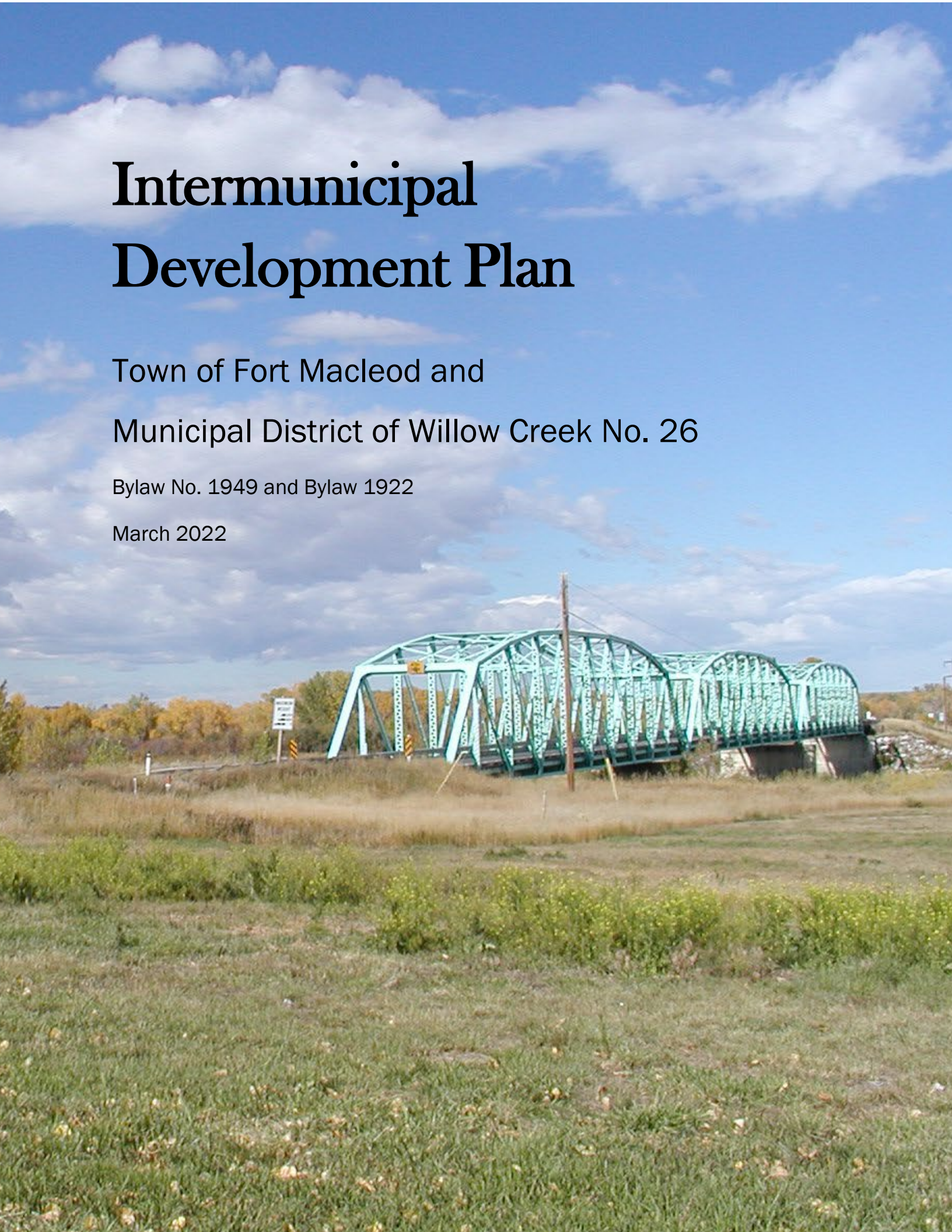
Intermunicipal Development Plan

Town of Fort Macleod and

Municipal District of Willow Creek No. 26

Bylaw No. 1949 and Bylaw 1922

March 2022



Prepared for:



and

MD of Willow Creek

By:

OLDMAN RIVER REGIONAL SERVICES COMMISSION

© 2022 Oldman River Regional Services Commission

This document is protected by Copyright and Trademark and may not be reproduced or modified in any manner, or for any purpose, except by written permission of the Oldman River Regional Services Commission. This document has been prepared for the sole use of the Municipalities addressed and the Oldman River Regional Services Commission. This disclaimer is attached to and forms part of the document.

Cover Art Courtesy of ORRSC

TOWN OF FORT MACLEOD
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1949

BEING a bylaw of the Town of Fort Macleod in the Province of Alberta, to adopt an Intermunicipal Development Plan between the Town of Fort Macleod and the Municipal District of Willow Creek No. 26 pursuant to sections 631 and 692 of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended;

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

AND WHEREAS both the Councils of the Town of Fort Macleod and the Municipal District of Willow Creek No. 26 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 Fort Macleod duly assembled hereby enacts the following:

1. That the Town of Fort Macleod and Municipal District of Willow Creek No. 26 Intermunicipal Development Plan, attached hereto, be adopted.
2. This plan, upon adoption, shall be cited as the Town of Fort Macleod and Municipal District of Willow Creek No. 26 Intermunicipal Development Plan Bylaw No. 1949 and Bylaw No. 1922.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a ~~first~~ time this 24th day of January, 2022.

Mayor – *Brent Feyter* ***Chief Administrative Officer*** – *Liisa Gillingham*

READ a **second** time this 28th day of February 2022. (as amended)

Mayor – *Brent Feyter* ***Chief Administrative Officer*** – *Anthony Burdett*

READ a **third** time and finally PASSED this 28th day of February, 2022.

Mayor – *Brent Feyter* ***Chief Administrative Officer*** – *Anthony Burdett*

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1922

BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to adopt an Intermunicipal Development Plan between the Municipal District of Willow Creek No. 26 and the Town of Fort Macleod pursuant to sections 631 and 692 of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended;

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

AND WHEREAS both the Councils of the Municipal District of Willow Creek No. 26 and the Town of Fort Macleod agree that it is to their mutual benefit to establish joint planning policies and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, and managed growth.

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

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* as amended, the Council of the Municipal District of Willow Creek No. 26 duly assembled hereby enacts the following:

1. That the Town of Fort Macleod and Municipal District of Willow Creek No. 26 Intermunicipal Development Plan, attached hereto, be adopted.
2. This plan, upon adoption, shall be cited as the Town of Fort Macleod and Municipal District of Willow Creek No. 26 Intermunicipal Development Plan Bylaw No. 1949 and Bylaw No. 1922.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 19th day of January, 2022.

Maryanne V. Sandberg
Reeve – Maryanne Sandberg

Chief Administrative Officer – Derrick Krizsan

READ a **second** time this 9th day of March, 2022. as amended.

