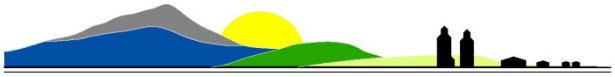


Vulcan County & Village of Carmangay

INTERMUNICIPAL DEVELOPMENT PLAN

Bylaw No. 2021-004 & Bylaw No. 810

December 2021



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Prepared for Vulcan County and Village of Carmangay

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VULCAN COUNTY

Vulcan - Alberta

BYLAW 2021-004

Bylaw No. 2021-004 of Vulcan County is for the purpose of adopting the Vulcan County and Village of Carmangay 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 fringe area and within parts of the town and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

AND WHEREAS both the Councils of Vulcan County and the Village of Carmangay 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 Vulcan County duly assembled hereby enacts the following:

1. Council shall adopt the Vulcan County and Village of Carmangay Intermunicipal Development Plan in consultation and as agreed to with the Village of Champion.
2. This plan, upon adoption, shall be cited as the Vulcan County and Village of Carmangay Intermunicipal Development Plan Bylaw No. 2021-004 and Bylaw No. 810.
3. This bylaw shall come into effect upon third and final reading thereof.

Received first reading this 10 day of March, 2021

Jason Schneider, Reeve

Nels Petersen, CAO

Received second reading this 6 day of October, 2021

Jason Schneider, Reeve

Nels Petersen, CAO

Received third reading and finally passed this 6 day of October, 2021

Jason Schneider, Reeve

Nels Petersen, CAO

BYLAW NO. 810

VILLAGE OF CARMANGAY
IN THE PROVINCE OF ALBERTA

Bylaw No. 810 of the Village of Carmangay is for the purpose of adopting the Vulcan County and Village of Carmangay Intermunicipal Development Plan (IDP) and rescinding Bylaw No. 800, a previous adopted bylaw for the IDP, 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 required by the province to expand intermunicipal planning efforts to address planning issues where the possible effects of development transcends municipal boundaries.

AND WHEREAS the Intermunicipal Development Plan outlines policies that apply to lands in the urban fringe area and within parts of the Village and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

AND WHEREAS both the Councils of the Village of Carmangay and Vulcan 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, amendments have been agreed to with Vulcan County regarding the Confined Feeding Operation (CFO) exclusion area of the previous IDP adopted by Bylaw No. 800.

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 the Village of Carmangay duly assembled hereby enacts the following:

1. Council shall adopt the Vulcan County and Village of Carmangay Intermunicipal Development Plan in consultation and as agreed to with Vulcan County.
2. This plan, upon adoption, shall be cited as the Vulcan County and Village of Carmangay Intermunicipal Development Plan Bylaw No. 2021-004 and Bylaw No. 810.
3. Village of Carmangay Bylaw No. 800, being the former adopted Intermunicipal Development Plan bylaw, is hereby rescinded in its entirety.
4. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 16th day of November, 2021.

Kym Nichols
Mayor – Kym Nichols

Chief Administrative Officer – Patrick Bergen

READ a **second** time this 14th day of December, 2021.

READ a **third** time and finally PASSED this 14th day of December, 2021.

Kym Nichols
Mayor – Kym Nichols

Chief Administrative Officer – Patrick Bergen

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Introduction

PART 1

Introduction

Vulcan County (County) and the Village of Carmangay (Village) recognize that the land surrounding the Village is of mutual interest, warranting a collaborative approach to planning. The Intermunicipal Development Plan (IDP or Plan) is based on creating a shared vision for future growth by establishing and agreeing to a long-term strategy for planning and development which attempts to balance the interests of each municipality. The Plan is intended to foster ongoing collaboration and cooperation between the County and Village by providing a forum to discuss planning matters in the context of each municipality's land use philosophy. The key policy areas of the Plan include:

- Collaboration;
- Land Use;
- Future Growth;
- Transportation; and
- Utilities, Servicing and Drainage.

The Plan is intended to provide guidance to decision-makers and establishes planning policy that applies to lands in the fringe and within the Village; however, each municipality is ultimately responsible for making decisions within their jurisdiction using the policies and procedures as agreed upon in this Plan.

1.1 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 [section 632(3)(iii)] 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 *Municipal Government Act* states:

> ***631(1)*** *Two or more councils of municipalities that have common boundaries that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*

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

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.

It is noted that the paramountcy of the IDP is established within the "Plans Consistent" (section 638) portion of the *Municipal Government Act*:

638(1) *In the event of a conflict or inconsistency between*

(a) an intermunicipal development plan, and

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

in respect of the development of the land to which the intermunicipal development plan and the municipal development plan, the area structure plan or the area redevelopment plan, as the case may be, apply, the intermunicipal development plan prevails to the extent of the conflict or inconsistency.

In addition to *Municipal Government Act* requirements, the *South Saskatchewan Regional Plan (SSRP)* became effective September 1, 2014 which introduced additional requirements when addressing 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:

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.

1.2 Plan Goals

The intended goals of the Intermunicipal Development Plan are:

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

2. To establish a planning approach defined in a land use and transportation concept that will facilitate an integrated road network and management plan as well as promote compatible and complementary land uses.

3. To facilitate on-going consultation and coordination between the County and Village on intermunicipal matters.

4. To recognize the importance of the existing agricultural pursuits located within the fringe area and need to minimize fragmentation of these lands.

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.

6. To encourage and support cooperation and enable mutually beneficial economic opportunities to occur between the two municipalities.

1.3 Plan Preparation Process & Procedure for Adoption

A committee of one Council member from both the County and Village, as well as support staff from each municipality, met multiple times throughout the plan preparation process in 2020. A detailed background study and report was prepared in support of the plan preparation process and reviewed by the committee. The study area analysis undertaken reviewed the existing land use conditions and constraints, transportation systems, zoning, environmental and cultural resources, provincial land use, topography and soils, annexation history, and subdivision and title configurations, amongst other matters.

In December of 2020, a direct notice was mailed to all landowners within the plan area as well as the Village of Carmangay to seek input into the draft plan. Submissions were received and reviewed and considered by the Committee prior to the preparation of the final plan.



