

Vulcan County & Village of Lomond

INTERMUNICIPAL DEVELOPMENT PLAN

Bylaw No. 2021-005 & Bylaw No. 640

May 2021







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Prepared for Vulcan County & the Village of Lomond

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VULCAN COUNTY

Vulcan - Alberta

BYLAW 2021-005

Bylaw No. 2021-005 of Vulcan County is for the purpose of adopting the Vulcan County and Village of Lomond 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 Village and is to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction.

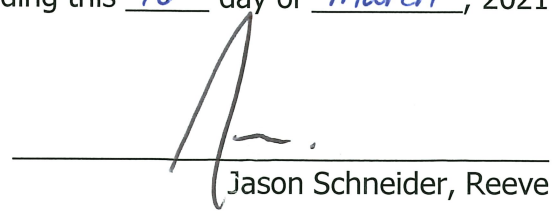
AND WHEREAS both the Councils of Vulcan County and the Village of Lomond agree that it is to their mutual benefit to establish joint planning policies, and this negotiation and agreement reflects a continuing cooperative approach between the two municipalities and the desire to see well-planned, orderly, 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 Lomond Intermunicipal Development Plan in consultation and as agreed to with the Village of Lomond.
2. This plan, upon adoption, shall be cited as the Vulcan County and Village of Lomond Intermunicipal Development Plan Bylaw No. 2021-005 and Bylaw No. 640.
3. This bylaw shall come into effect upon third and final reading thereof.

Received first reading this 10 day of March, 2021

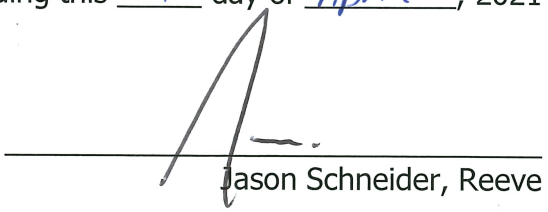


Jason Schneider, Reeve



Nels Petersen, CAO

Received second reading this 21 day of April, 2021

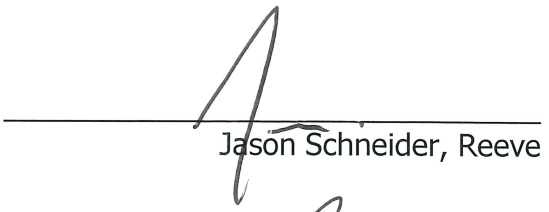


Jason Schneider, Reeve

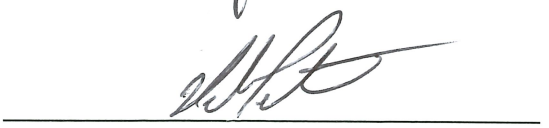


Nels Petersen, CAO

Received third reading and finally passed this 21 day of April, 2021



Jason Schneider, Reeve



Nels Petersen, CAO

BYLAW NO. 640

VILLAGE OF LOMOND

IN THE PROVINCE OF ALBERTA

Bylaw No. 460 of the Village of Lomond is for the purpose of adopting the Vulcan County and Village of Lomond 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 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 Lomond 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 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 Lomond duly assembled hereby enacts the following:

1. Council shall adopt the Vulcan County and Village of Lomond 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 Lomond Intermunicipal Development Plan Bylaw No. 2021-005 and Bylaw No. 640.
3. This bylaw shall come into effect upon third and final reading thereof.

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

Mayor – Brad Koch ***Chief Administrative Officer –Tracy Doram***

Moved by Councillor Donnelly *that Bylaw 640 be amended as shown in Schedule A, as attached. Motion Carried.*

READ a **second** time this 19th day of April, 2021.

Mayor – Brad Koch ***Chief Administrative Officer –Tracy Doram***

READ a **third** time and finally PASSED this 26th day of May, 2021.