Maryanne V. Sandberg
Reeve – Maryanne Sandberg

Chief Administrative Officer – Derrick Krizsan

READ a **third** time and finally PASSED this 9th day of March, 2022. as amended.

Maryanne V. Sandberg
Reeve – Maryanne Sandberg

Chief Administrative Officer – Derrick Krizsan

TABLE OF CONTENTS

Page

PART A: INTRODUCTION

1. PURPOSE OF THE PLAN 1
2. GUIDING PRINCIPLES 1
3. IDP GOALS 2
4. LEGISLATIVE REQUIREMENTS 3
5. PLAN AREA AND APPLICABILITY 4

PART B: POLICIES

1. GENERAL POLICIES 5
2. AGRICULTURE 6
3. CONFINED FEEDING OPERATIONS 7
4. GROUPED COUNTRY RESIDENTIAL DEVELOPMENT 8
5. COMMERCIAL AND INDUSTRIAL DEVELOPMENT 8
6. UTILITIES AND SERVICING 9
7. SUBDIVISION CRITERIA 11
8. URBAN EXPANSION AND ANNEXATION 11
9. NATURAL AND BUILT ENVIRONMENT 12
10. INDUSTRIAL SCALE WIND AND SOLAR DEVELOPMENTS 13
11. TRANSPORTATION 14

PART C: IMPLEMENTATION OF THE IDP

1. INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE POLICIES 15
2. REFERRALS 17
3. DISPUTE SETTLEMENT 21
4. IDP VALIDITY AND AMENDMENT 24

APPENDIX A – DEFINITIONS 25

APPENDIX B – CFO MINIMUM DISTANCE SEPARATION MAP ..... following 26

MAPS

MAP 1 – Intermunicipal Development Plan Regional Location Map ..... before 1

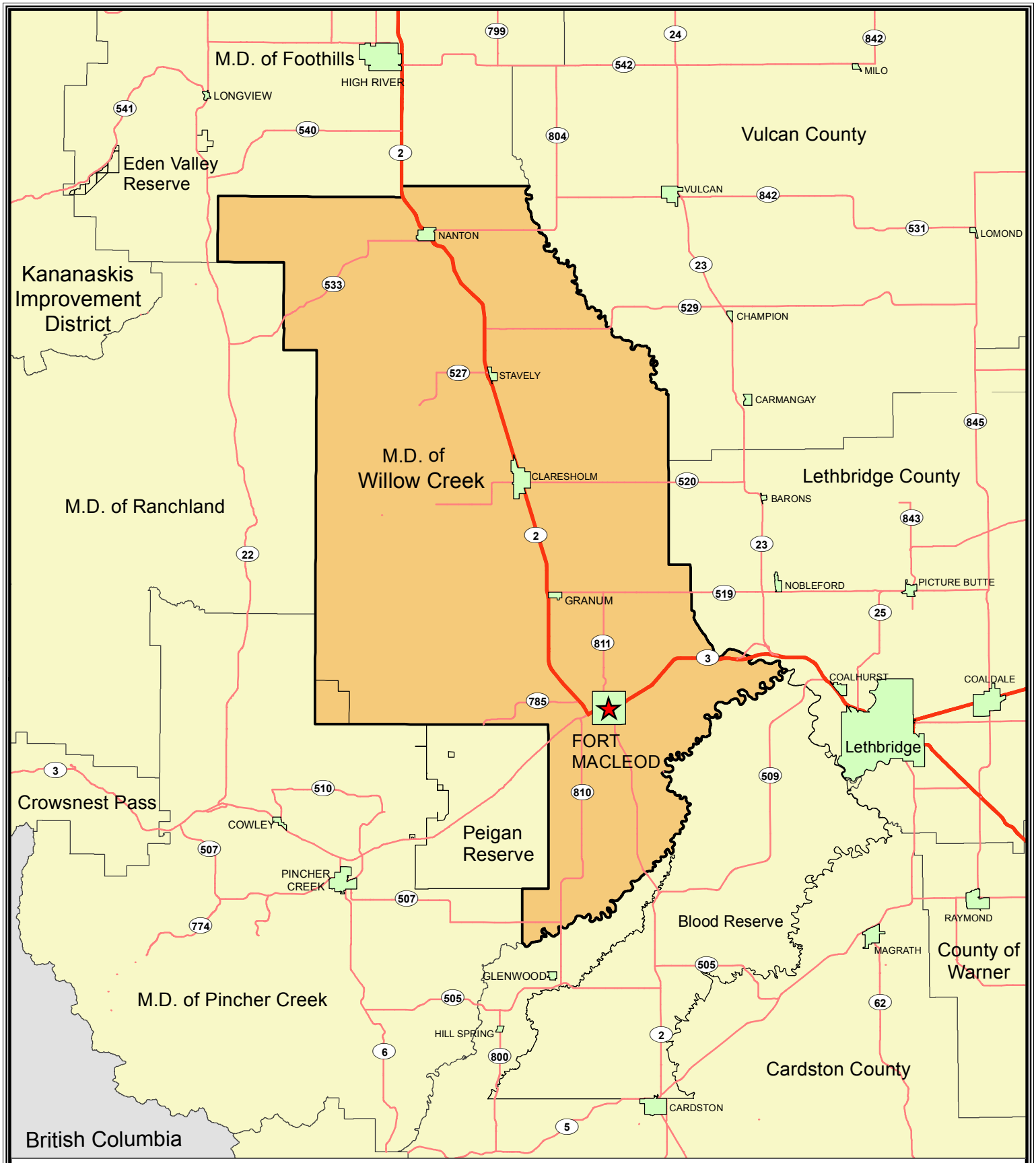
MAP 2 – Plan Area ..... following 4

MAP 3 – CFO Policy Area ..... following 7

MAP 4 – Servicing Policy Area ..... following 10

MAP 5 – Transportation ..... following 14

MAP 6 – Referral Area ..... following 19



M.D. of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development Plan Regional Location Map

MAP 1

M.D. of Willow Creek (Bylaw No. 1922) & Town Of Fort Macleod (Bylaw No. 1949)

March 2022

Town of Fort Macleod

Primary Highway

Secondary Highway

Municipal District of Willow Creek

MD of Willow Creek

Fort Macleod

Oldman River Regional Services Commission

0 5 10 20 30

Kilometers

N

Municipal District of Willow Creek No. 26 and Town of Fort Macleod
INTERMUNICIPAL DEVELOPMENT PLAN

PART A: INTRODUCTION

1. PURPOSE OF THE PLAN

An intermunicipal development plan is a statutory document prepared for and adopted by two or more municipalities, which deals with land use planning matters of mutual interest. The complexity of intermunicipal development plans requires unique problem solving, negotiation and cooperation to reach mutual agreement. The Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development Plan (IDP) sets out the framework for the municipalities' efforts in intermunicipal planning. The adoption of the IDP is the result of a collaborative effort by the Town of Fort Macleod (Town) and the Municipal District of Willow Creek (MD) in addressing sensitive land use issues in close proximity to the Town.

