of the Plan annually and discuss land use matters, issues and concerns on an on-going basis. Municipal staff may make recommendations to their respective Councils to amend the Plan to ensure the policies remain relevant and continue to meet the needs and protect the interest of both municipalities.

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

4.1.10 Either municipality may request that the Plan be rescinded and replaced with a new version upon serving written notice to the other municipality. The dispute resolution process stipulated in Section 4.4 will be undertaken should the municipalities be unable to reach an agreement.



4.2 Intermunicipal Development Plan Committee

Intent

The establishment of the Intermunicipal Development Plan Committee (IDP Committee) is intended to facilitate ongoing cooperation and, wherever possible, the resolution of potential conflict through a consensus based decision making process.

Policies

4.2.1 An IDP Committee shall be established between the County and Town for the purposes of ensuring continued communication between the municipalities and to provide a forum to review and comment on matters that may have an impact on either municipality. The Committee may dually deal with Intermunicipal Collaboration Framework (ICF) matters.

4.2.2 The IDP Committee shall be an advisory body and may provide comments or recommendations to the County and Town. The Committee does not have decision making authority or powers with respect to planning matters in the County or the Town, but is limited to an advisory capacity.

4.2.3 The County and Town agree that the purpose of the IDP Committee is to:

a. provide a forum for discussion of land use matters within the Plan Area,
b. provide recommendation(s) for proposed amendments to the Intermunicipal Development Plan,
c. discuss and address issues regarding Plan implementation,
d. review and provide comment on referrals under Section 4.3 and any other matters referred to the Committee,
e. provide recommendation(s) regarding intermunicipal issues in an effort to avoid a dispute, and
f. provide a forum for discussion of any other matter of joint interest identified by either municipality.

4.2.4 The IDP Committee shall be comprised of six (6) elected officials, three (3) from the County and two (2) from the Town. Each municipality must also appoint an alternate member. The IDP Committee may, at its discretion, also include whatever number of resource personnel deemed appropriate in a non-voting capacity. Resource personnel may serve

as secretary to the Committee and is responsible for recording the minutes of all Committee meetings and preparing the recommendations of the Committee.

4.2.5 Members of the IDP Committee will make their best efforts to attend each meeting. Quorum of the IDP Committee will be two members and requires that each municipality is represented by a minimum of one of its IDP Committee members or a committee member and an alternate member.

4.2.6 Changes to the IDP Committee format, composition, roles, responsibilities or any aspect of its existence or operation may be requested by either municipality. Council may refer any proposed changes to the IDP Committee for recommendation. Any changes to the Plan require an amendment to the Plan and adoption in accordance with Policy 4.1.5.

4.2.7 The IDP Committee shall appoint a member as chair at the beginning of each meeting and the position of chair shall alternate between the two municipalities. The IDP Committee shall determine by consensus when and where the meetings will be held.

4.2.8 Meetings of the IDP Committee shall be held at least annually or more frequently if required. At least five days' notice shall be provided for the scheduling of IDP Committee meetings and include agenda package and background information, unless otherwise agreed to by both municipalities.

4.2.9 Where a matter involving the two municipalities cannot be resolved to the satisfaction of the IDP Committee, the IDP Committee shall provide a report summarizing their discussions to each respective Council. At the discretion of either Council, the dispute resolution process outlined in this Plan may be initiated.

4.3 Intermunicipal Referrals

Intent

To establish a fair and clear process for consistent and transparent sharing of information necessary to make decisions consistent with the intent of this Plan and to encourage good intermunicipal relationships and cooperation.

Policies

Referral Process

4.3.1 The following documents or applications that are located within, or will affect lands in the Plan Area, or land in the Town of Cardston adjacent to the corporate boundary, shall be forwarded to the other municipality for comment prior to a decision being made on the application or document (either new or proposed amendment):

- Municipal Development Plans,
- Area Structure Plans,
- Area Redevelopment Plans,
- Conceptual Design Schemes,
- Land Use Bylaws (new bylaws or amendments for land use redesignations or textual amendments likely to affect lands within the Plan Area),

- Subdivision Applications, and
- Discretionary Use Development Applications.

4.3.2 The receiving municipality may request the above mentioned document(s) or application(s) be referred to the Intermunicipal Committee for discussion or comment prior to a decision being rendered.

4.3.3 Any subsequent changes to the documents or applications referred to in Policy 4.3.1 that occur after the item has been referred, and which may have an impact on the Plan or other municipality will be re-circulated to the other municipality and if deemed necessary by either municipality, the Intermunicipal Committee, prior to second reading or approval of the document. Based on the significance of the changes from the original document circulated, the municipality processing the proposal may consider convening a new public hearing or meeting.

4.3.4 Notwithstanding the items listed in 4.3.1, the municipalities are encouraged to refer to each other for comment, major land use or planning matters that have the potential to impact the other jurisdiction, even if it involves lands that may not be located within the Plan Area.

Response Timelines

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

a. fifteen (15) days for development applications,

b. nineteen (19) days for subdivision applications, and

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

4.3.6 In the event that an intermunicipal referral is forwarded to the IDP Committee for review and comment, an IDP Committee meeting will be scheduled as soon as possible and a written Committee response shall be provided within ten (10) days of the Committee meeting date.

4.3.7 In the event that either municipality and/or the Committee does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in Policy 4.3.5(a), (b) and (c), it will be assumed that the responding municipality and/or Committee has no comment or objection to the referred planning document or application.