Mayor – Brad Koch

Chief Administrative Officer –Tracy Doram

TABLE OF CONTENTS

PART 1 Introduction 1

1.1 Legislative Requirements 1

Figure 1 – Planning Document Hierarchy Flow Chart 3

1.2 Plan Goals 4

1.3 Plan Preparation Process & Procedure for Adoption 5

Map 1 – Location Map ..... Prior to 7

PART 2 Coordinated Growth Management Strategy 7

2.1 Plan Area 7

2.2 Background 7

2.3 General Plan Policies 8

2.4 Agricultural Practices 8

Map 2 – Intermunicipal Development Plan (IDP) Boundary ..... after 9

2.5 Future Land Use 10

Map 3 – Confined Feeding Operation Exclusion Areas ..... after 11

Map 4 – Growth Areas ..... after 11

2.6 Transportation 11

2.7 Environmental & Historical Matters 12

Map 5 – Growth Restrictions ..... after 13

2.8 Utilities & Servicing 13

2.9 Urban Growth & Annexation 14

2.10 Renewable Energy Developments 16

PART 3 Plan Implementation 17

3.1 Plan Validity & Amendment 17

3.2 Intermunicipal Referrals 18

Figure 2 – Intermunicipal Development Plan Referral Flow Chart 20

3.3 Dispute Resolution 21

Figure 3 – Dispute Resolution Flow Chart 23

3.4 Plan Implementation 24

3.5 Mutual Benefit & Cooperation 25

PART 4 Maps

Map 6 – Existing Land Use

Map 7 – Land Use Zoning

Map 8 – Soil Capability for Agriculture Indexed by Canada Land Inventory

Map 9 – Historical Annexation Areas



PART 1

PART 1
Introduction

Vulcan County (County) and the Village of Lomond (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 land in proximity of the Village boundary (fringe area or fringe) is predominately agricultural in nature and there has not previously been a need to enter into an IDP due to limited growth pressures. Over the past several years, the Village of Lomond has experienced a relatively stable population and, therefore, the Village has minimal interest in growth outside of its existing borders at this time. However, both municipalities wish to be proactive and establish a framework to direct and manage future development proposals in a manner which is mutually beneficial. The key policy areas of the Plan include:

- 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 *MGA* states:

631(1) *Subject to subsections (2) and (3), 2 or more councils of municipalities that have common boundaries and that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.*

631(8) *An intermunicipal development plan*

(a) must address

(i) the future land use within the area,

(ii) the manner of and the proposals for future development in the area,

(iii) the provision of transportation systems for the area, either generally or specifically,

(iv) the co-ordination of intermunicipal programs relating to the physical, social and economic development of the area,

(v) environmental matters within the area, either generally or specifically, and

(vi) any other matter related to the physical, social or economic development of the area that the councils consider necessary,

and

(b) must include

(i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,

(ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and

(iii) provisions relating to the administration of the plan.

It is noted that the paramountcy of the IDP is established within the "Plans Consistent" (section 638) portion of the MGA:

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 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.

Figure 1: Planning Document Hierarchy Flow Chart



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

4. 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.

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

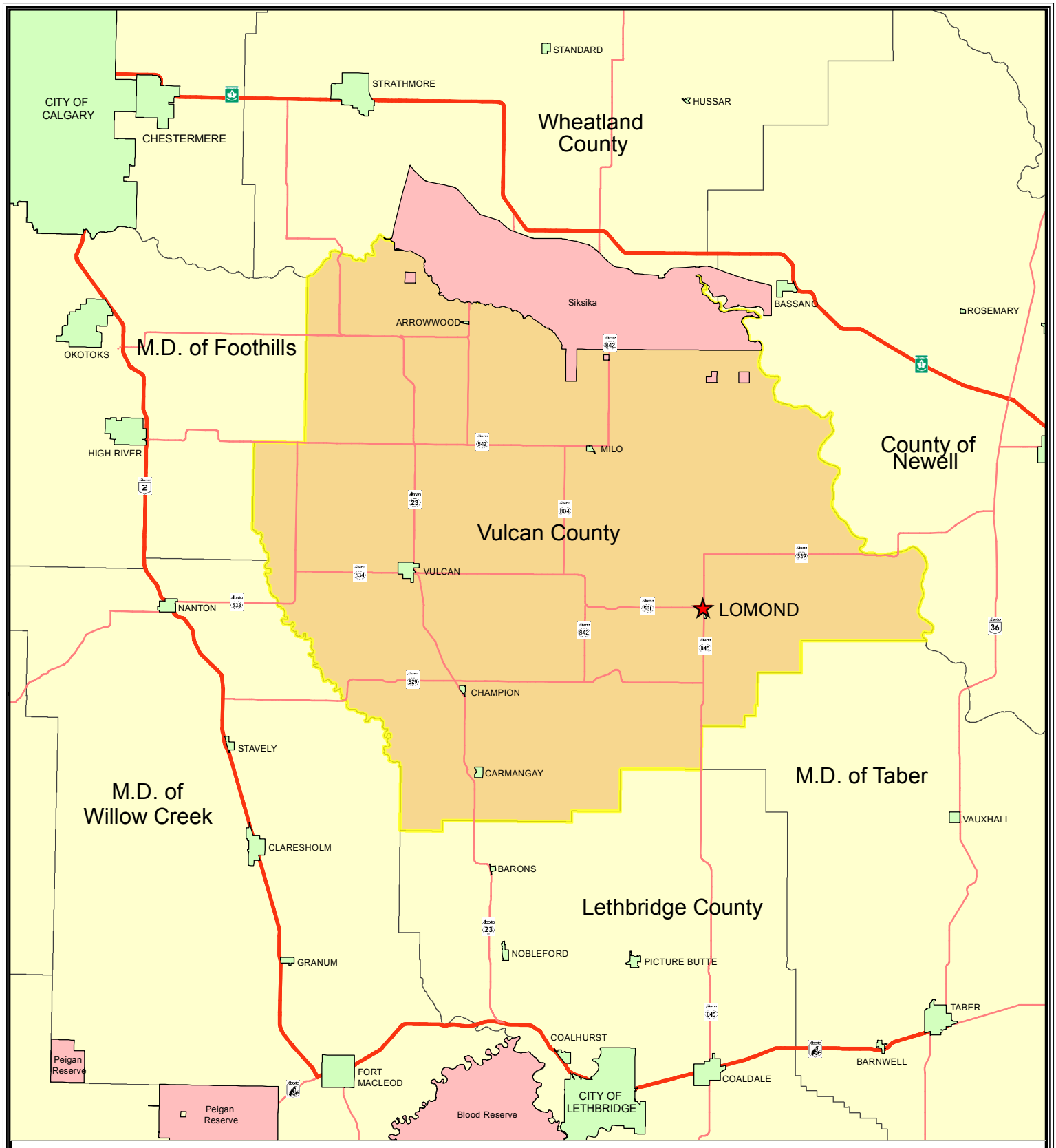
1.3 Plan Preparation Process & Procedure for Adoption