2. GUIDING PRINCIPLES

The following guiding principles served to inform the preparation of the IDP and are the foundation for the goals and policies that follow:

1. The IDP is a **long-range** planning document that will help promote consistent decision making within the respective municipalities and facilitate orderly and efficient development patterns to the benefit of both municipalities.
2. Opportunities for **cooperation, collaboration, coordination, and communication** are essential components of an effective intermunicipal relationship and should serve as the basic tenets of planning policy and how this IDP is interpreted and implemented.
3. The IDP needs to **recognize** and **respect** that both municipalities should be afforded the opportunity for growth and development to ensure continued vitality and will attempt to balance municipal interests and support mutually beneficial outcomes to the extent possible.
4. The IDP must be **adaptable** to allow consideration of changing needs, evolving relationships, and uncertainty in anticipating all circumstances.

3. IDP GOALS

- To facilitate orderly and efficient development in the designated referral area while identifying each municipality's opportunities and concerns.
- To provide for a continuous and transparent planning process that facilitates ongoing consultation and cooperation among the two municipalities and affected ratepayers.
- To provide methods to implement and amend the various policies of the IDP which are mutually agreed to by both municipalities.
- To maintain and promote a safe and efficient roadway network.
- To ensure development is serviced to standards appropriate to the location and type of development.
- To identify possible joint ventures, such as the provision of municipal services.

4. LEGISLATIVE REQUIREMENTS

The IDP has been prepared in accordance with the legislative requirements of the ***Municipal Government Act (MGA)*** and the ***South Saskatchewan Regional Plan*** **(SSRP)**, which encourages cooperation and coordination between neighbouring municipalities.

Specifically, the *MGA* requires:

> ***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.

The ***South Saskatchewan Regional Plan*** came into effect September 1, 2014. The SSRP uses a cumulative effects management approach to set policy direction for municipalities to achieve environmental, economic and social outcomes within the South Saskatchewan Region through 2024. Pursuant to section 13 of the ***Alberta Land Stewardship Act (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.

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

Objectives

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

Strategies

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

8.2 *Address common planning issues, especially where valued natural features and historic resources are of 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 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.*

5. PLAN AREA & APPLICABILITY

The **IDP Area** (Plan Area) includes all lands within the MD surrounding the Town extending approximately 2 miles in all directions as delineated in **Map 2 – Plan Area.** The extent of the Plan Area was established based upon analysis of the characteristics of the area, consideration of development and growth pressures, and discussions about municipal concerns. The resultant Plan Area within the MD is intended to address and accommodate intermunicipal matters and interests well into the future.

Both municipalities agree that the area affected by the IDP includes all lands required to ensure the cooperation and coordination of land uses around the Town. The IDP contains one level of planning coordination around the Town. From the perspective of both municipalities, maintaining the integrity of the IDP is critical to the preservation of their long-term interests. The IDP is based upon a shared vision of a future growth framework and reflects a mutual agreement on areas of growth for each municipality.

The main purpose of the Plan Area is to act as a referral mechanism to ensure dialogue between the two municipalities regarding development adjacent to Town. It should be noted that some of the lands contained within the Plan Area are already zoned, subdivided or developed for non-agricultural uses. It is understood and agreed that existing uses within the Plan Area will be permitted to continue.

However, the expansion or intensification of existing uses shall be required to meet the policies of the IDP. Those lands that have been previously redesignated or subdivided or both need to be reviewed in the context of the IDP and amendments may be required to ensure that future development will comply with the mutually agreed upon growth pattern.

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

Plan Area

Map 2

Fort Macleod Municipal Boundary

IDP Plan Area

Highways

9 - 26 - W4 | 9 - 25 - W4

8 - 26 - W4 | 8 - 25 - W4

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

Town of Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2

Kilometers

N

PART B: POLICIES

Except where otherwise stated, the IDP outlines policies that apply to lands in the Plan Area and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction. Each municipality is responsible for decisions within their boundaries using the IDP policies and the procedures provided in the IDP.

This section is intended to provide guidance to decision makers when considering land use approvals within the boundary. Other sections of the IDP may also apply.

1. GENERAL POLICIES

INTENT

These general policies are applicable to all lands within the Plan Area and are intended to enable the implementation of an effective coordinated growth management strategy.

POLICIES

1.1 The IDP acknowledges land use designations for rural industrial and vacant country residential that existed prior to its adoption. Following adoption and for the purpose of managing land use around the Town, lands within the MD will typically be designated as Rural General under the MD Land Use Bylaw.

1.2 Extensive agriculture will be the primary land use of the lands, until these lands are redesignated in the MD Land Use Bylaw in accordance with the IDP.

1.3 Prior to developing lands for urban residential or urban industrial/commercial uses, the first step will be to commence an IDP amendment, area structure plan and/or redesignation process. These requirements are outlined in the following sections.

1.4 It is agreed that where intermunicipal programs relating to the physical, social and economic development of the Plan Area can be appropriately coordinated, both municipalities will seek to pursue such matters collaboratively.

2. AGRICULTURE

INTENT

Agricultural activities are to continue to operate under acceptable farming practices within the Plan Area.

POLICIES

2.1 Agriculture will continue to be the predominant land use in the Plan Area. The impact on agricultural uses should be a consideration when determining suitability of non-agricultural land uses in the Plan Area and on lands within the Town adjacent to the Town boundary.

2.2 Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, soil erosion, weed and insect control, through best management practices and Alberta Agriculture guidelines.

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

3. CONFINED FEEDING OPERATIONS

INTENT

The MD and the Town both recognize that it is the jurisdiction of the Natural Resources Conservation Board (NRCB) to grant permits and regulate confined feeding operations (CFOs), which are defined in the *Agricultural Operation Practices Act* along with a threshold for when an permit is required in the Part 2 Matters Regulation. These policies recognize that it is important for both jurisdictions to maintain a good quality of life and high-quality environment and support all types of agriculture, as both are fundamental to growth and development within each of their municipalities.

POLICIES

3.1 New confined feeding operations (CFOs) and expansions to existing permits which would increase livestock numbers are not permitted within the Intermunicipal Development Plan Confined Feeding Operation Policy Area (CFO Exclusion Area) as illustrated on **Map 3 – CFO Policy Area**.

3.2 In regard to manure application on lands within the Plan Area or the lands adjacent to the Town boundary, the standards and procedures as outlined in the *Agricultural Operation Practices Act*, Standards and Administration Regulation shall be applied.

3.3 Both municipalities request the NRCB to circulate all applications for CFO registrations or approvals within the Plan Area to each respective municipality.