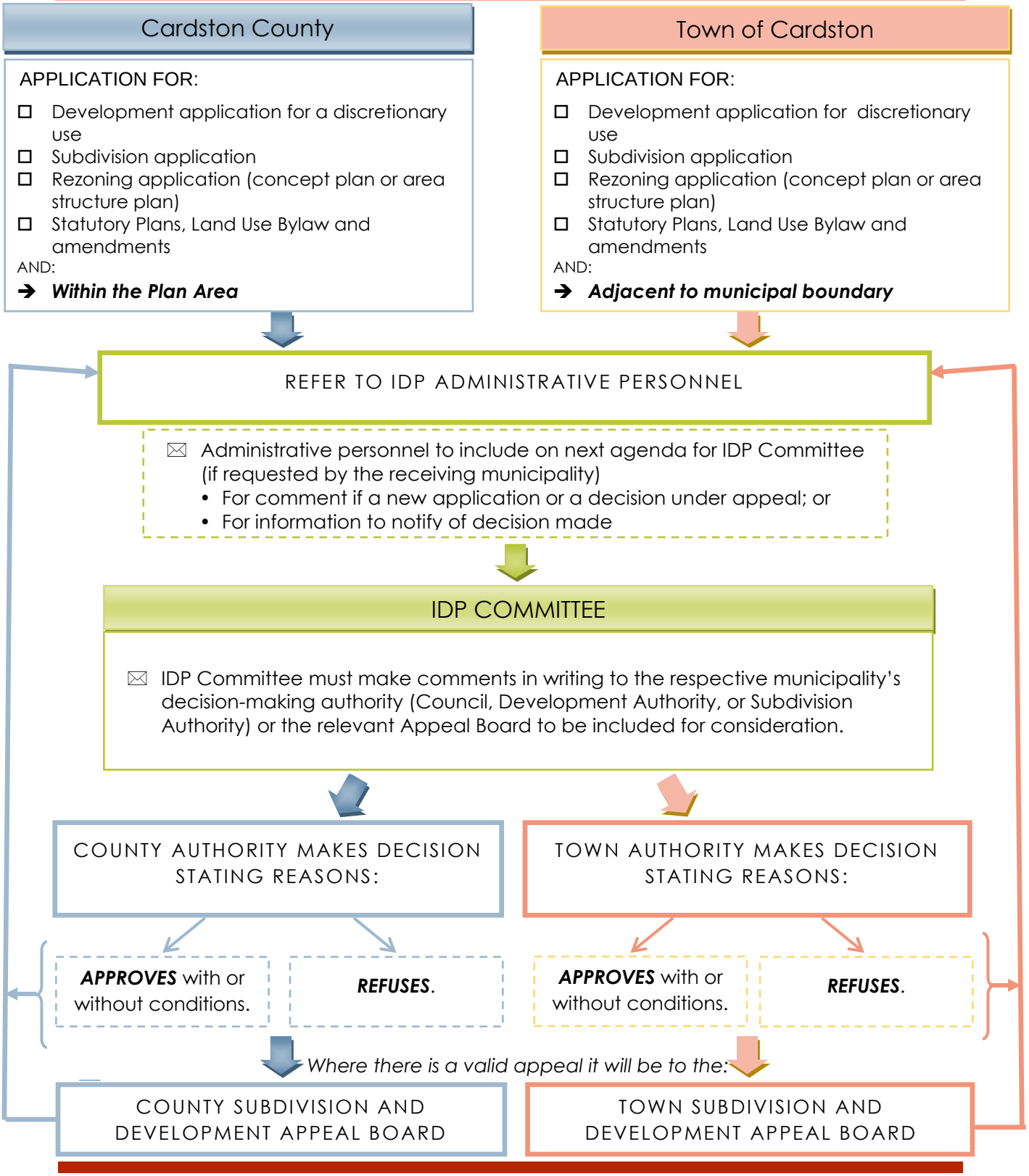
Considerations of Referral Responses (see Figure 5)

4.3.8 Comments from the receiving municipality and/or the IDP Committee that are provided prior to or at the public hearing or meeting shall be considered by the municipality, in addition to the relevant policies of this IDP, in which the plan, scheme, Land Use Bylaw, subdivision application, development application or amendment is being proposed.

4.3.9 Comments from the receiving municipality and/or the IDP Committee regarding subdivision and development applications shall be considered by the municipality in

which the application is being proposed, prior to a decision being rendered on the application.

Figure 5. Intermunicipal Development Plan Referral Flowchart



4.4 Dispute Resolution

Intent

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

Policies

General Agreement

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

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

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

Dispute Resolution (see Figure 6)

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

4.4.5 Should either municipality identify an issue related to this Plan that may result in a dispute that cannot be administratively resolved under Policy 4.4.4 or any other issue that may result in a dispute, the municipality should contact the other and request that an IDP Committee meeting be scheduled to discuss the issue. The Committee will review the issue and attempt to resolve the matter by consensus.

4.4.6 Should the IDP Committee be unable to arrive at a consensus, the administration of each municipality will schedule a joint meeting of the two Councils as soon as possible to discuss potential solutions and attempt to reach consensus on the issue.

4.4.7 Should the Councils be unable to resolve the matter either municipality shall be able to initiate a formal mediation process to facilitate resolution of the issue.