PART 2

PART 2

Coordinated Growth Management Strategy

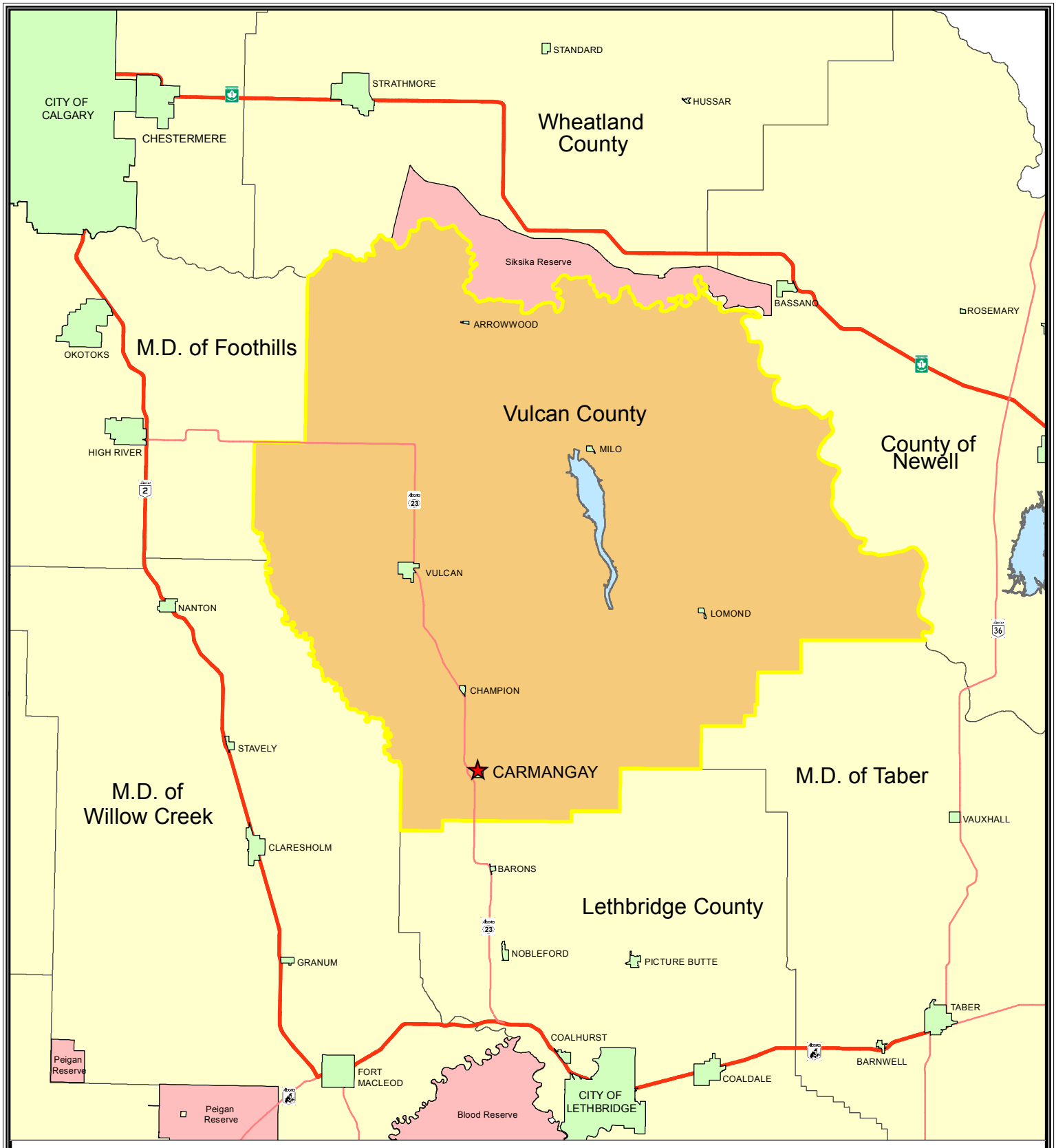
2.1 Plan Area

The Intermunicipal Development Plan Area consists of approximately 15, 782 acres (6,387 ha) of land in Vulcan County and is located in the southern portion of Vulcan County and east of Highway 23, approximately 35 kilometers southeast of the Town of Vulcan. The IDP Plan Area is also applicable to lands within the Village of Carmangay situated adjacent to the shared municipal boundary. The Little Bow River runs east and west, meandering along a portion of the western Village boundary and north of the northern Village boundary (Map 1). The CPR rail line runs north and south through the Plan Area and through the western portion of the Village. A Land Use Concept has been developed for the Plan Area to efficiently manage growth and assist decision makers in the review of subdivision and development proposals by identifying general locations for future land uses and major transportation routes and road linkages.

2.2 Background

The County and Village have many economic and social links which necessitates the need for the municipalities to coordinate land use planning and infrastructure. Agriculture is the primary land use in the IDP Plan Area including a variety of crop and livestock production on lands classified by Canada Land Inventory (CLI) as Class 2 and 6 soils (Map 7). Currently there are no Confined Feeding Operations within the Plan Area. The Urban Fringe land use district comprises a portion of the Plan Area, occupying land approximately 1 to 1.5 miles around the Village of Carmangay boundary (Map 2).

Historically, there has been somewhat limited fragmentation of lands in the vicinity of the Village due to subdivision. There were a total of eight County subdivisions completed within the Plan Area between 1974 and 2010. The majority of subdivisions were for country residential development, namely farmstead separation (Map 8). Several restrictions to potential growth and development identified in the Plan Area include the Little Bow River, wetlands, oil and gas wells (100 metre buffer), and a sewage lagoon (300 metre buffer), which restricts the development of residences, schools, hospitals, and food establishments (Map 6). Two historic sites, as identified in the *Vulcan County Heritage Survey & Inventory (2012)* document, are found within the Plan Area including the CPR Railway Trestle to the north of Carmangay and the historic Miller Residence constructed in 1916-1917 (Map 8). Historically, the Village has had one annexation since its incorporation and later one annexation from the Village to Vulcan County. Annexation to the Village occurred in the western portion of the current boundary in 1911 which was annexed back to the County in 1966 (Map 10).



VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

LOCATION MAP

MAP 1

Carmangay
Vulcan County
Major Highway
Minor Highway

0 2.5 5 10 15 20
Kilometers

N

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

IDP PLAN AREA

MAP 2

14 - 24 - W4
13 - 24 - W4
14 - 23 - W4
13 - 23 - W4
Little Bow River
23

- IDP Plan Area (6387.47±ha)
- Village of Carmangay Boundary
- Highways
- Waterbodies
- Urban Fringe

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1
Kilometers

N

2.3 General Plan 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

2.3.1 It is recognized that applications or proposals may be submitted by landowners or developers that may not be specifically addressed through the IDP policies. In such situations, the two municipalities should consult and determine if the proposal is reasonable or not, or if amendments to the IDP may be needed to enable the proposal to proceed if supported by both the County and the Village.

2.3.2 Existing land uses with valid development permits issued on or before the date of adoption of this Plan may continue to operate in accordance with the provisions of the Vulcan County Land Use Bylaw, Village of Carmangay Land Use Bylaw and the *Municipal Government Act,* as applicable. New applications for subdivision and development on these lands are subject to this Plan's policies.

2.3.3 The County and Village shall consider further intermunicipal cooperation and integration of land use planning with engineering, servicing, and utility studies in order to help both municipalities achieve greater efficiencies and provide better services to residents and businesses.

2.3.4 Applications for land use redesignation, subdivision or development must be made to the applicable municipality in which the land is jurisdictionally located.

2.3.5 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 Vulcan County Land Use Bylaw and Municipal Development Plan.

2.3.6 The required plans, design schemes or other reports in support of major subdivisions/developments must be professionally prepared and engineered.

2.3.7 The County and Village 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 Village (see Map 2). For clarity, this policy is intended to help create a physical environment that will leave visitors to the Village and surrounding region with a positive impression of the community.

2.3.8 Each municipality will be responsible for making decisions within their own respective municipal boundaries, having regard for the IDP policies and the guiding principles of collaboration and consensus making.

2.4 Agricultural Practices

Intent

Agricultural activities are to continue to operate under acceptable farming practices within the Intermunicipal Development Plan boundary. To help support the sustainability and future growth of urban centres with Vulcan County, a confined feeding operation (CFO) exclusion/restriction area has been agreed upon with the Village of Carmangay, with regard to prevailing winds and other physical features, so to attempt to provide a buffer from the noxious and odorous nature of CFOs. Recognizing that smaller operations are less likely to produce objectionable impacts, the municipalities have agreed to a two-tiered approach to planning for the siting of CFOs in the vicinity of the Village.

Policies

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

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

2.4.3 Both municipalities will work cooperatively in encouraging and supporting 'considerate' good neighbour farming practices, such as for the application of dust, weed, and insect control adjacent to developed areas, through best agricultural management practices and Alberta Agriculture guidelines.

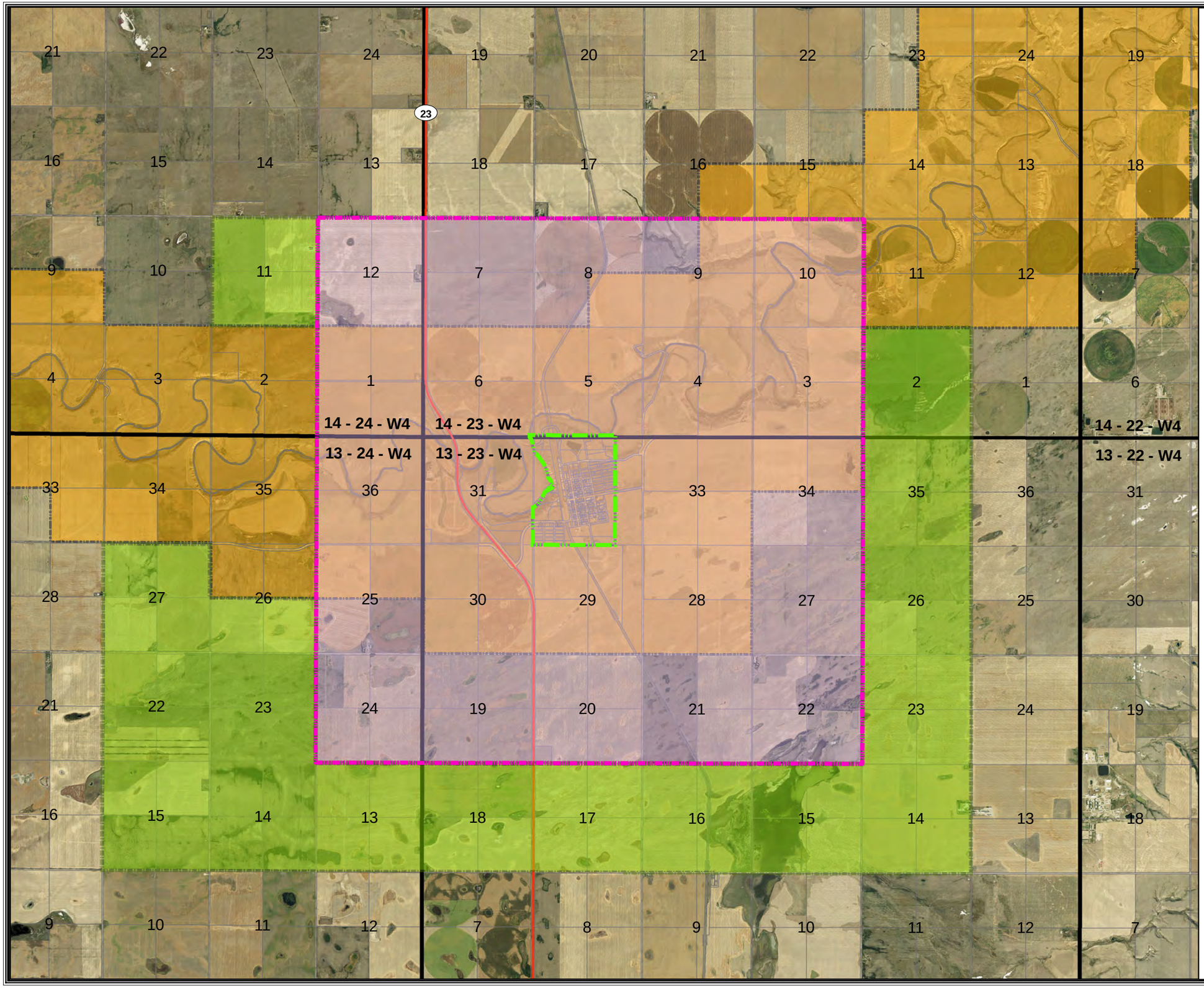
2.4.4 If disputes or complaints in either municipality should arise between citizens and agricultural operators, the municipality receiving the complaint will attempt to direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution, wherever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