3.4 Both municipalities recognize and acknowledge that existing CFOs located within the CFO Exclusion Area will be allowed to continue to operate under acceptable operating practices and within the requirements of the *Agricultural Operation Practices Act* and Regulations. Consistent with Policy 3.1 of the IDP, existing CFOs in the CFO Policy Area may continue to operate only within the scope of their existing permit.

3.5 The municipalities agree that they will notify and consult with the other municipality prior to engaging the NRCB or other provincial authorities, should a problem or complaints arise regarding a CFO operator's practices.

3.6 Consistent with the MD's Land Use Bylaw and Municipal Development Plan, all applications regarding intensive livestock operation (ILO) and CFOs within the Plan Area shall be forwarded to the Town for review and comment.

3.7 The Town acknowledges the benefits of ILO processing as outlined in the MD Land Use Bylaw and encourages the MD to continue the policy. Any Land Use Bylaw amendment affecting this policy shall be referred to the Town for comment due to the potential impact to Plan Area.

3.8 For statutory plan consistency, as required under the *MGA*, the MD Municipal Development Plan CFO policies and associated map shall be updated within the first year of the IDP being adopted, to reflect the CFO Exclusion Area as defined by Map 3.

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

CFO Policy Area

Map 3

Fort Macleod Municipal Boundary

Highways

Plan Area A

CFO Policy Area

9 - 26 - W4 | 9 - 25 - W4

8 - 26 - W4 | 8 - 25 - W4

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2

Kilometers

N

4. GROUPED COUNTRY RESIDENTIAL DEVELOPMENT

INTENT

The MD has had a strong policy of protecting agricultural land by being very restrictive with respect to the approval of grouped country residential development, except for very specific areas of the municipality.

POLICIES

4.1 Lands considered high quality agricultural land shall not be subdivided for grouped country residential use.

4.2 The MD shall encourage grouped country residential uses to locate in or in close proximity to the hamlet areas established in the MD and not within the Plan Area.

4.3 A parcel or a lot located within the Plan Area that is intended to be used for grouped country residential development shall be designated grouped country residential in the MD Land Use Bylaw.

4.4 Prior to giving consideration to a redesignation request to grouped country residential in the MD Land Use Bylaw, the MD shall require the applicant to submit and have approved an area structure plan.

5. COMMERCIAL AND INDUSTRIAL DEVELOPMENT

INTENT

Commercial and industrial development applications can be expected, and the following policies will ensure coordination with existing and future developments in the Town. The MD may also benefit from development in specific locations.

POLICIES

5.1 A parcel or a lot located within the Plan Area that is intended to be used for commercial or industrial development shall be designated to the appropriate land use district in the MD Land Use Bylaw.

6. UTILITIES AND SERVICING

INTENT

A high degree of cooperation currently exists between the two jurisdictions and further opportunities for joint activities on a wide variety of issues may become available in the future.

POLICIES

6.1 Both municipalities shall ensure that land development and servicing is coordinated, recognizing that:

a. statutory plan compliance or amendment, land use redesignation, and subdivision to facilitate development are the first steps in land development,

b. where there is an existing servicing agreement, development shall be provided with suitable levels of service depending on its requirements and location, and

c. the actions of regulatory authorities shall be coordinated with those of both municipalities, whenever possible.

6.2 It is recognized by the two municipalities that benefits can occur through cooperation, and both may explore the option of sharing future services and/or revenues through an Intermunicipal Collaborative Framework or a special agreement. To that end, negotiations shall occur between the two municipalities and not with individual landowners.

6.3 Both municipalities have agreed that water service may be extended into the area identified on **Map 4 – Servicing Policy Area** with the details of the arrangement to be negotiated in a separate servicing agreement.

6.4 To ensure that water and sewage disposal are given full consideration well in advance of development approval, the MD and the Town agree that this shall be addressed as early as possible whenever land use decisions are being made. Where the municipalities can come to agreement on the development, any existing servicing agreements between the MD and the Town will be amended to incorporate the new proposal.

6.5 Where Town services for water are being considered by a developer, the developer shall obtain and utilize Town engineering standard in their plans.

6.6 Where proposed roads may become part of the Town infrastructure, the Town road engineering standards should be included in the area structure plan. If a proposed road may become part of the MD infrastructure, the MD road engineering standards should be included in the area structure plan.

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

6.8 For lands within the MD, developers shall be responsible to provide 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 MD.

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

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

Servicing Policy Area

Map 4

Fort Macleod Municipal Boundary

Highways

Plan Area A

Servicing Policy

9 - 26 - W4

9 - 25 - W4

8 - 26 - W4

8 - 25 - W4

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2
Kilometers

N

7. SUBDIVISION CRITERIA

INTENT

Although the subdivision process for the interface area may utilize the same policies as the rest of the MD, it is recognized that more evaluation may be necessary to minimize the potential for conflicts with existing or proposed uses and as outlined in the IDP.

POLICIES

7.1 New applications for subdivision or development of land within the Plan Area are subject to the policies of this IDP.

7.2 Subdivision of land within the Plan Area may be permitted in accordance with the MD's subdivision policies and applicable land use district provisions.

7.3 Subdivision of land within the Town adjacent to the Town boundary may be permitted in accordance with the Town's subdivision policies and applicable land use district provisions.

8. URBAN EXPANSION AND ANNEXATION

INTENT

It is recognized that the Town may need to expand its boundaries at some point to support continued urban growth. A clearly defined annexation procedure will help guide the annexation process and maximize opportunities for information sharing between the municipalities and affected landowners.

POLICIES

8.1 When the Town determines that annexation of land is necessary to accommodate growth, it will prepare and share with the MD 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, and any identified financial impacts to both municipalities, while addressing the Land and Property Rights Tribunal "Annexation Principles" and demonstrating consistency with the relevant portions of the *South Saskatchewan Regional Plan*.

8.2 Annexation boundaries shall follow legal boundaries and natural features to avoid creating fragmented patterns of municipal jurisdiction.

8.3 The Town and MD shall negotiate a formula for the determination of compensation on annexation. Negotiation may occur on any or all of the following:

- revenue or tax-sharing,
- off-site levies and levy transfers, and municipal reserve transfers.

9. NATURAL AND BUILT ENVIRONMENT

INTENT

Both municipalities recognize the connection between the natural environment and quality of life and the need to consider environmental protection, preservation, and enhancement as part of the planning process. The following policies are intended to minimize potential intermunicipal concerns regarding environmental matters.

POLICIES

9.1 When making land use decisions, each municipality will:

a. consider measures that minimize potential impacts to the Oldman River and Willow Creek; and

b. consider appropriate land use setbacks in the vicinity of significant water resources and other water and drainage features to maintain water quality, flood water conveyance and storage, bank stability and habitat.

9.2 Subdivision and development of lands should consider potential impacts to natural and historic resources in an identified Environmentally Significant Area or on lands that may contain Historic Resource Value (HRV).