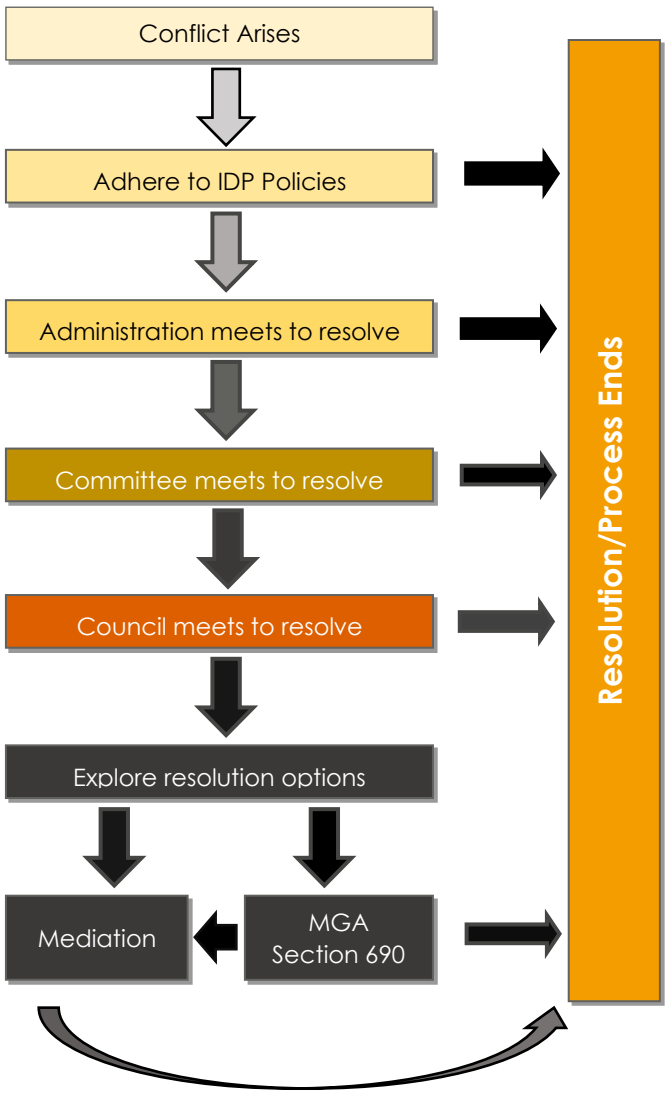
4.4.8 The mediation process available through Municipal Affairs may be used to facilitate mediation.

Filing an Intermunicipal Dispute under the Municipal Government Act

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

4.4.10 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board hearing. 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*.

Figure 6. Dispute Resolution Flowchart



4.5 Plan Implementation

Intent

The County and Town agree that a collaborative approach to planning is both desirable and necessary within the Plan Area (see Map 1). As such, each municipality will need to review and amend their respective Municipal Development Plan and Land Use Bylaw to achieve consistency with and to implement policies in this Plan which is a statutory planning document. The *MGA* also stipulates that all statutory plans adopted by a municipality must be consistent with each other. To address this requirement, the following processes and policies will be implemented by each municipality.

Policies

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

4.5.2 The County and Town agree that they shall ensure that the policies of this Plan are properly, fairly and reasonably implemented.

4.5.3 The County and Town's Land Use Bylaws and statutory plans will need to be amended to conform with and reflect specific policies of this Plan. It is noted that in the event of an inconsistency between this Plan and a lower order plan, this Plan prevails to the extent of the conflict or inconsistency in accordance with section 638 of the *Municipal Government Act*.

4.5.4 To achieve continued success in implementing the Plan and help ensure that the goals and coordinated land use planning approach emphasized is successful, the County and Town agree to:

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

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

4.5.5 Any application submitted for redesignation of land under the County's jurisdiction may be required to be accompanied by a professionally prepared area structure plan containing the information requirements as prescribed in the Cardston County Land Use Bylaw and Municipal Development Plan.

4.5.6 The required plans, design schemes or other reports in support of major subdivisions or development permits must be professionally prepared and engineered.

4.5.7 The County and Town will monitor and review the policies of the Plan to ensure the policies remain current, relevant and continue to meet the needs of both municipalities.

4.5.8 The *Alberta Land Stewardship Act* (2009), and the subsequent South Saskatchewan Regional Plan (2014) were approved and govern planning in the southern portion of the

province. The County and Town will consider and respect the mandate of this legislation and will cooperate to comply with the adopted regional plan policies.

4.5.9 When any amendments to the Plan are proposed, the municipalities must follow the process and policies as outlined in Policy Section 4.1 of this Plan. No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

PART 5 INTERMUNICIPAL LAND USE POLICIES

5.1 General Plan Policies

Intent

These policies are general policies applicable to all land, proposals and processes pertaining to the Plan.

Policies

5.1.1 The municipalities are committed to maintaining open communication regarding matters of joint interest within the intermunicipal Plan Area. It is not possible to address every situation that may be of joint interest. As such, each municipality will make reasonable attempts to maintain on-going communication including matters not specifically mentioned in this Plan.

5.1.2 Cardston County and the Town of Cardston acknowledge the importance of circulating and sharing of information with respect to land use activities in the intermunicipal Plan Area. Each party agrees to refer and comment on proposals and planning matters in a timely manner relative to decision dates (see referral policies for procedures and timelines).

5.1.3 Developments proposed on large parcels of vacant land within the intermunicipal Plan Area should be subject to area structure plans or design schemes in order to establish a framework for future subdivision and development and, in particular, ensure compatible land use patterns, sequence of development, access and circulation, utility servicing, and minimal impact on expansion capabilities of the Town.

5.1.4 The Town will forward all proposals for major expansion of municipal services to Cardston County for comment and consideration of a potential benefit to Cardston County or opportunity for a joint venture.

5.1.5 The Town of Cardston acknowledges Cardston County's strategic direction to protect the agricultural land base and support and encourage agricultural industry and recognizes that residents within the Town may be affected by noise, smells or other residual impacts associated with agricultural operations from time to time from operations that exist within the Plan Area.

5.1.6 Existing land uses with valid development permits or approvals that exist as of the date of approval of this Plan may continue to operate in accordance with the provisions of the Cardston County Land Use Bylaw and the *Municipal Government Act*. New applications for subdivision and development within the Plan Area shall be subject to this Plan's policies.