2.4.5 New confined feeding operations (CFOs) are not permitted to be established within the Intermunicipal Development Plan Area which forms the Confined Feeding Operations Exclusion Area (Map 3). Additionally, for the area generally located two-miles west, one-mile east and one-mile south of the IDP boundary (as depicted on Map 3 as 'IDP CFO Restricted Area'), the following shall apply:

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

CONFINED FEEDING OPERATION EXCLUSION AREAS

MAP 3



- IDP Plan
- Village of Carmangay Boundary
- Highways
- Confined Feeding Operation Exclusion Area from Vulcan County MDP Bylaw # 2012-003
- IDP CFO Exclusion
- IDP CFO Restricted Area Policy 2.4.5(a) & (b)

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1 2 3

Kilometers

N

(a) New confined feeding operations (CFOs) that meet the number of animals' threshold[1] where a NRCB approval is required are not permitted to be established.

(b) New confined feeding operations (CFOs) that meet the number of animals' threshold where a NRCB registration is required may be allowed to be established in accordance with the *Agricultural Operation Practices Act*.

2.4.6 Vulcan County will amend its Municipal Development Plan to extend the CFO Exclusion Area surrounding the Village of Carmangay to the extent illustrated in Map 3 (in order to ensure the IDP and the County MDP are consistent with one another).

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

.

[1] The number of animals' threshold is as defined in the *Agricultural Operation Practices Act: Agricultural Operations, Part 2 Matters Regulation*.

2.5 Future Land Use

Intent

To address the matter of future land use within the Plan Area, possible expansion areas have been identified and need to have special considerations (Map 4).

Policies

2.5.1 Future land use within the Plan Area will continue to be primarily for extensive agriculture, with the exception of the potential future urban growth area directions and the rail-line activity area as shown on Map 4. 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.

2.5.2 The future growth area directions illustrated on Map 4 establish, generally, the location of potential urban expansions areas within the Plan Area, both within and outside the Village. The boundaries of the future growth areas (A-E) on Map 4 are general approximations and are not intended to be exact boundaries.

2.5.3 Lands within Area A of the Village, east of Prairie Avenue, should be considered for future Village internal industrial development, due to the likely ease of providing municipal servicing and access to the Village truck route which bypasses Village residences and proximity to the sewage lagoons.

2.5.4 Lands within Area B of the Village, south of Area A, have been identified by the Village for future internal residential development, due to the likely ease of municipal servicing and its logical extension of existing residential development within the Village. This area should be left as agricultural land until such a time as it would be required for internal residential growth.

2.5.5 Area C is considered a Special Planning Area as identified in the Villages' Municipal Development Plan, as a result of a recent grain terminal development in Area E, directly south of the land in Area C. It is recognized that Area C is designated as a "Country Residential" use in the Village Land Use Bylaw but the Village may decide to redesignate this area to some other use in the future. Village Council may require a conceptual scheme, area structure plan, or other study to be completed for Area C to determine a suitable land use for this location and will refer it to the County at such a time.

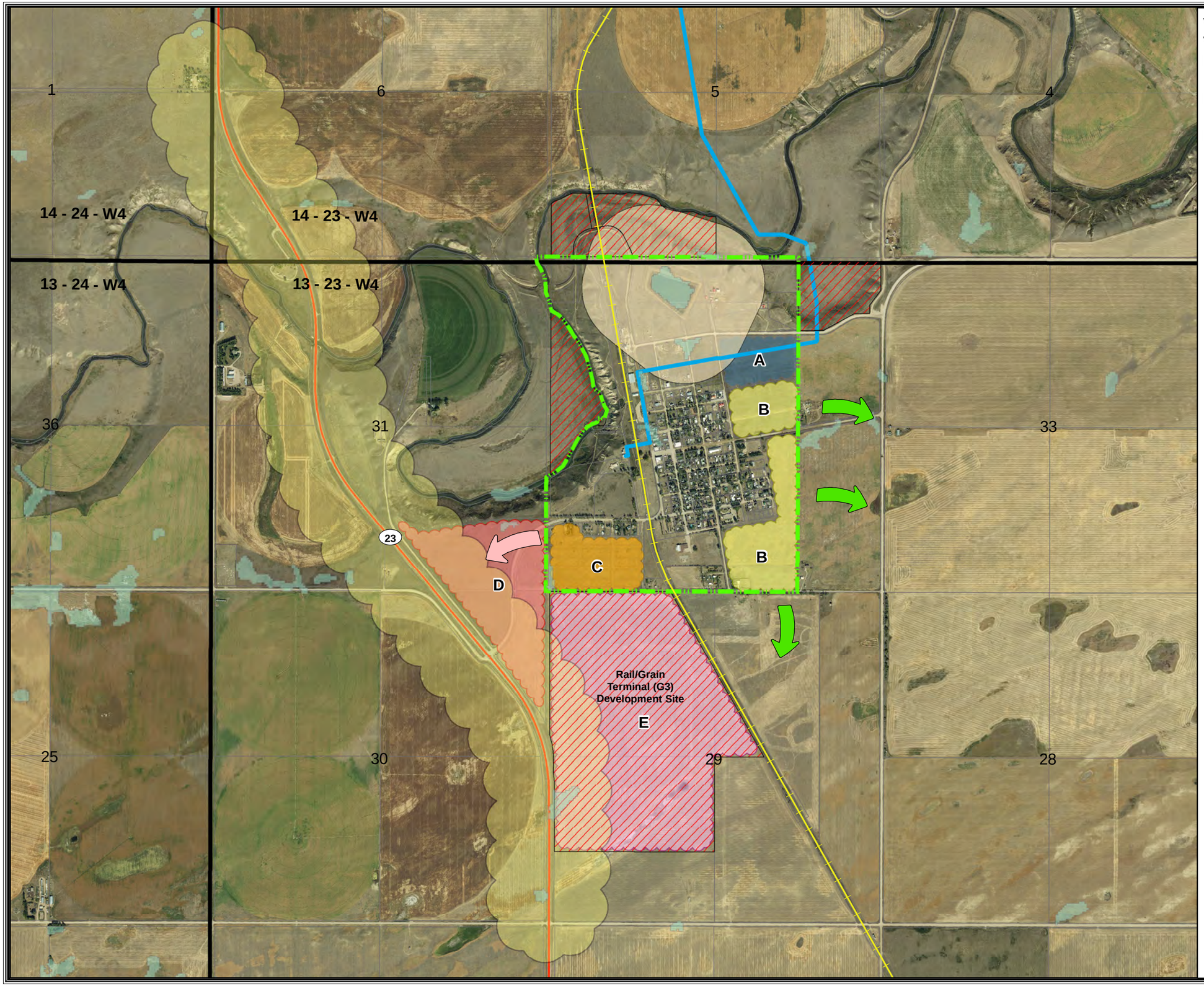
2.5.6 Lands at the west entrance to the Village within Area D are identified for potential future highway commercial development, due to its proximity to Highway 23. This area may be considered for a joint planning venture between the two municipalities as an alternative to annexation.

2.5.7 Any planning for Area D should include requirements for managing visual aesthetics and design guidelines as these lands are the gateway corridor into the Village and developments must not be unsightly or present a negative visual image (refer to Part 5, Definitions).