A committee of two Council members from the Village and one Council member from the County, as well as support staff from each municipality, met multiple times throughout the plan preparation process in 2019 and 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 Lomond 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



VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

LOCATION MAP

MAP 1

Lomond
Major Highway
Minor Highway
Vulcan County

PART 2

Coordinated Growth Management Strategy

2.1 Plan Area

The Intermunicipal Development Plan Area (also referred to as the IDP Area or Plan Area) consists of approximately 7,786 acres (3,151 ha), encompassing land approximately 1 to 2 miles around the Village of Lomond and those lands within the Village adjacent to the municipal boundary, and is illustrated on Map 2. Land Use and Transportation Concepts have 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. The Plan Area is located in the eastern portion of Vulcan County along Highway 531 and Highway 845. Highway 531 is situated to the north of the Village and connects to Highway 845 running north and south along the east side of Lomond.

2.2 Background

The Village is located approximately 175 km southeast of the City of Calgary and approximately 75 km southwest of the City of Brooks (Map 1). The County and Village have many economic and social links which necessitates the need for the municipalities to coordinate land use planning and infrastructure.

Similar to many other fringe areas surrounding urban municipalities in Southern Alberta, agriculture is the primary land use within the IDP Plan Area including a variety of crop and livestock production on lands classified by Canada Land Inventory (CLI) as Class 3 and 4 soils (Map 8). 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 Lomond municipal boundary (Map 7).

There were a total of 6 County subdivisions completed within the Plan Area between 1987 and 2011. The majority of subdivisions were for country residential development, namely farmstead separation. Several restrictions to potential growth and development identified in the Plan Area include wetlands or low-lying land, oil and gas wells (100 metre buffer), a sewage lagoon (300 metre buffer), and a former landfill site (300 metre buffer), which restrict the development of residences, schools, hospitals, and food establishments (Map 5). Historically, the Village has had two annexations since its incorporation and one annexation from the Village to Vulcan County. Annexations to the Village occurred in the eastern portion of the current boundary in 1929 and 1985 to incorporate CPR land east of Highway 845 (Map 9). A portion of Highway 531 in the northern part of the Village was annexed back to Vulcan County in 1970. Overall, the Village has remained at a stable population for the past several decades and the most recent census data (2016) indicate that there are 166 residents who reside in the Village of Lomond.

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 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 Lomond 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.

2.3.2 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.

2.3.3 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.