5.1.7 The County and Town agree to continue to monitor regional recreation facility needs and leisure behavior trends in the region with the goal of foreseeing facility needs and possible joint use recreational opportunities for the region.

5.1.8 The County and Town agree to endeavor to proactively manage unsightly premises through their respective unsightly premises bylaws, including both existing sites and potential or burgeoning sites, with the aim of upholding the appearance of the Plan Area and those areas within the Town adjacent to the Town boundary.

5.1.9 The County and Town agree to encourage, through various initiatives including working with private landowners and community groups, and regulate, through their respective Land Use Bylaws, a high aesthetic standard and focus on design and appearance for the lands (including the built form and the landscape) adjacent to the principal roadway corridors entering and leaving the Town (see Map 1). For clarity, this policy is intended to help create a physical environment that will leave visitors to the Town and surrounding region with a positive impression of the community. Note that the areas depicted on Map 1 are approximations, and this policy should be applicable to all areas readily viewable to the motoring public from the highway corridor.

5.2 Agricultural Practices

Intent

Extensive agricultural activities are to continue to operate under acceptable farming practices within the Intermunicipal Development Plan boundary. The policies provided will attempt to provide a consultation process to discuss and possibly negotiate solutions if problems arise. The County and Town both recognize the benefits of a diversified farming sector as well as the need to address matters like the siting of Confined Feeding Operations (see Map 2).

Policies

5.2.1 Priority is placed on the preservation of arable lands for agriculture production and promoting diversification of the agricultural sector by supporting many types of agricultural operations.

5.2.2 Both municipalities recognize the importance of existing extensive agriculture (cultivation and grazing) uses of land found within the Plan Area of the County's portion of the IDP area. These agricultural activities can continue to operate under acceptable farming practices and may be protected provided they are operating in accordance within the *Agricultural Operation Practices Act*.

5.2.3 Premature development of existing agricultural lands within the Plan Area should be avoided and such land should continue to be used for agricultural purposes until it is necessary to change to another land use.

5.2.4 Generally speaking, large intact agricultural parcels (i.e. unsubdivided quarter sections or 80 acre parcels) are less preferable for future non-agricultural development than parcels that are already fragmented (i.e. by subdivision or physical features) in order to preserve viable tracts of agricultural land.

5.2.5 Both municipalities will attempt to work cooperatively in encouraging and supporting 'considerate' good neighbour farming practices, such as for dust, weed and insect control

adjacent to developed areas, through best management practices and Alberta Agriculture guidelines.

5.2.6 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.

5.2.7 To help support the sustainability and future growth of the Town of Cardston, a confined feeding operation (CFO) exclusion area has been agreed upon so to attempt to provide a buffer from the noxious and odorous nature of CFOs.

5.2.8 Confined feeding operations (CFOs) – being operations that require a registration or approval in accordance with Schedule 2 of the *Part 2, Matters Regulation* of the *Agricultural Operation Practises Act* – are not permitted to be established within the IDP CFO Exclusion Area (Map 2) and existing CFOs are not permitted to expand.

5.2.9 In regard to manure application on lands in the CFO Exclusion Area, the standards and procedures as outlined in the *Standards and Administrative Regulation* of the *Agricultural Operation Practices Act,* shall be applied.

5.2.10 Cardston County will amend its MDP to accommodate the CFO Exclusion Area surrounding the Town of Cardston to the extent illustrated in Map 2 (in order to ensure the IDP and the County MDP are consistent with one another).

5.3 Environmental & Historical Matters

Intent

The physical environment and natural systems (open space and wetlands) are foundational for all planning and development within the IDP area. These policies address the environmental concerns shared by both municipalities and suggests ways to address the concerns.

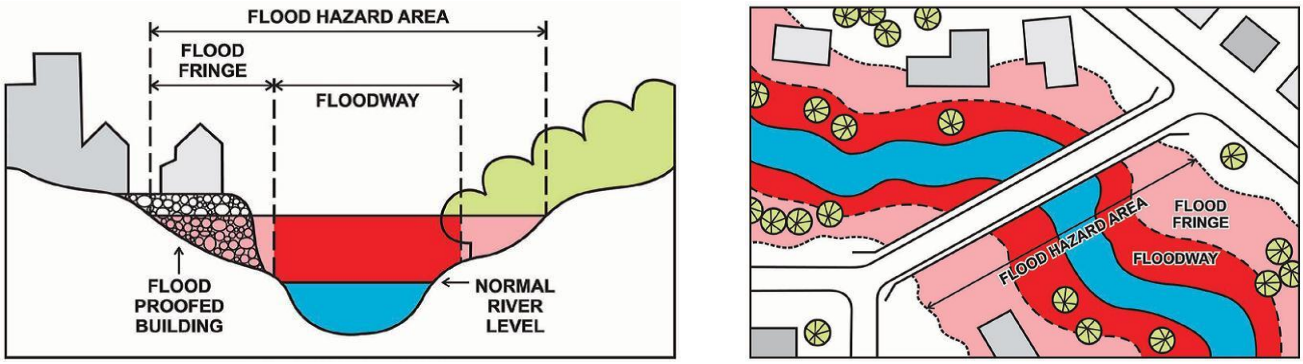
Policies

5.3.1 The County and Town recognize the importance of riparian areas and their preservation as part of the planning and development approval process. Each municipality shall consider if an environmental impact assessment is needed to make a decision on a development application and shall consider the recommendations in the Stepping Back from the Water: A Beneficial Practice Guide to New Development Near Water Bodies in Alberta's Settled Region (2012) document.