9.3 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 municipalities, is responsible for ensuring compliance with the provincial policy and any associated regulations.

9.4 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.

9.5 Both municipalities endorse the dedication of Environmental Reserve or an Environmental Reserve Easement within the Town or the lands subject to the IDP along the river and any other major natural drainage course, recognizing that the *MGA* authorizes:

a. the dedication of a minimum 6-metre strip; and

b. the dedication of any lands that are unstable or subject to flooding; and

c. the dedication of lands which consist of a swamp, gully, ravine, coulee or a natural drainage course.

9.6 Where either municipality identifies that a development, subdivision or redesignation application may occur on or in potentially hazardous land, the developer shall provide an analysis prepared by a qualified Alberta professional showing the approval is appropriate and safe at that location.

10. INDUSTRIAL SCALE WIND AND SOLAR DEVELOPMENTS

INTENT

Both Wind Energy Conversion Systems (WECS) and Solar Energy systems are a growing industry in southern Alberta and provides economic benefits to both urban and rural municipalities. As a land use, WECS structures can be imposing due to their size and commercial/industrial solar energy systems can be imposing due to their land coverage. Through municipal cooperation, it is hoped that the industry can expand and grow as a compatible land use.

POLICIES

10.1 Both municipalities agree to endorse green energy development and further agree to have open dialogue on proposed developments.

10.2 The protection of agricultural lands and associated land uses shall be considered when decisions regarding wind and solar power generation are made.

10.3 Commercial scale solar developments within the Plan Area may be supported, provided they can demonstrate compliance with the applicable standards of the MD's Land Use Bylaw, which includes provisions regarding application requirements, development standards, siting and suitability criteria, decommissioning, notification and public consultation, and conditions of approval. Commercial scale solar developments are encouraged to locate on lower quality agricultural lands and to utilize cut-off, fragmented and irregularly shaped parcels, while avoiding primarily unsubdivided quarter sections and environmentally sensitive and environmentally significant areas, including but not limited to wetlands or intact native grasslands.

10.4 Commercial scale wind energy developments within the Plan Area may be supported provided they can demonstrate compliance with the applicable standards of the MD's Land Use Bylaw, which includes provisions regarding application requirements, referrals, decommissioning, setbacks, minimum blade clearance, tower access and safety, energy collection lines, quality of development and public consultation.

10.5 Specifically, the MD shall require that all land use approvals for industrial scale wind or solar developments within 4000m of the Town Airport to consider the safe and efficient operation of the airport. Federal regulations, including TP312 (Aerodrome Standards and Recommended Practices) and TP1247 (Aviation: Land Use in the Vicinity of Aerodromes) will guide development near the airport.

11. TRANSPORTATION

INTENT

Transportation corridors are key components to any land use planning document. Land use and transportation cannot be planned separately, nor can two municipalities plan these components in isolation.

POLICIES

11.1 The Town and MD will cooperate on the development and approvals of all future Transportation Master Plans.

11.2 The MD and Town have identified key intersections shown on **Map 5 - Transportation** and agree to work in collaboration to explore and develop strategies to direct appropriate growth and development that does not compromise the transportation network.

11.3 The MD and Town, together with Alberta Transportation, should consider a long-term planning strategy for the provincial highway network within the Plan Area which would include the impacts or opportunities presented of any changes as a result of the CANAMEX trade corridor (highway bypass) of the Town as depicted on Map 5.

11.4 If required by Alberta Transportation or the municipality, at the time of subdivision or development, the developer shall conduct traffic studies with respect to impact and access onto Highways 2, 3, 810 and 811. 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.

11.5 Both municipalities agree to inform and invite the other municipality for all discussions with Alberta Transportation and CP Rail.

11.6 All subdivision proposals within the Plan Area and on lands within the Town adjacent to the Town boundary shall secure all right-of-way requirements for future road expansion. Particular attention should be given to major intersections requirements.

11.7 Standards for a hierarchy of roadways should be identified and established between the two jurisdictions. Access control regulations should also be established to ensure major collectors and arterials are protected.

11.8 Where the proposed roads may become part of the Town infrastructure, the Town road engineering standards should be included in the area structure plan. If a proposed road may become part of the MD infrastructure, the MD road engineering standards should be included in the area structure plan.

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

Transportation

Map 5

- Fort Macleod Municipal Boundary
- IDP Plan
- Highways
- Key Intersections of Mutual Interest
- Proposed Highway Bypass

9 - 26 - W4 | 9 - 25 - W4

8 - 26 - W4 | 8 - 25 - W4

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

Town of Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2

Kilometers

N

PART C: IMPLEMENTATION OF THE IDP

The IDP's implementation will be the ongoing responsibility of both municipalities, whose actions must reflect the IDP. The support and cooperation of each municipal staff, planning advisors, public and private organizations, and the general public will also be needed for implementation. The following guiding principles shall govern the IDP's implementation:

1. The Town and MD agree that they shall ensure that the policies of the IDP are properly, fairly and reasonably implemented.
2. The Town and MD shall monitor and review the policies of the IDP on a regular basis or as circumstances warrant.
3. Where necessary, the Town and the MD's Land Use Bylaws and Municipal Development Plans shall be amended to reflect the policies of this IDP.

1. INTERMUNICIPAL DEVELOPMENT PLAN COMMITTEE POLICIES

INTENT

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

POLICIES

1.1 For the purposes of administering and monitoring the IDP, the Town and the MD establish the Intermunicipal Development Plan Committee (the Committee).

1.2 Both municipalities agree the Committee will be an advisory body and may make comments or recommendations to the Town and the MD. In its advisory capacity, the Committee does not have decision making authority or powers with respect to planning matters in either municipality.

1.3 The Committee will be comprised of two (2) members of Council from both the Town and MD. Each municipality may appoint an alternate Committee member in the event a regular member cannot attend a scheduled meeting. Alternate Committee members shall have standing. Quorum shall consist of four (4) voting members.

1.4 Members of the Committee shall be appointed by their respective Councils at the Organizational Meeting. If a Council wishes to appoint a new member to the Committee (including the alternate), they must do so by motion of Council at a regular Council meeting. The municipalities shall notify one another upon appointing members and alternate members to the Committee.

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

a. provide a forum for discussion of land use matters within the Plan Area,
b. provide recommendation(s) for proposed amendments to the IDP,
c. discuss and address issues regarding IDP implementation,
d. review and provide comment on referrals under PART C: Section 2 and any other matters referred to the Committee,
e. provide recommendation(s) regarding intermunicipal issues in an effort to avoid a dispute, and
f. provide a forum for discussion of any other matter of joint interest identified by either municipality.

1.6 Meetings of the Committee may be held at the request of either municipality to discuss land use or other planning matters, dispute resolution, or any other matter of intermunicipal importance. Additionally, any matter in PART C: Section 2 may be referred by either municipality to the Committee for comment prior to a decision being rendered.