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

LAND USE CONCEPT

MAP 4



- IMDP Study
- Village of Carmangay Boundary
- Highways
- Railway
- Creeks
- Oil/Gas Well[1]
- Oil/Gas Well Buffer - 100m
- Sewage Lagoon Buffer - 300m
- Wetlands[2]
- Undevelopable Lands

Proposed Land Use Districts

- Area A - Industrial
- Area B - Residential
- Area C - Special Planning
- Area D - Potential Highway Commercial
- Area E - Non-Agricultural Rural Industria
- Gateway Corridor
- Twin Valley Regional Water Line
- Village Growth Area Direction (Long-Term Potential)
- Village Growth Area Direction (Long-Term Highway Commercial Potential)

Aerial Photo Date: 2018

Source:

[1] Alberta Energy Regulator, 2016

[2] Alberta Government, 2016

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0 0.25 0.5

Kilometers

N

2.5.8 Highway 23 is considered the entrance and gateway corridor for the Village of Carmangay and any future development proposed along the corridor should consider potential visual impacts (refer to Part 5, Definitions). Plans should address the enhancement of visual appeal and attractiveness of the development with special regard to landscaping, signage, building style, setbacks, screening, architectural guidelines and other features.

2.5.9 The potential highway commercial/light industrial areas in proximity to Highway 23 as described as Area D in Policy 2.5.6 (illustrated on Map 4) may be considered for a Joint Development Area but will need to have a more defined site project location in order to formulate an expenditure and revenue sharing agreement. Such an agreement is to be negotiated in good faith, and will include cooperative expenditure and revenue sharing to the benefit of both municipalities.

2.5.10 Non-agriculture rural industrial development will be directed to Area E. As identified on Map 4, this area has been identified as 'rail related development' as this area is already dedicated to the grain terminal development.

2.5.11 It is recognized by both municipalities that the lands southwest of the Village in Area E (Map 4) are being developed as a rail/grain terminal site, and that future expansion and additional development should be discussed and coordinated going forward.

2.5.12 Area E should be developed primarily for expansion of the rail/grain terminal site and similar grain, agricultural, and rail related activities, including possible rail yard storage, and the County should not approve other developments that are considered noxious industrial uses as defined in this Plan (refer to Part 5, Definitions), due to proximity to the Village and prevalent wind patterns.

2.5.13 Lands immediately to the east of the current Village boundary, in the NE¼ 32-13-23-W4M and SE¼ 32-13-23-W4M, are identified as a suitable location for potential long-term growth, when required, due to the likely ease of providing municipal servicing. This area would be primarily urban residential land use in conjunction with the associated public uses needed by an urban community (i.e. parks, recreation and institutional uses).

2.5.14 Land uses that would conflict or are considered incompatible with the adjacent land uses within the Village should not be considered for approval in the long-term growth areas identified in the NE¼ 32--13-23-W4M and SE¼ 32-13-23-W4M.

2.5.15 The opportunity for general long-term development immediately south of the Village in a portion of the NE¼ 29-13-23-W4 may be explored in the future for development compatible with the adjacent rail/grain terminal development and existing adjacent uses within the Village.

2.5.16 Generally, future commercial and industrial developments are viewed as more appropriately located within the Village in order to retain the primarily agricultural nature of the majority of the Plan Area. However, isolated commercial and industrial developments for uses that are land intensive and low impact, especially those benefiting from the close proximity to an urban centre, may be supported within the Plan Area.

2.5.17 The County should not approve isolated noxious or heavy industrial uses to the west and east of Carmangay (i.e., future residential expansion areas), due to factors such as the prevalent wind patterns, proximity to urban uses, and location of future residential uses.

2.5.18 Any discretionary uses approved by the County within the Plan Area should be compatible with adjacent land uses and the IDP Future Land Concept (refer to Map 4).

2.5.19 Subdivision applications will be required to demonstrate consistency with the intent of the Future Growth Directions concept (Map 4). Proposals for subdivision that are not consistent with the Future Growth Directions and land use concept may be considered on a case-by-case basis upon consultation with the Village of Carmangay.

2.5.20 The development of the future growth areas identified in Map 4 will require at some future point Area Structure Plans to outline the planning, land use, density, road network and servicing framework for the entire area. For smaller multi-lot subdivisions or major large-scale development proposals, the municipalities may also require the proponent/developer provide an Area Structure Plan that demonstrates good planning, appropriate servicing and appropriate access to service the development.

2.5.21 The Village sewer lagoons are situated within the NW¼ 32-13-23-W4 in the Village, and both municipalities shall consider the following required provincial setbacks to these facilities when making decisions on subdivision and development proposals in the area:

(a) In accordance with Section 12 of the Subdivision and Development Regulation, a subdivision authority shall not approve an application for the subdivision for a school, hospital, food establishment or residential use if the application would result in a property line of a lot created by subdivision for any of those uses being located within 300 metres of an operating wastewater treatment plant.

(b) In accordance with Section 12 of the Subdivision and Development Regulation, a development authority shall not issue a development permit for a school, hospital, food establishment or residential use if the building site is located within 300 metres of an operating wastewater treatment plant.

2.5.22 Any agreed to Joint Development Areas will be discussed and planned in good faith by both municipalities, with consideration for the servicing matters and policies outlined in Section 2.8 of this Plan, the provision of a separate servicing agreement which addresses expenditure and revenue sharing, and the framework for the delivery of municipal services and dispute resolution process as stipulated in the adopted Intermunicipal Collaborative Framework (ICF).

2.6 Transportation

Intent

Policies are intended to foster enhanced coordination in the provision of linked road networks to ensure that these roads are functional, compatible and logical in order to facilitate orderly and planned growth that does not compromise future development.

Policies

2.6.1 The future roadway system as depicted in the Transportation Concept (Map 5) should be an extension of the existing grid pattern system within the Village and will need to be defined in more detail at the Area Structure Plan and subdivision stage.

2.6.2 The County may require dedication of road right-of-way on the final plan of subdivision for any proposal located 0.5 miles (0.8 km) or closer to the Village boundary.

2.6.3 If road dedication is a condition of subdivision approval, the landowner or developer will be required to enter into a development agreement for road construction and associated costs.

2.6.4 Road construction may be deferred to a later subdivision or development stage subject to a deferred servicing/development agreement with either the County or Village as applicable.

2.6.5 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.

2.6.6 Both municipalities recognize the importance of the railway system to the economy of the region and shall regulate compatible land uses adjacent to the rail lines referring to using the *Guidelines for New Development in Proximity to Railway Operations (2013)*.

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

2.6.8 The County and Village will consult with Alberta Transportation regarding the implementation of this Plan. A developer/landowner may be required to conduct traffic studies with respect to impact and access onto Highway 23 and any upgrading identified by traffic studies will be implemented at the sole cost of the developer/landowner and to the satisfaction of Alberta Transportation.

2.6.9 With respect to future growth and development for the Plan Area, it is recognized that no additional direct access to Highway 23 will be permitted without the authorization of Alberta Transportation. Any additional proposed new road access linkage to Highway 23 shall be determined in consultation with the provincial department with consideration for the need of preparing an Area Structure Plan and a Traffic Impact Assessment (TIA).

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

TRANSPORTATION CONCEPT

MAP 5

- IDP Plan Area
- Village of Carmangay Boundary
- Highways
- Existing Roads
- Transportation Concept

235C

23

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.25 0.5

Kilometers

N

2.6.10 Isolated industrial/commercial uses will be reviewed on a case-by-case basis in consultation with Alberta Transportation at the time of development to determine potential highway impacts, and any required intersection upgrades or improvements that may be required shall be provided at the sole cost of the developer/landowner.

2.6.11 The intersection of Highways 23 and Range Road 235C may be subject to future upgrades/ improvements when warranted by the Traffic Impact Assessment (TIA) as the area further develops out. This will be determined in consideration of the findings and recommendations as identified in a professionally engineered Traffic Impact Assessment with respect to Policy 2.6.8, or upon the direction or request of Alberta Transportation.

2.6.12 The two municipalities recognize that the east access on the south side of Carmangay, from TWP RD 135 as it connects to RGE RD 234, is not "legal" access and the two municipalities shall endeavour to work together to correct this by acquiring/dedicating the existing undedicated access roadway pursuant to Section 62 of the *Municipal Government Act* or by other appropriate method.

2.7 Environmental & Historical Matters

Intent

Policies in this section address the shared concerns of both municipalities regarding the natural environment and suggests ways to address the concerns. The policies also recognize that some local developments require consultation with and approvals from other levels of government in regard to protecting or managing various environmental or cultural resources.

Policies

2.7.1 Two known historic sites are identified by the *Vulcan County Heritage Survey & Inventory (2012)* within the Plan Area (refer to Map 8). These include the "Miller Residence" in the SW¼ 4-14-23-W4M, and the "CPR Railway Trestle" in the SW¼ 5-14-23-W4M. The heritage value and associated character defining elements of these places should continue to be protected and recognized in accordance with the *Vulcan County Heritage Management Plan (2014).*

2.7.2 The Carmangay Tipi Rings are a known historical resource located west of Carmangay along the Little Bow River in the NW¼ 31-13-23-W4M. The municipalities recognize the potential for develop further and promote this site as suggested in the *Vulcan County Tourism Industry Analysis (2020)* and in accordance with due process.