5.3.2 Significant wetland areas exist within the Plan Area and fall under the direction of the Alberta Wetland Policy (2013) and the regulation of the *Water Act*. The municipalities recognize the importance of wetlands to the environment, society and the economy, and endeavor to protect these sensitive areas by adhering to the Alberta Wetland Policy mitigation hierarchy of avoidance, minimization and replacement. Where lands are likely to contain wetlands, a wetland assessment shall be required prior to a decision being made on a development application.

5.3.3 The municipalities recognize the significance of Lee Creek, and the potential for flooding within the creek valley. New applications within or adjacent to the flood fringe shall be assessed as to their suitability and will be required to demonstrate consideration of flood related impacts, flood mitigation measures and protection of the watercourse. New permanent development shall not be approved within the flood way (see Figure 7).

Figure 7. Flood Hazard Area Diagram



5.3.4 Both municipalities acknowledge the ability to dedicate environmental reserve or an environmental reserve easement where appropriate for watercourses, natural drainage courses, wetland areas and other areas within the Plan Area and recognize that the *MGA* authorizes:

a. the dedication of a minimum 6 metre strip abutting a water course; and

b. the dedication of lands consisting of a swamp, gully, ravine, coulee or natural drainage course; and

c. the dedication of land that is subject to flooding or is unstable.

5.3.5 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.

5.3.6 For any development on lands that may contain a historic resource value (HRV), the development 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.

5.3.7 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.

5.4 Transportation & Road Networks

Intent

The following policies attempt to address expected development and growth pressures and provide a mechanism for consultation when dealing with transportation issues that transcend municipal borders or will impact both municipalities. There is recognition of the need to protect future road linkages in the Plan Area and the efficiencies of a conceptual transportation network to guide future development in certain areas. Process should also be clear on entering into and managing road agreements between the municipalities.

Policies

5.4.1 The County and Town will work with all levels of government and transportation related agencies to ensure a safe, efficient and cost efficient transportation system.

5.4.2 Generally speaking, the road grid within the Town of Cardston shall be extended into the Plan Area as the area develops and roads are required. The logical extension of existing road grid corridors shall be preserved to ensure they are available when needed in the future.

5.4.3 Each municipality must be notified of 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.

5.4.4 Where a determination is made that development in one municipality has undue impact on the transportation network of the neighbouring municipality, the municipalities should work together to develop cost sharing agreements to provide for shared upgrades to the transportation system.

5.4.5 Information regarding any planned major transportation infrastructure project by one municipality shall be provided to the other municipality to allow for collaboration and coordinated planning.

5.4.6 Both municipalities recognize the need to coordinate provincial transportation plans and municipal land use plans to ensure proper planning or development adjacent to highways of provincial interest.

5.4.7 The County and Town should jointly review their municipal standards for roadway design to ensure a compatible standard, particularly as they affect the IDP area.

5.4.8 The collector status and bypass function of 12th Street W (formerly Highway 501) shall be upheld by limiting access points onto the road to only major through roads.

5.4.9 All subdivision and development proposals in proximity to a provincial highway shall be sent to Alberta Transportation for comment and (where applicable) approval. Developers shall be responsible to provide a traffic impact assessment for any major subdivision or development proposal which may impact the provincial road network.

5.4.10 All developments of a proposed significant height and located within an outer obstacle identification surface in proximity to the Cardston Airport (as depicted on Map 4) shall be referred to Transport Canada and NAV CANADA.

5.5 Utilities & Servicing

Intent

The expansion of municipal services traditionally responds to growth patterns. Installation and maintenance of infrastructure is necessary for public health and safety, environmental quality and helps achieve sustainable development. Although Town expansion is not anticipated in the near future, demands for municipal services could be a part of a development proposal or a request from a landowner. A number of situations exist where Town services have been extended into the County. This situation is not unique to the area, and is common occurrence throughout the region. Managing these requests and opportunities is important to preserve fairness, especially from the perspective of the urban municipality. The following policies address future extension of infrastructure within the Plan Area.

Policies

5.5.1 The County and Town recognize that there may be areas of mutual benefit in the provision of infrastructure and other services and agree to discuss these opportunities and may enter into separate agreements to address this.

5.5.2 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 utility or servicing infrastructure required to serve a proposed subdivision or development within the Plan Area.

5.5.3 Proposed subdivision or development in the Plan Area may benefit from a sharing of municipal services from the Town. Where urban services are proposed by a developer, an agreement must be discussed with the Town prior to an application being deemed complete. It is acknowledged that, although these circumstances may arise and benefit all parties concerned:

a. the Town of Cardston is not committed to providing a new service outside the Town boundaries, and

b. Cardston County will not approve any application requiring urban services until a servicing agreement has been negotiated with the Town.

5.5.4 Both municipalities agree in principle that existing and future developments outside of the Town that receive the benefit of Town services through the Town distribution network should be required to pay toward the use of Town facilities. This payment could come in the form of a one-time lump sum, a rate surcharge, or any other acceptable form of remuneration.

5.5.5 Information for major servicing infrastructure proposed by one municipality shall be provided to the other municipality to allow for collaboration and coordinated planning.

5.5.6 For lands within the County, developers shall be responsible to provide engineered storm water management for their parcel as it pertains to a proposed development, or for a larger design or subdivision area, to the satisfaction of the County.

5.5.7 Either municipality may use Endeavour to Assist Clauses in Development Agreements, to compensate initial developers who may oversize or install infrastructure to service their development, where later developments may access or tie-in to those services. (Note: Endeavour to Assist Agreements are put in place to assist developers who install infrastructure as a front end service that will be a benefit to adjacent developers in the future. Any cost recovery required through such agreements is over and above the off-site levies attached to any specific parcel.)