1.7 A municipality may call a meeting of the Committee at any time upon not less than five (5) days' notice of the meeting being given to all members of the Committee and support personnel, stating the date, the time, purpose and the place of the proposed meeting. The five (5) days' notice may be waived with ¾ of the Committee members' agreement noted.

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

1.9 At least one (1) member of each municipality's administrative staff shall attend each meeting in the capacity of technical, non-voting advisor.

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

1.11 Where a matter has been referred to the Committee and a resolution cannot be found, the Dispute Resolution process in PART C: Section 3 of the IDP shall be adhered to.

2. REFERRALS

The IDP is designed with a referral system as outlined below.

Referral Intent

Land use issues within the Plan Area and on lands within the Town adjacent to the Town boundary as shown on **Map 6 – Referral Area** will be addressed at five main points in the approval system including:

- municipal development plans and amendments,
- all other statutory plans and amendments,
- land use bylaws and amendments,
- subdivision of a parcel and any appeal,
- development approval and any appeal.

Each referral shall contain all available information for review and a municipality may request further information to be provided.

Referral Policies

2.1 **Municipal Development Plan and Amendments**

a. The MD shall refer any newly proposed MD Municipal Development Plan or amendment that affects the Plan Area or will have an impact on the IDP to the Town for comment.
b. The Town shall refer any newly proposed Town Municipal Development Plan or amendment affecting the municipal expansion policies to the MD for comment.
c. The above referrals shall be made and considered prior to a public hearing.

2.2 **All Other Statutory Plans and Amendments**

a. The MD shall refer any newly proposed MD statutory plan or amendment that affects the Plan Area or will have an impact on the IDP to the Town for comment.
b. The Town shall refer any newly proposed Town statutory plan or amendment affecting the municipal expansion policies to the MD for comment.
c. The above referrals shall be made and considered prior to a public hearing.

2.3 **Land Use Bylaws and Amendments (redesignation and text amendments)**

a. The MD shall refer all Land Use Bylaw amendments for lands in the Plan Area or that will have an impact on the IDP to the Town for comment.
b. The Town shall refer all Land Use Bylaw amendments for lands adjacent to the Town boundary or that will have an impact on the IDP to the MD for comment.
c. Any proposed new Land Use Bylaw in the MD or Town shall be referred to the other for comment.
d. The above referrals shall be made and considered prior to a public hearing.

2.4 **Subdivision Applications**

a. The MD shall refer all subdivision applications within the Plan Area to the Town for comment.
b. The Town shall refer all subdivision applications for lands adjacent to the Town boundary to the MD for comment.
c. The above referrals shall be made and considered prior to a decision being made.

2.5 **Development applications**

a. The MD shall refer the following applications within the Plan Area to the Town for comment:
   i. all discretionary use applications; and
   ii. applications for uses of land or buildings which may have a noxious, hazardous or otherwise detrimental impact on land within the Town .
b. The Town shall refer the following applications on land adjacent to the Town boundary to the MD for comment:
   i. all discretionary use applications; and
   ii. applications for uses of land or buildings which may have a noxious, hazardous or otherwise detrimental impact on land within the MD.
c. The above referrals shall be made and considered prior to a decision being made.

2.6 **Other Approvals**

Municipalities are encouraged to refer any requests for approval to each other in areas not contained in the IDP if some impact may occur in the other jurisdiction.

2.7 **CFO / ILO Development applications**

a. The MD shall refer all CFO / ILO use applications located in the Plan Area to the Town for comment.
b. The above referrals shall be made and considered prior to a decision being made.

2.8 **Coordination of Transportation Planning**

a. The MD shall refer all transportation improvements located in the Plan Area to the Town for comment.
b. The above referrals shall be made and considered prior to a decision being made.

Response Timelines

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

a. 15 calendar days for all development applications,
b. 19 calendar days for subdivision applications, and
c. 30 calendar days for all other intermunicipal referrals.

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

Consideration of Responses

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

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

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

Referral Area

Map 6

Fort Macleod Municipal Boundary

IDP Plan Area

Highways

9 - 26 - W4

9 - 25 - W4

8 - 26 - W4

8 - 25 - W4

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

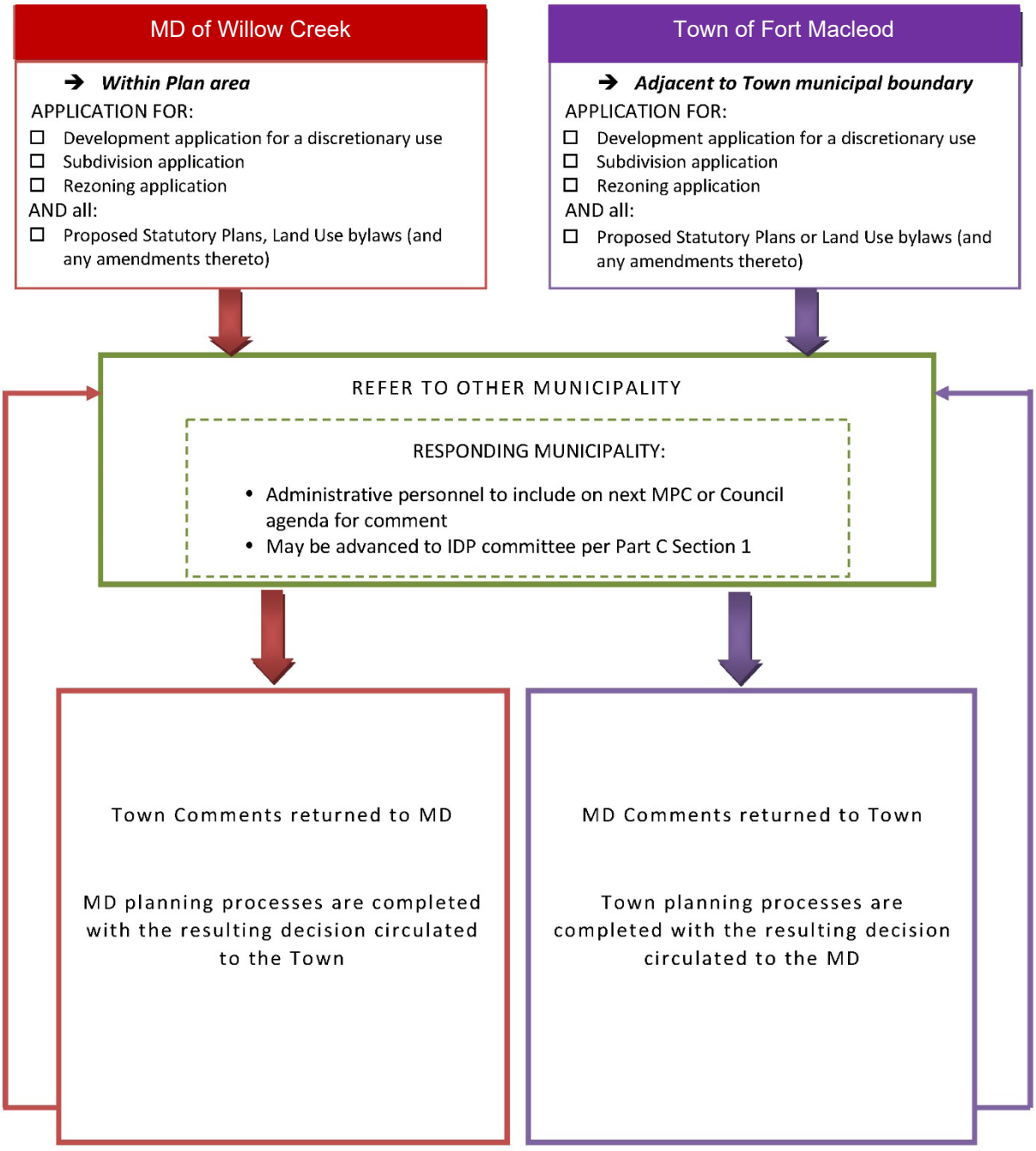
Town of Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2
Kilometers