2.7.3 Each municipality is responsible for referring subdivision and development applications to the Alberta Director of Culture and Tourism for the province as required under applicable provincial legislation. On any lands identified as a site of a potential historic resource, the developer shall be responsible at their expense of undertaking any required archeological study or complying with an order of Alberta

Culture and Tourism and obtaining any necessary clearances and approvals as it relates to their proposal and compliance with the *Historic Resources Act (HRA)*.

2.7.4 The County and Village 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.

2.7.5 The municipalities recognize the importance of wetlands to the environment, society and the economy, and endeavor to protect sensitive areas by adhering to the Alberta Wetland Policy's 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.

2.7.6 The Little Bow River traverses through the Plan Area north of the Village, and both municipalities recognize the importance of this river system and the associated ecosystem. Any development proposals in proximity must be carefully reviewed with consideration for potential impacts to the watercourse and associated ecosystem.

2.7.7 Both municipalities recognize they may require the dedication of environmental reserve or an environmental reserve easement for the protection of watercourses, natural drainage courses, wetland areas and other areas where deemed applicable within the Plan Area, as the *Municipal Government Act* authorizes that a municipality may require:

(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.

2.7.8 Both municipalities agree to encourage low impact development practices and sustainable design measures, including initiatives like green roofs, bio-retention areas, porous pavement, water re-use, bio-swales, naturalized storm ponds and other initiatives in order to reduce storm water quantity and achieve positive environmental outcomes.

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

2.8 Utilities & Servicing

Intent

Both municipalities desire quality development with consistent, efficient and acceptable servicing standards that account for and manage cumulative impacts.

Policies

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

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

(a) the Village of Carmangay is not committed to providing any new services outside the Village boundaries, and

(b) Vulcan County will not approve any application requiring urban services until a servicing agreement has been negotiated with the Village on the developer's behalf.

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

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

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

2.8.6 When municipal water and wastewater services are proposed:

(a) it is the responsibility of the developer to enter into an agreement with the municipality that has jurisdiction for the provision of such services. Any costs associated with connecting to municipal water and wastewater, including extending waterlines and installing associated infrastructure will be defined in the agreement and typically will be at the expense of the developer;

(b) the location of the required infrastructure to provide those services may be approved by the County based on discussions and negotiations between the County, the Village and the developer;and

(c) where municipal water or wastewater services have been extended into the County, the agreement for services will stipulate the method to collect user fees.

2.8.7 When municipal water and wastewater services are available to service any proposed subdivision or development, the developer/landowner may be required to connect to such services.

2.8.8 If a private sewage system is proposed to serve a subdivision in Vulcan County within half a mile of the Village boundary, the development/landowner shall be required to undertake a professional soil test/analysis and report prior to a decision being made on the application in order to determine the cumulative impact and site suitability of the private sewage system and to ensure that any applicable provincial and municipal regulations can be met.

2.8.9 Where both municipalities agree that Village services will be provided within the Plan Area, the County and Village should negotiate an agreement regarding the sharing of potential revenues and expenditures related to the proposed subdivision or development.

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

2.8.11 As the County and Village are required to negotiate and enter into an Intermunicipal Collaborative Framework (ICF) regarding the delivery of services, both parties recognize that the provision of municipal services, including water and sewer, may be generally addressed through the ICF but the specific details and terms are preferred to be provided through a separate agreement.

2.8.12 In respect of previous policy 2.8.11, if the County and Village experience difficulty on agreeing to the terms of a separate agreement that relates to the provision of municipal services from one municipality to the other, the mediation and arbitration process as outlined in the Intermunicipal Collaborative Framework (ICF) shall be followed.

2.9 Annexation & Urban Growth

Intent

In order to allow for the planning and installing of costly infrastructure, the County and Village have identified potential growth areas for future growth and development (Map 6). Future annexation of any of these lands will occur in the framework and context of long-range planning documents and in consultation with the County.

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

GROWTH DIRECTIONS & RESTRICTIONS

MAP 6

14 - 24 - W4
14 - 23 - W4
13 - 24 - W4
13 - 23 - W4

Rail/Grain Terminal (G3) Development Site

23

- IMDP Study Area
- Village of Carmangay Boundary
- Highways
- Railway
- Creeks
- Oil/Gas Well[1]
- Twin Valley Regional Water Line
- Oil/Gas Well Buffer - 100m
- Sewage Lagoon Buffer - 300m
- Wetlands[2]
- Undevelopable Lands

Historic Resource Value

- 2
- 4
- 5
- Historical Sites
- Village Growth Area Direction (Long-Term Potential)
- Village Growth Area Direction (Long-Term Highway Commercial Potential)

Aerial Photo Date: 2018

Source:
[1] Alberta Energy Regulator, 2016
[2] Alberta Government, 2016

Oldman River Regional Services Commission

0 0.25 0.5
Kilometers

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Policies

2.9.1 The County and Village policy will attempt to protect potential growth areas identified in Map 4 from conflicting, incompatible or premature land uses and fragmentation.

2.9.2 When the Village 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 Village, outlines proposed uses of the land, servicing implications, and any identified financial impacts to both municipalities, while addressing the Municipal Government Board's "Annexation Principles" and demonstrating consistency with the relevant portions of the *South Saskatchewan Regional Plan*.

2.9.3 Annexation involves a number of stakeholders and the County and Village will ensure the following are involved in the process:

(a) landowners directly affected by the application must be part of the negotiation process;

(b) Village of Carmangay, who must make the detailed case for annexation and be a major participant in any negotiations;

(c) Vulcan County, who must evaluate the annexation application 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; and

(e) the Municipal Government Board, who will evaluate the application and responses from the stakeholders.

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

2.9.5 Notwithstanding Policy 2.9.4 above, the County or Village may initiate an application for annexation if the proposal is for a minor boundary adjustment to accommodate existing title property line reconfigurations, roads, canals, or utility rights-of-way that may be split by municipal jurisdiction boundaries and the two municipalities agree the annexation proposed is minor and logical.

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

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

2.9.8 The Future Growth Directions concept illustrated on Map 6 establishes, generally, the preferred Village growth areas within the Plan Area based on the existing highway, Little Bow River, topography, CPR rail-line, and availability of services. The future land uses will need to be more fully defined and planned through additional planning and engineering studies for the area when required.

2.9.9 The Village of Carmangay has adopted a Municipal Development Plan (MDP) as required by the province, and the Village will attempt to implement the future growth and development strategies as outlined in the MDP as best it can prior to commencing an annexation process, unless unique circumstances present themselves in which earlier annexation is viewed as necessary.



PART 3

Plan Implementation

PART 3
Plan Implementation

3.1 Plan 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 when necessary.

Policies

3.1.1 This Plan comes into effect on the date it is adopted by both the County and Village. It remains in effect until by mutual agreement of both municipalities it is replaced. In respect of this:

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

(b) the dispute resolution process stipulated in Section 3.3 will be undertaken should the municipalities be unable to reach an agreement.

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

3.1.3 Requests for amendments to this Plan, by parties other than the County or Village, may be made to the municipality in which the request originated and be accompanied by the applicable fee to each municipality for processing amendments to a statutory plan.

3.1.4 If agreed to by both municipalities, a joint public hearing may be held in accordance with the *Municipal Government Act* for any amendments to this Plan.

3.1.5 The Plan Area is hereby established as depicted on Map 2. The geographical or relative boundaries of 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 exact depiction of its actual or full extent.

3.1.6 Municipal staff are encouraged to meet annually to review the policies of the Plan and discuss land use planning matters, issues and concerns on an ongoing basis. Municipal staff may make recommendations to be considered by their respective Councils to amend the Plan to ensure the

policies remain relevant and continue to meet the needs and protect the interests of both municipalities.