5.5.8 Area structure plans shall include detailed servicing studies for the provision of water, sanitary sewer, stormwater management and utilities.

5.6 Future Land Use

Intent

To address the matter of future land use within the Plan Area (see Map 3), in conjunction with specific policies dealing with certain types of land uses and found later on in this section.

Policies

5.6.1 Future land use within the Plan Area will continue to be primarily for extensive agriculture, with the exception of those areas earmarked for long term urban expansion in Map 3. This does not preclude the establishment of non-agricultural land uses within the Plan Area. Decisions on applications for non-agricultural land uses shall be made in the context of the policies of this Plan and other relevant planning documents.

5.6.2 The areas west of the Town, located, generally, along the Highway 5 corridor and within the N½ 7-3-25-W4M, are ear-marked for long-term future commercial as the principal land use.

5.6.3 In order to facilitate the potential establishment of a future highway or big-box commercial area, the large, intact parcels west of the Town, within the N½ 7-3-25-W4M and along Highway 5, should be preserved for this purpose, alongside compatible commercial development.

5.6.4 The areas west of the Town, located, generally, within the NW¼ 5-3-25-W4M and SW¼ 8-3-25-W4M, are ear-marked for long-term future urban residential as the principal land use.

5.6.5 The area east of the Town, located, generally, within the NE¼ 3-3-25-W4M, is ear-marked for long-term future urban residential as the principal land use.

5.6.6 The area east of the Town, located, generally, within the NE¼ 10-3-25-W4M and NW¼ 11-3-25-W4M, are ear-marked for long-term future commercial/industrial as the principal land use.

5.6.7 The area east of the Town, located, generally, within the SE¼ 10-3-25-W4M, is ear-marked for future industrial and/or mixed land use.

5.6.8 The Town wastewater treatment plant is located in the northeasterly portion of Town on Lot 1, Block 6, Plan 761 0548. In accordance with Section 12 of the *Subdivision and Development Regulation*, a subdivision or development authority shall not approve an application for the subdivision or development of a school, hospital, food establishment or residential use if the application would result in a property line of a lot created by subdivision, or the establishment of a building site approved for development, being located within 300 metres of the working area of an operating wastewater treatment plant (see Map 3).

5.6.9 The Town waste transfer station is situated within the NW¼ 11-3-25-W4M in Cardston County. In accordance with Section 13 of the *Subdivision and Development Regulation*, a subdivision or development authority shall not approve an application for the subdivision or development of a school, hospital, food establishment or residential use if the application would result in a property line of a lot created by subdivision, or the establishment of a building site approved for development, being located within 300 metres of the disposal area of an operating waste storage site (see Map 3).

5.7 Urban Growth & Expansion

Intent

The County and Town recognize the need for a coordinated land use planning effort in the Plan Area that will safeguard against any ad hoc development and provide a mutual understanding for future land use. The basis for a coordinated planning effort stems from each municipalities' Municipal Development Plans, Land Use Bylaws and other planning documents. Growth rates, consumption needs, infrastructure and transportation are addressed in their respective planning documents. When these interests are merged, the challenge is in addressing land use near their common municipal boundary.

The identification of urban growth directions (see Map 3) will assist decision makers in both jurisdictions when dealing with discretionary situations. Policies on protecting certain lands from inappropriate or premature development are in place to preclude land use conflict and to ensure the lands within the Plan Area identified for potential long term urban growth are protected. The Rural/Urban Interface, including those lands immediately adjacent to the Town, is established as an area requiring greater sensitivity and planning to ensure compatibility with the nearby urban environment, and opportunity for its coordinated growth.

Policies

5.7.1 The "Rural-Urban Interface" located within and forming part of the Plan Area (as depicted on Map 1) is hereby established as part of this Plan.

5.7.2 In order to allow for the planning and installing of costly infrastructure, the County and Town have identified in this plan the general and long-term directions and likely type of growth to occur (see Map 3). Potential future annexations of any of these lands will occur

in the framework and context of long-range planning documents and in consultation with the County.

5.7.3 Decision makers in both jurisdictions should consider the lands identified on Map 3 with the intention of protecting the lands from conflicting or incompatible uses and premature or unnecessary subdivision.

5.7.4 Any discretionary use development permit application in the intermunicipal Plan Area shall give consideration to potential impacts on urban expansion and shall be located so as not to preclude the rational future urban expansion of the Town.

5.7.5 Any subdivisions approved in the intermunicipal Plan Area should give consideration to potential impacts on urban expansion. Premature fragmentation of lands makes land assembly more difficult, and jeopardizes the future of urban scale development and therefore should be limited.

5.7.6 As part of its long term growth strategy, the Town of Cardston will endeavor to encourage private landowners within the Town to support developing existing areas that can accommodate infill development and/or redevelopment.

5.7.7 As an alternative to annexation, the County and Town agree to discuss potential joint ventures in the form of Joint Development Areas. Potential Joint Development Areas will have a defined project location subject to a cost and revenue sharing agreement, be negotiated in good faith, and will be premised upon co-operative cost and revenue sharing to the benefit of both municipalities.

5.8 ANNEXATION

INTENT

The annexation procedure needs to be clearly defined for both parties to successfully guide the process. The potential future annexation of land within the Plan Area will occur in the framework and context of long-range planning documents and the policies below.

POLICIES

5.8.1 The annexation process shall be governed by the *MGA* annexation requirements and the process established by the Municipal Government Board.