N

Figure 1: Intermunicipal Development Plan Referral Flow Chart



3. 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 of both municipalities, it is understood that disputes may arise from time to time affecting land use within the Plan Area. The following process is intended to settle disputes through consensus and minimize the need for formal mediation.

POLICIES

The municipalities agree that:

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

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

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

Dispute Resolution

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

3.4 When a potential intermunicipal issue comes to the attention of either municipality relating to a technical or procedural matter, such as inadequate notification or prescribed timelines, misinterpretation of IDP policies, or a clerical error regarding the policies of the IDP, 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.

3.5 Should either municipality identify an issue related to the IDP that may result in a dispute that cannot be administratively resolved under Section 3.4 or any other issue that may result in a dispute, the municipality should contact the other and request that a Committee meeting be scheduled to discuss the issue. The Committee will review the issue and attempt to resolve the matter by consensus.

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

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

Filing an Intermunicipal Dispute under the *Municipal Government Act*

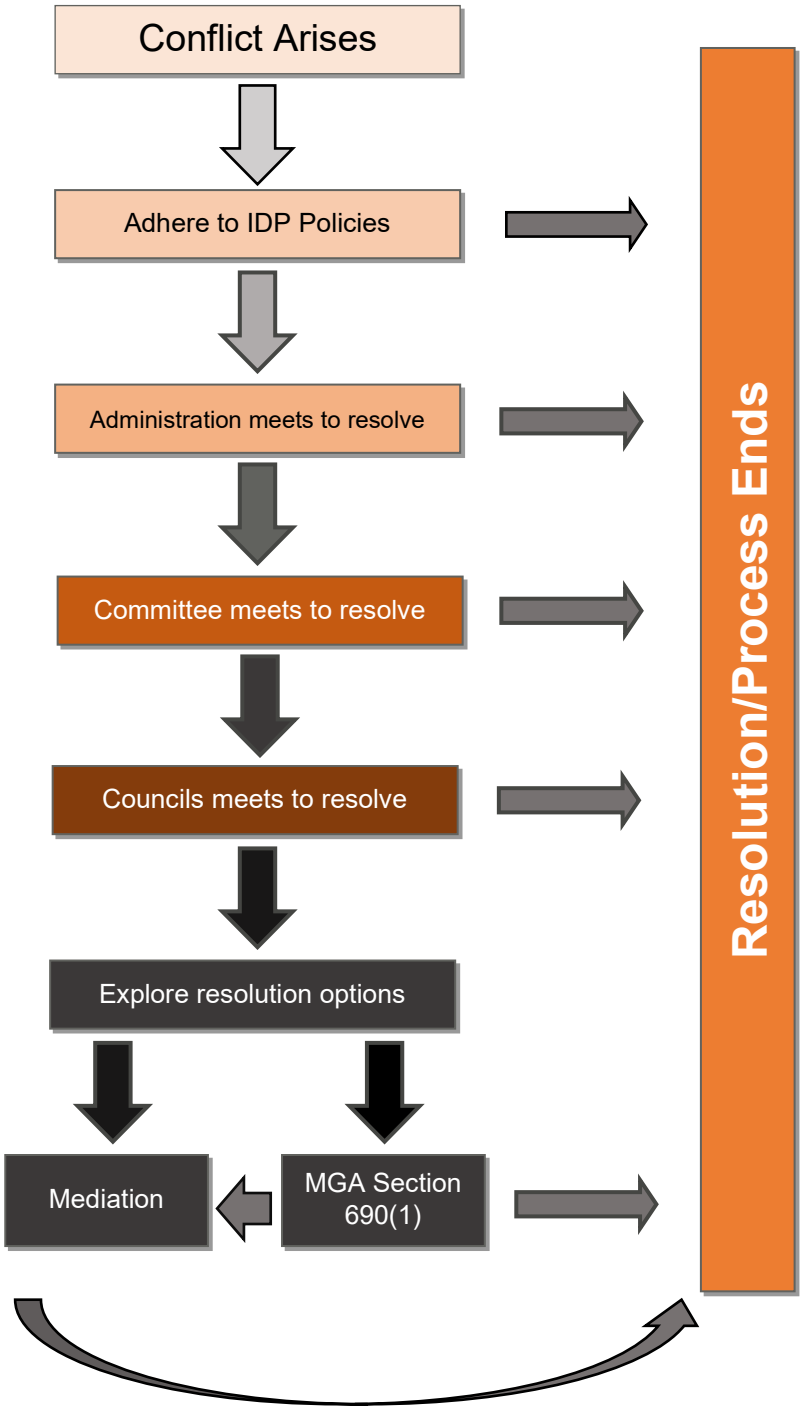
3.8 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Land and Property Rights Tribunal under section 690(1) of the *MGA* so that the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

3.9 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities 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*.

Note: Using section 690(1) of the MGA is the final stage of dispute settlement, where the municipalities request the Land and Property Rights Tribunal to intercede and resolve the issue.

Dispute Resolution Flow Chart

The dispute resolution flow chart presented here is for demonstration purposes only and shall not limit the ability of either municipality to explore other methods of resolution or to choose one method in place of another.



4. IDP VALIDITY AND AMENDMENT

The IDP will require amendment from time to time to accommodate unforeseen situations, and to keep it relevant.

4.1 The IDP comes into effect on the date it is adopted by both the Town and the MD.

4.2 Recognizing that the IDP may require an amendment from time to time to accommodate an unforeseen situation, such an amendment must be adopted by both municipalities using the procedures established in the *MGA*.

4.3 Third party applications for an amendment to the IDP shall be made to both municipalities and be accompanied by the appropriate fees to each municipality.