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

3.2 Intermunicipal Referrals

Intent

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

Policies

Referral Process

3.2.1 Any of the following that affect lands in the Plan Area or land within the Village of Carmangay adjacent to the corporate boundary will be forwarded to the other municipality for comment prior to a decision being made on the application or document (see Figure 2 Flowchart):

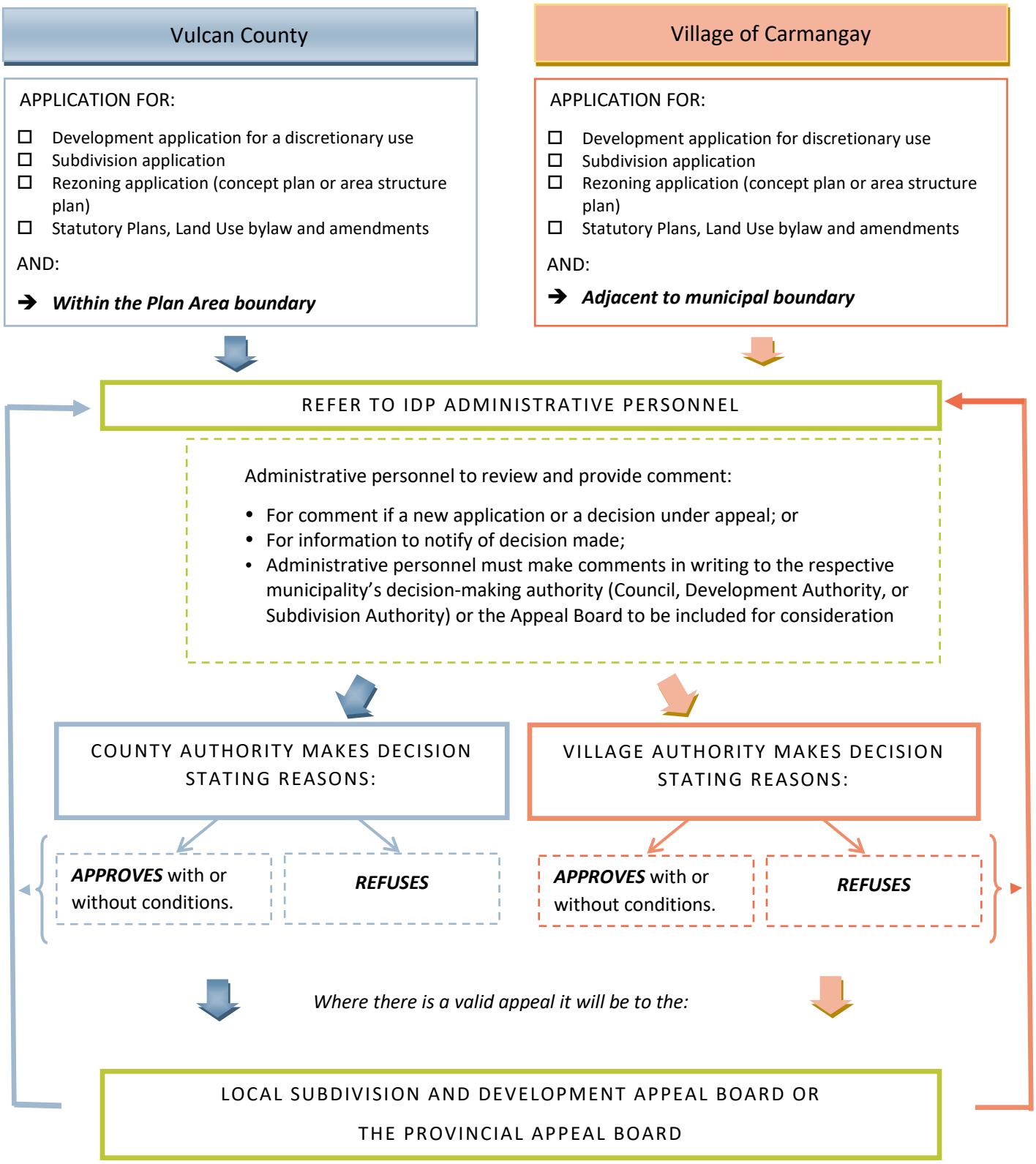
- Municipal Development Plans
- Area Structure Plans and/or Area Redevelopment Plans
- Conceptual Design Schemes and Overlay Plans
- Land Use Bylaws (new or any amendments that affect/apply to the Plan Area)
- Subdivision Applications
- Discretionary Use Development Applications

The receiving municipality may, at its own discretion, refer the above mentioned document(s) or application(s) to their own Municipal Planning Commission (MPC) or Council for comment, which may then be forwarded on to the referral sending municipality prior to a decision being rendered. The referral timeframes outlined in 3.2.5 are to be respected unless a time extension is requested.

3.2.2 Any changes to the documents or applications referred to in Policy 3.2.1 that may have an impact on the Plan or municipal expansion will be recirculated to the other municipality prior to second reading or approval of the document. Based on the significance of the changes, the municipality processing the proposal will consider convening a new public hearing or meeting.

3.2.3 The municipalities are encouraged to refer to each other for comment on all 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.

Figure 2: Intermunicipal Development Plan Referral Flow Chart



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

Response Timelines and Consideration of Referral Responses

3.2.5 The receiving municipality will, from the date of mailing, have the following timelines to review and provide comment on intermunicipal referrals:

(a) 15 days for development applications;

(b) 19 days for subdivision applications; and

(c) 30 days for all other intermunicipal referrals.

3.2.6 In the event that a receiving municipality's administrative representative desires to send the referral to their Municipal Planning Commission (MPC) or Council and may not meet the timeframes prescribed in Policy 3.2.5, an extension to the response time may be requested in writing to the municipality processing the proposal. In such circumstances, the request shall indicate on what date the MPC or Council meeting is scheduled to review the matter. The administrative representative from the receiving/responding municipality shall provide written comments within 10 days of the meeting date, otherwise Policy 3.2.7 shall apply.

3.2.7 In the event that either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in Policy 3.2.5(a), (b) and (c), it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

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

3.3 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 boundary. The following process is intended to settle disputes through consensus and minimize the need for formal mediation.

Policies

General Agreement

3.3.1 The County and Village agree that 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.

3.3.2 Prior to the meeting of the municipalities, 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.

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

Dispute Resolution (see Figure 3)

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

3.3.4 When a potential intermunicipal issue comes to the attention of either municipality regarding the policies or implementation of this Plan, either municipality's land use bylaw, development applications, or any other plan affecting lands in the Plan Area, it will be directed to the administrators of each municipality. The administrators will review the matter and if both administrators are in agreement, take action to rectify the matter.

3.3.5 In respect of Policy 3.3.4, the administrations shall discuss or meet within 15 calendar days of the matter being brought to each party's attention. The prescribed time period may be extended if both parties are in agreement to do so.

3.3.6 In the event a matter or issue cannot be resolved by the administration representatives or within the timeframe prescribed, 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. Each municipality, acting in good faith, agrees that they will attempt to schedule a joint Council meeting within a reasonable timeframe, which should not exceed 40 days.

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

Filing an Intermunicipal Dispute under the *Municipal Government Act*

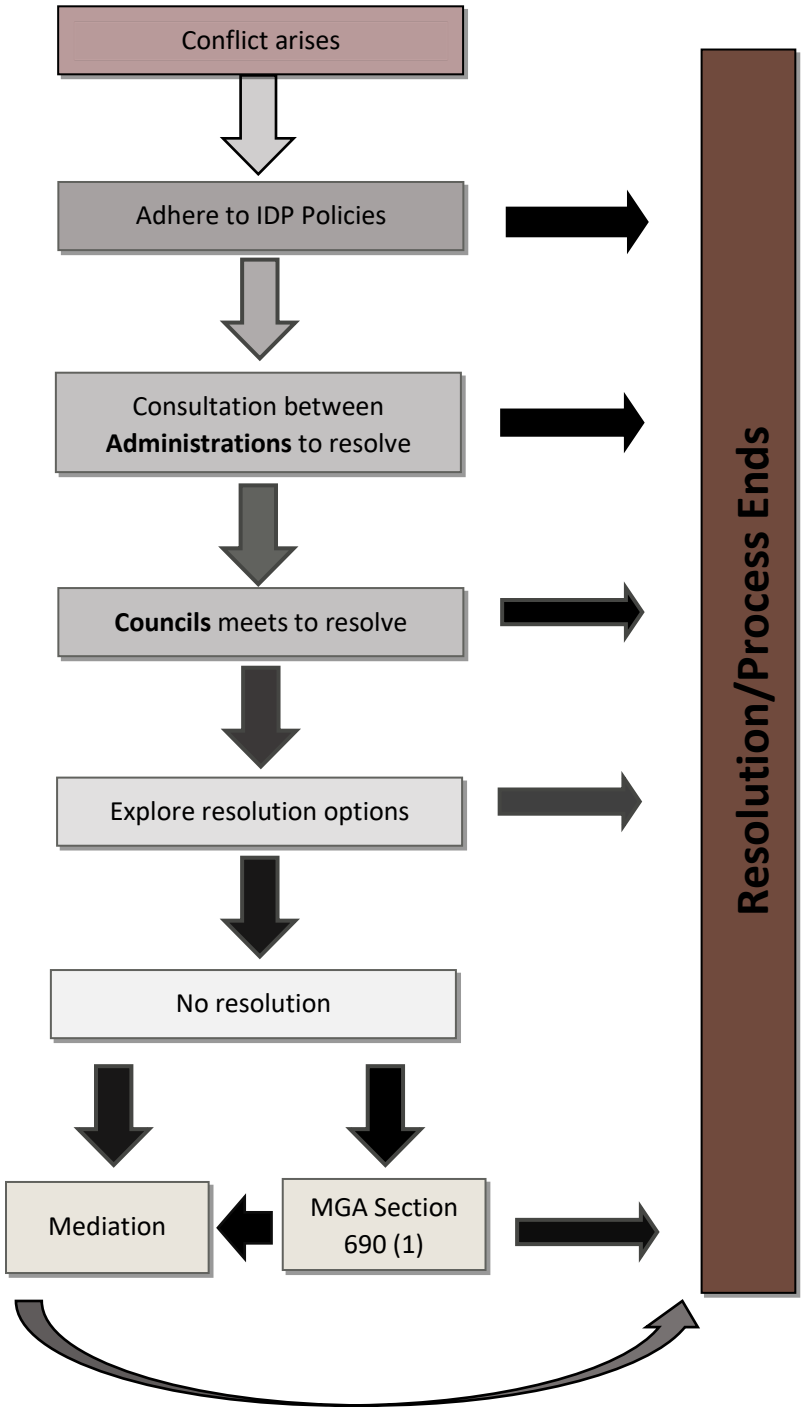
3.3.8 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *Municipal Government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

3.3.9 The appeal may then be withdrawn, without prejudice, if a solution or agreement is reached between the two municipalities prior to the Municipal Government Board meeting. This is to acknowledge and respect that the time required to seek resolution or mediation may not be able to occur within the 30 day appeal filing process as outlined in the *Municipal Government Act*.