5.8.2 When the Town determines that annexation of land is necessary to accommodate growth, it will prepare and share with the County a growth strategy/study which indicates the necessity of the land, describes how land has been utilized to its fullest potential within the Town, outlines proposed uses of the land, servicing implications, impacts to utility companies/service providers and any identified financial impacts to both municipalities, while addressing the MGB's 'Annexation Principles' and demonstrating consistency with the relevant portions of the South Saskatchewan Regional Plan.

5.8.3 Annexation involves a number of stakeholders that need to be involved in the process including:

a. landowners directly affected by the application who must be part of the negotiation process;
b. Town of Cardston, who must make the detailed case for annexation and be a major participant in any negotiations;
c. Cardston County, who must evaluate the annexation and supporting documentation for the impact on its financial status and land base as well as ratepayer issues. The County will, as part of the negotiation with ratepayers, wish to see arrangements regarding, but not limited to:
    - property taxes of ratepayers,
    - use of land continuing as agriculture until needed for development,
    - ability to keep certain animals on site;
d. authorities such as Alberta Transportation and Alberta Environment and Parks;
e. utility companies and other service providers; and
f. the Municipal Government Board, who will evaluate the application and responses from the stakeholders.

5.8.4 Any annexation study or application proposed must include a detailed description of rural municipal roads that may be affected by the annexation or municipal boundary change. Proposed annexation boundaries should be based on the principle of including the outer limits of any adjacent road right-of-way boundary so that adjacent parcels identified to accommodate Town urban growth (i.e. parcels being the subject of the annexation) will be under the control and management of the urban municipality and the rural jurisdiction will not be affected or responsible for any future management or maintenance issues resulting from urban expansion.

5.8.5 The County or Town may initiate an application for annexation if the proposal is for a minor boundary adjustment to accommodate property line reconfigurations, roads, canals, or utility right-of-way that may be split by municipal jurisdiction boundaries and the two municipalities agree the annexation proposed is minor and logical.

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

5.8.7 Within one-year after a Municipal Government Board Order approving an annexation, the Intermunicipal Development Plan Committee shall review the IDP boundary to determine whether a need to amend the Plan boundary, or any other planning matter or boundary, is warranted.

5.9 Grouped Country Residential

Intent

To address this particular land use and provide basic policies to assist decision makers with planning for the same. At this time country residential development within the Plan Area is relatively sparse, and is composed of the few isolated residential subdivisions, and converted farmsteads.

POLICIES

5.9.1 Grouped country residential developments may be supported, on a limited basis, within the Plan Area, provided it is consistent with the long term urban expansion plans of the Town of Cardston.

5.9.2 Where country residential development is supported, clustered multi-lot (grouped) country residential is the preferred pattern of development in the Plan Area. Country residential developments will be encouraged to concentrate proposed lots within a defined project area in order to reduce parcel size and retain the remainder of the parcel for agricultural use.

5.9.3 Prior to giving consideration to a redesignation request to grouped country residential within the Plan Area, or adjacent to the boundary of the Town of Cardston, the respective Council may require the applicant to prepare and submit an area structure plan to the satisfaction of the IDP Committee.

5.10 COMMERCIAL & INDUSTRIAL DEVELOPMENT

INTENT

To address Commercial and Industrial land use and provide basic policies to assist decision makers with the regulation of the same. Currently, limited commercial and industrial developments exist within the Plan Area.

POLICIES

5.10.1 Commercial and industrial developments shall be encouraged, where appropriate, in the appropriate future land use areas illustrated on Map 3.

5.10.2 Isolated commercial and industrial developments may be supported outside of the areas illustrated on Map 3 and will be regulated in the context of the County's statutory plans and Land Use Bylaw, and any applicable policies of this Plan.

5.10.3 Generally speaking, commercial and industrial developments are viewed as more appropriate within the Town, as well as within the areas adjacent to the Town shown in Map 3, in order to retain the primarily agricultural nature of the majority of the Plan Area. However, land intensive uses and nuisance emitting uses, especially those desiring the benefit of relatively close proximity to an urban centre (i.e. workforce, utilities, etc.), may also be supported within the Plan Area.

5.10.4 In order to support informed decision making, any commercial or industrial development, including agricultural processing, manufacturing, or any other type of non-residential or non-agricultural development, shall be required to submit all necessary supporting studies as part of an application for redesignation, subdivision or development. This is to ensure that any impacts to adjacent land uses (ie. noise, smell, traffic, etc.) are well understood by both municipalities as part of the referral process (Section 4.3), and that any necessary mitigation be considered, prior to a decision being rendered.

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

IDP PLAN AREA
FEBRUARY 2021

MAP 1

- Plan Area
- Town of Cardston Boundary
- Highways
- Rural/Urban Interface
- Lee Creek
- Gateway Corridor
- Blood Reserve

Aerial Photo Date: 2018

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.5 1 2
Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

CONFINED FEEDING OPERATION EXCLUSION AREA

FEBRUARY 2021

MAP 2

- Town of Cardston Boundary
- Highways
- CFO Exclusion Area
- Blood Reserve

3 - 26 - W4
3 - 25 - W4
2 - 26 - W4
2 - 25 - W4

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1 2
Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

FUTURE URBAN EXPANSION DIRECTIONS

FEBRUARY 2021

MAP 3

- Plan Area
- Town of Cardston Boundary
- Highways
- Rural/Urban Interface
- Lee Creek
- Blood Reserve
- 300m Waste Transfer Buffer
- Primarily Commercial
- Primarily Residential
- Primarily Industrial

Aerial Photo Date: 2018

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.5 1 2

Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

CARDSTON AIRPORT OUTER OBSTACLE IDENTIFICATION SURFACE

FEBRUARY 2021

MAP 4

- Town of Cardston Boundary
- Plan Area
- Highways
- Lee Creek
- Cardston Airport Outer Obstacle Identification Surface