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

4.5 That staff of both municipalities review the IDP every five years from the date of adoption and report to the respective councils. Each council shall respond within 60 days with a recommended course of action.

APPENDIX A – Definitions

Adjacent means land which is contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land.

Area structure plan means a statutory plan prepared in accordance with Section 633 of the *MGA* and the Municipal Development Plan for the purpose of providing a framework for subdivision and development of land in the municipality.

Commercial means the use of land and/or building for the purpose of display, storage and wholesale or retail sale of goods and/or services to the general public. On-site manufacturing, processing or refining of goods shall be incidental to the sales operation.

Confined feeding operation (CFO) has the same meaning as in the regulations of the *Agricultural Operation Practices Act.*

Country residential means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area.

Development means development as defined in the *MGA*.

Development authority means the development authority of the MD or the development authority of the Town, whichever development authority applies.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 160 acres (64.8 ha) more or less.

Grouped country residential means two or more contiguous country residential lots.

Industrial means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices, warehousing and wholesale distribution uses which are accessory 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 site upon which it is situated.

Intensive livestock operation (ILO) means any land enclosed by buildings, shelters, fences, corrals or other structures which, in the opinion of the MD Municipal Planning Commission, is capable of

confining, rearing, feeding, dairying or auctioning livestock, but excepting out wintering of a basic breeding herd of livestock but is less than the thresholds established by the NRCB.

Land use bylaw has the same meaning as in the *MGA*.

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

MGA means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, with amendments there to.

Noxious industry means an industry which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment. Examples include, but are not necessarily limited to: abattoirs, oil and gas plants, asphalt plants, sanitary landfill sites, sewage treatment plants or lagoons, auto wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature. Confined feeding operations and Intensive livestock operations are separate uses.

Redesignation "redesignate", "redistrict", or "rezone" means changing the existing land use district on the official Land Use District Map in the Land Use Bylaw.

Residential means the use of land or buildings for the purpose of domestic habitation on a continual, periodic or seasonal basis.

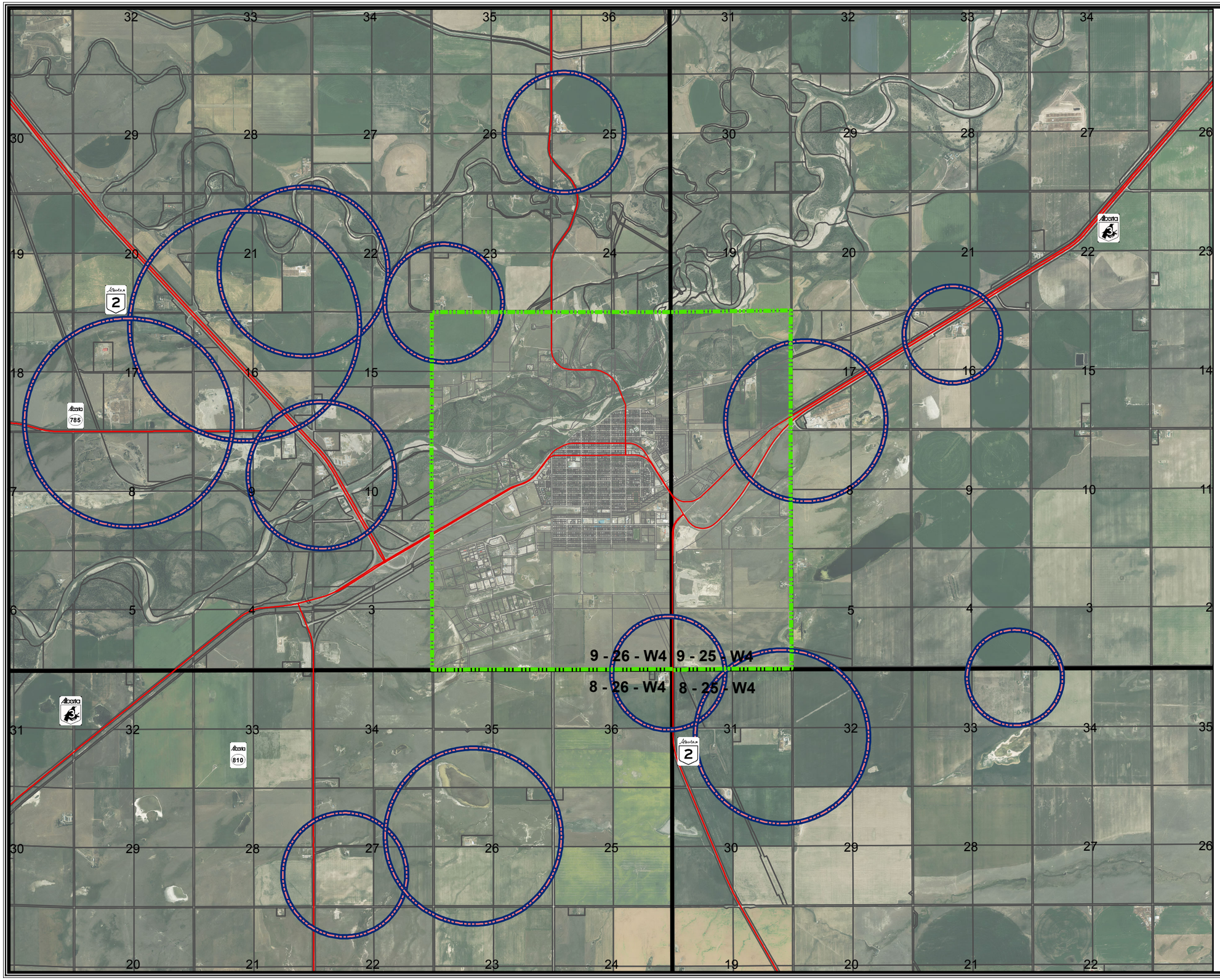
Shall means, within the context of a policy, that the action described in the policy is mandatory.

Solar energy system, commercial/industrial means a system using solar technology to collect energy from the sun and convert it to energy to be used for off-site consumption, distribution to the marketplace, or a solar energy system not meeting the definition of solar energy systems, household.

Wind Energy Conversion System (WECS) means a system consisting of subcomponents which converts wind energy to electrical energy using rotors, tower and a storage system.

Municipal District of Willow Creek No. 26 and Town of Fort Macleod Intermunicipal Development

Appendix B Map



Fort Macleod Municipal Boundary

IDP Plan

Highways

Minimum Distance Seperation (MDS): Category 4 From Existing CFOs

M.D. of Willow Creek (Bylaw No. 1922)
&
Town Of Fort Macleod (Bylaw No. 1949)

March 2022

MD of Willow Creek

Town of Fort Macleod

Oldman River Regional Services Commission

0 0.5 1 2
Kilometers

N