Note: Using section 690(1) of the Municipal Government Act is the final stage of dispute settlement, where the municipalities request the Municipal Government Board to intercede and resolve the issue.

Dispute Resolution Flow Chart (Figure 3)

The flow chart presented herein illustrates the dispute resolution process. This process is not intended to limit the ability of either municipality to explore other methods of resolution or to choose one method in place of another.



3.4 Plan Implementation

Intent

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

Policies

3.4.1 The County and Village acknowledge they will prepare the Plan in accordance with the requirements of the *Municipal Government Act*, including advertising and conducting a public consultation process, prior to passing the respective adopting bylaws.

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

3.4.3 The County and Village agree that they will ensure that the policies of this Plan are properly, fairly and reasonably implemented.

3.4.4 The County and Village'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*.

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

3.4.6 The County and Village will monitor and review the Plan to ensure the policies remain relevant and continue to meet the needs of both municipalities.

3.4.7 The *Alberta Land Stewardship Act (June 2009)*, and the subsequent *South Saskatchewan Regional Plan (September 2014)* were approved and govern planning in the southern portion of the province. The County and Village will consider and respect the mandate of this legislation and will cooperate to comply with the adopted regional plan policies.

3.4.8 The Urban Fringe, as depicted on Map 2 and regulated through the Vulcan County Land Use Bylaw, is hereby established as part of this Plan.

3.5 Mutual Benefit & Cooperation

Intent

Consultation and cooperation on joint policy areas that may affect or benefit both parties should be encouraged and reviewed by both municipalities, as there are regional issues or opportunities that may impact both.

Policies

3.5.1 The County and Village agree to work together to try and enhance and improve the region for the benefit of both municipalities.

3.5.2 The County and Village agree that they will continue to consult and cooperate together in discussing and planning in a positive, collaborative manner, land use and development strategies for the area with a "regional" perspective.

3.5.3 Both municipalities recognize that some development or economic proposals may be regionally significant and/or mutually beneficial to both parties and the two agree to meet to discuss such proposals when they come forward to find methods to accommodate such proposals for the benefit of the shared region. Joint Council meetings may be used as a forum to discuss and negotiate particular proposals.

3.5.4 Both municipalities agree to discuss and find ways to cooperate with other government departments, agencies and utility service providers to help facilitate the efficient delivery of infrastructure and services that may transcend municipal boundaries or are of a mutual benefit.

3.5.5 Both the County and Village recognize the regional significance and potential impacts of the CPR rail-line and potential for rail associated growth activities, and the County and Village will work together to discuss and attempt to mutually address potential issues that may arise from the operations or expansion of the rail system and related development activities.

3.5.6 The County and Village agree it is desirable to consult and maintain regular communication with the Town of Vulcan and other urban centres within Vulcan County to remain cooperative and informed on local issues regarding crime, emergency services and other regionally significant events.

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

3.5.8 Where feasible, the County and Village should jointly develop and implement storm water management planning, and infrastructure to make use of the potential cost and land use efficiencies gained through the sharing of this important and required infrastructure.

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

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

3.5.11 The County and Village may collaborate and investigate methods of giving various support to a variety of community cultural, recreational, environmental (wetlands, parkland, etc.) or heritage projects that may mutually benefit or enhance the quality of life of ratepayers of both municipalities within the region.

3.5.12 The County and Village agree to meet to discuss projects proposed by the Village intended to promote municipal viability and community growth. Project proposals identified by the Village as Community Growth Initiatives must include a written request to the County describing the proposed initiative, how a specific service need will be met and provide rationale for equitable cost-sharing of the growth initiative between the County and the Village for operating and/or capital expenses.



PART 4

Maps

PART 4

Maps

Map 7 Soils

Map 8 Existing Land Use

Map 9 Current Land Use Districts

Map 10 Historical Annexation

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

SOILS

MAP 7

14 - 24 - W4
14 - 23 - W4
13 - 24 - W4
13 - 23 - W4

IMDP Plan
Village of Carmangay Boundary
Highways

Soil Type[1]

- 2 - Moderately High to High Productivity, Moderate Crop Limitations (1737.2±ha)
- 3 - Moderately High Productivity, Moderately Severe Crop Limitations (4560.2±ha)
- 4 - Low to Medium Productivity, Severe Crop Limitations (4248.0±ha)
- 6 - Some Natural Grazing Potential but Improvement Practices are Not Feasible (358.0±ha)

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

Oldman River Regional Services Commission

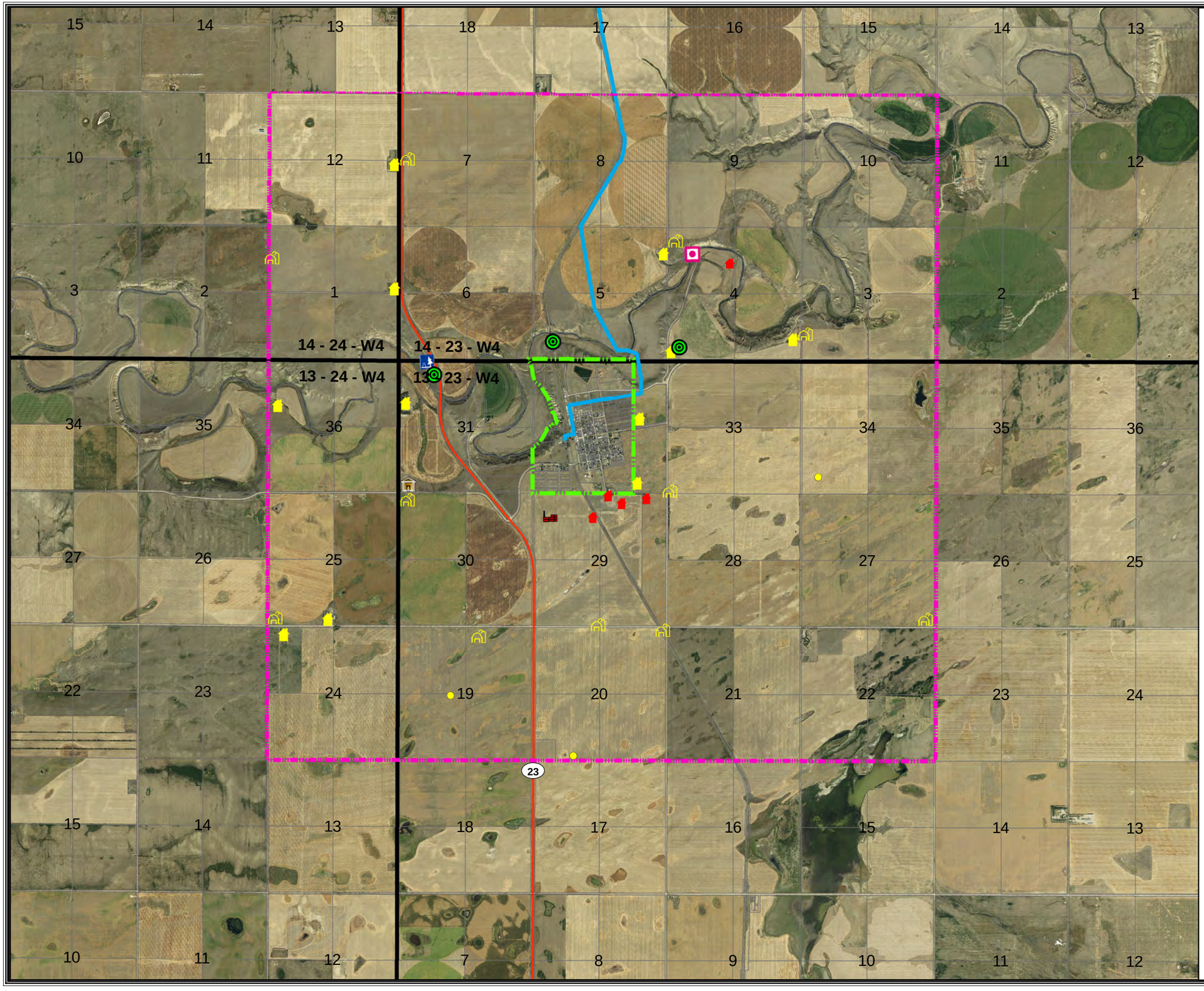
0 0.5 1 2
Kilometers

N

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

EXISTING LAND USE

MAP 8



- IDP Plan Area
- Village of Carmangay Boundary
- Highways
- Twin Valley Regional Water Line
- Abandoned Farm Building
- Historical
- Industrial
- Farmstead
- Farm Building
- Historic Site
- Institutional
- Recreational
- Oil/Gas Well[1]