Aerial Photo Date: 2018

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.5 1 2

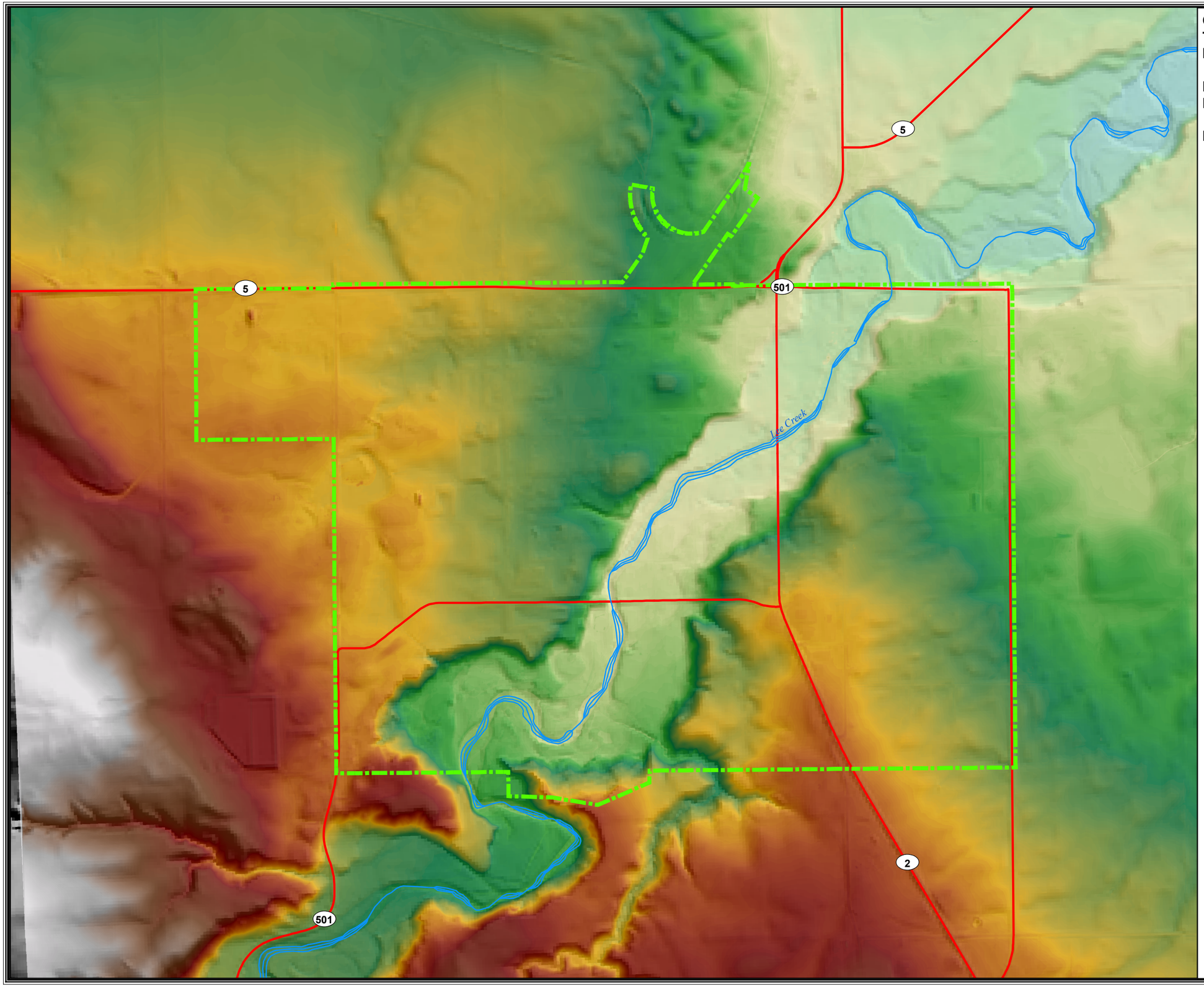
Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

DIGITAL ELEVATION MODEL
FEBRUARY 2021

MAP 5



- Town of Cardston Boundary
- Highways
- Lee Creek

Cardston Elevation (meters)

Value

- High : 1272.73
- Low : 1112.49

DEM ACQUISITION: MAY 7, 2013

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.25 0.5 1

Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

SOIL CAPABILITY FOR AGRICULTURE
INDEXED BY CANADA LAND INVENTORY

FEBRUARY 2021

MAP 6

- IDP Study Area (4372.8±ha)
- Town of Cardston Boundary
- Highways
- Lee Creek
- Blood Reserve

Soil Type[1]

- 2 - Moderately High to High Productivity, Moderate Crop Limitations
- 3 - Moderately High Productivity, Moderately Severe Crop Limitations
- 4 - Low to Medium Productivity, Severe Crop Limitations
- 5 - No Annual Field Crops, Severe Limitations
- 6 - Some Natural Grazing Potential but Improvement Practices Not Feasible

Aerial Photo Date: 2018

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

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.5 1 2

Kilometers

N

CARDSTON COUNTY BYLAW # 763-2021
TOWN OF CARDSTON BYLAW # 1697
INTERMUNICIPAL DEVELOPMENT PLAN

HISTORICAL ANNEXATIONS

FEBRUARY 2021

MAP 7

1970

1977

1977

1977

1996

2005

5

501

2

- Town of Cardston Boundary
- Highways
- Lee Creek

Historical Annexations

- 1970 (14.93 Acres)
- 1977 (521.72 Acres)
- 1996 (9.81 Acres)
- 2005 (407.96 Acres)

Aerial Photo Date: April 22, 2017

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 125 250 500

Meters

N