Aerial Photo Date: 2018

Source:
[1] Alberta Energy Regulator, 2016

Oldman River Regional Services Commission

0 0.5 1 2
Kilometers

N

VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

CURRENT LAND USE DISTRICTS

MAP 9

14 - 24 - W4

14 - 23 - W4

13 - 24 - W4

13 - 23 - W4

- IMDP Plan Area
- Village of Carmangay Boundary
- Highways

Carmangay Land Use Districts

- Residential
- Country Residential
- Manufactured Home
- Commercial
- Industrial
- Public
- Railway
- Urban Reserve
- No Land Use

Vulcan County Land Use Districts

- Rural Recreational
- Urban Fringe

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1 2

Kilometers

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VULCAN COUNTY Bylaw # 2021-004
VILLAGE OF CARMANGAY Bylaw # 810
INTERMUNICIPAL DEVELOPMENT PLAN

HISTORICAL ANNEXATION

MAP 10



Highways

Current & Original Village Boundary

Area incorporated into municipal boundary in 1911 by Order in Council # 234/11 when the village established into a Town municipality and was removed by Board Order #2296 in 1966

Aerial Photo Date: 2018

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 50 100 200 300 400

Meters

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PART 5

Definitions

PART 5

Definitions

Agricultural Operation means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward (AOPA, Section 1), and includes:

(a) the cultivation of land;

(b) the raising of livestock, including domestic cervids (i.e. deer and elk) within the meaning of the *Livestock Industry Diversification Act* and poultry;

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

(d) the production of agricultural field crops;

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

(f) the production of eggs and milk;

(g) the production of honey;

(h) the operation of agricultural machinery and equipment, including irrigation pumps;

(i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes;

(j) the collection, transportation, storage, application, use, transfer and disposal of manure, composting materials and compost;

(k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

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

Concept Plan means a generalized plan indicating the boundaries of a parcel or parcels of land which identifies (at a minimum) the proposed land use, land-use intensity, and road and infrastructure servicing alignments and/or linkages.

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

CFO Exclusion Area means the area within the Intermunicipal Development Plan, or within a municipality's Municipal Development Plan, where new confined feeding operations (CFOs) are not permitted to be established or existing operations allowed to expand.

CFO Restricted Area means the area within the Intermunicipal Development Plan where new confined feeding operations (CFOs) that meet the number of animals' threshold where a NRCB approval is required are not permitted to be established, but new confined feeding operations (CFOs) that meet the number of animals' threshold where a NRCB registration is required may be allowed to be established in accordance with the *Agricultural Operation Practices Act*.

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

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

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

County means Vulcan County.

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

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

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

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

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

Fringe or Urban Fringe means the approximate one- to one-half -mile area around the Village municipal boundary and includes the designated Urban Fringe district of the Vulcan County Land Use Bylaw in the vicinity of the Village of Carmangay.

Grandfathered Use or Uses means a use in existence at the time of adopting a bylaw but once the bylaw takes effect, may no longer conform or comply to the policies, standards or requirements of the bylaw, but they are legally allowed to exist until a change or intensification of the use occurs, at which time the use then must conform to the bylaw.

Growth Strategy/Study means a report or analysis to identify the land requirements to accommodate future population and urban growth and is a guide for municipal decision-making regarding future land use needs. This study is not a statutory plan but it is often used as the basis for a formal annexation application being submitted to the Province. Typically the report will examine historic demographic trends, growth influences, population projections, land consumption, land and servicing constraints and municipal transportation and utility capacities.

Highway Commercial Node means a clustering or grouping of commercial activity or businesses adjacent, or in close proximity, to the highway in one defined, centralized location which provides a distinct commercial focal point for the community.

Highway Gateway Corridor means the area identified in the Plan as the lands adjacent to the highway as the recognized main Village entranceways that are highly visible as one enters, leaves or drives-by the urban community.

Intensive Agriculture means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, apiaries, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

Intermunicipal Committee (the Committee) means the members assigned by each respective council to the Joint Intermunicipal Committee for the purposes of negotiating, preparing and monitoring the Intermunicipal Development Plan.

Intermunicipal Development Plan (IDP) Boundary means the agreed-to area the IDP will govern and is the referral area for the plan and all development applications and statutory bylaw amendments on lands within the identified plan area that will be referred to the municipalities. May also be referred to as Plan boundary.

Joint Development Areas means a specific land area or location identified in the Plan where both Vulcan County and the Village of Carmangay agree to collaborate and partner or share in the planning and development of the land subject to a cost and revenue sharing agreement negotiated in good faith, and where the agreement includes co-operative expenditure and revenue sharing to the benefit of both municipalities.

Low Impact Development or Design means a term used to describe a land planning and engineering design approach to manage storm water runoff which emphasizes consideration and use of on-site natural features to protect water quality. It uses a set of best management practices (BMPs) which seek to reduce storm water quantity and improve storm water quality at its source.

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

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

Municipal Council within the municipal boundary of the Village of Carmangay means the Village Council, and within the municipal boundary of Vulcan County means the County Council.

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

Noxious or heavy industrial use means a use, usually industrial in nature which, by reason of emissions (i.e., of toxic gases, noxious smells, wastes, noise, dust or smoke emissions) may be hazardous or detrimental to human health, safety or well-being beyond the boundaries of the site or parcel upon which it is situated and cannot reasonably be expected to co-exist in close proximity to population concentrations. Examples should include, but are not limited to: anhydrous ammonia storage, abattoirs, oil and gas plants, gravel/sand pits or stone quarries, petro-chemical processors, cement batch plants or other such uses determined by the Development Authority to be similar in nature. Grain or seed storing, handling and cleaning, railway activities or any agricultural activities that operate under acceptable farming practices or within the scope of AOPA, are not considered a noxious use.

Nuisance means any use, prevailing condition or activity which constitutes an unreasonable interference in the use or enjoyment of property or adversely affects the use or enjoyment of property or endangers personal health or safety, especially of neighboring properties. Agricultural activities that operate under acceptable farming practices or within the scope of AOPA are not considered a nuisance activity.

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

Plan means the Vulcan County and Village of Carmangay Intermunicipal Development Plan.

Road Network or Transportation Concept means a conceptual plan for the future road network in the Plan Area which identifies the general location, layout, intersections and access points, and also integrates/aligns with the adjacent Village of Carmangay road system and adjacent highway systems.

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

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

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

Site means a lot, a group of contiguous lots or portion of a lot on which a building or use exists or which is, in the opinion of the Development Authority, the subject of an application for a Development Permit.

Storm Water Management Plan (SWMP) means a plan completed by a licensed professional engineer that proposes to manage the quality and quantity of storm water, or run-off, collected and/or released from a parcel(s) off-site or into a watershed.

Traffic Impact Assessment (TIA) or Transportation Impact Analysis means an evaluation or analysis completed by a licensed professional engineer (typically specializing in traffic) of the effect(s) of traffic generated by a development on the capacity, operations, and safety of a public road or highway and generally includes summary of any mitigation measures or roadway improvements required. The analysis should provide a basis for determining the developer's responsibility for specific off-site improvements.

Transition means an area of land in the process of changing from one use to another or an area which functions as a buffer between land uses of different types or intensity.

Unsightly Premises means any premises whether land, buildings, improvements to land or buildings, personal property or any combination of the above, located on lands within the County or Village, which, in the opinion of an Officer, is unsightly to such a degree as to detrimentally affect the repose, amenities, use, value or enjoyment of the surrounding lands in reasonable proximity to the Unsightly Premises, or is otherwise detrimental to the surrounding area or in an unsightly condition as defined in the MGA.

Village means the Village of Carmangay.

Visual Impact means how any premises whether land, buildings, or improvements that are visible to the public affects or forms a persons' view or opinion of what they are viewing in a positive or negative manner. A positive visual aesthetic typically may be achieved through special design consideration with respect to common and high-quality building design (and an effort to minimize large monolithic building facades or elevations), and site design (inclusive of but not limited to providing landscaping, controlling signage, and managing outside storage and screening). A negative visual impact is typically associated with elements of unsightly premises, excessive billboard signage, monolithic building facades (e.g. construction from a single piece of material with a singular form/layout and limited windows, doors, etc.), no landscaping or vegetation present on premises, and untidy or excessive storage being visible to the public.

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

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