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

2.4 Agricultural Practices

Intent

Agricultural activities are to continue to operate under acceptable farming practices within the Intermunicipal Development Plan boundary. The County and Village both recognize that it is the jurisdiction of the Natural Resources Conservation Board (NRCB) to grant approvals and regulate confined feeding operations (CFOs), which are defined in the *Agricultural Operation Practices Act* along with a threshold for when an approval is required in the Part 2 Matters Regulation. However, both municipalities agree it is desirable to specifically regulate intensive agricultural operations in an attempt to minimize potential nuisance and conflict between land uses, especially residential, and CFOs within close proximity to the Village. The County currently has policy in their Municipal Development Plan which excludes the development of CFOs on lands near waterbodies, water courses and urban settlement.

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 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 Plan Area of 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 dust, weed, and insect control adjacent to developed areas, through best 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) and expansions are not permitted to be established within the Intermunicipal Development Plan Confined Feeding Operation Exclusion Area (Map 3).

2.4.6 In the future, requests to amend the CFO Exclusion Area by parties other than the County or Village, may be considered through the bylaw amendment process contained in the *Municipal Government Act* and would need to be approved by both municipalities upon consideration of the size, scale and impact of the proposed CFO development.

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.

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

2.4.9 It is acknowledged that Vulcan County may pursue additional consultation on CFO Exclusion Area Policy at the municipal level. Both the County and the Village agree to re-evaluate the CFO Exclusion Area when Vulcan County updates their Municipal Development Plan regarding this matter.

VULCAN COUNTY BYLAW #2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

IDP BOUNDARY

MAP 2

16 - 20 - W4

16 - 19 - W4

22 23 24 19

531

15 14 13 18

10 11 12 7

845

16 - 20 - W4

16 - 19 - W4

- Highways
- IDP Plan Area
- Village of Lomond Boundary
- Gateway Corridor

Vulcan County

Village of Lomond Alberta

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1

Kilometers

N

2.5 Future Land Use

Intent

To address the matter of future land use within the Plan Area, possible urban expansion areas have been identified on 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 future growth areas 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 land use concept illustrated on Map 4 establishes, generally, the recommended future land uses for the primary/preferred growth zone for the Village. The boundaries of the multiple future land uses shown are general approximations and are not intended to be exact boundaries.

2.5.3 Lands adjacent to the east side of Highway 845 within the W½ 13-16-20-W4, are identified as a suitable location for future industrial developments and development should directed and located there as the primary land use.

2.5.4 Lands within both the NW¼ 14-16-20-W4 and E ½ SE 14-16-20 W4 have been identified for future residential land use. These lands are intended to support primarily urban scale residential, but may also be used for limited grouped country residential development.

2.5.5 Lands within the SE¼ 14-16-20-W4, adjacent to Highway 845, have been identified as appropriate for future commercial. These lands are intended to support highway commercial activities that require the benefit of high visibility to the motoring public.

2.5.6 Isolated commercial and industrial developments shall generally be directed to the growth areas illustrated on Map 4. Generally speaking, commercial and industrial developments are viewed as more appropriate within the Village in order to retain the primarily agricultural nature of the majority of the Plan Area. However, land intensive uses and nuisance emitting uses, especially those desiring the benefit of relatively close proximity to an urban centre may be supported within the Plan Area.

2.5.7 Any future development proposed adjacent to the identified Village entranceways should consider potential visual impacts and plans should address the enhancement of visual appeal and attractiveness of the development with special regard to landscaping, signage, building style, setbacks, screening, architectural guidelines and other features.

2.5.8 The development of the future growth areas as identified will require at some future point an Area Structure Plan to outline the planning, land use, density, road network and servicing framework for the entire area.

2.5.9 The Village sewer lagoons are situated within the NW¼ 13-16-20-W4 and the waste transfer station is located within the NE¼ 11-16-20-W4 in Vulcan County. 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 Sections 12 and 13 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 or an operating storage site.

(b) In accordance with Sections 12 and 13 of the Subdivision and Development Regulation, a development authority shall not issues 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 or an operating storage site.

2.5.10 Oil and gas infrastructure is located within the Plan Area, which includes both active and inactive well sites and pipelines and consideration during the planning process of the mandatory 100-metre setback to well sites and the 200-metre setback from the pipeline as indicated on Map 5 is required.

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 proposed future roadway system in the "growth areas" should be a continuation of the Village grid pattern system 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, in consideration of a transportation concept with linkages to the adjacent Village grid pattern system, 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.

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

CONFINED FEEDING OPERATION EXCLUSION AREAS

MAP 3

16 - 20 - W4

16 - 19 - W4

845

531

- Highways
- IDP Boundary
- Village of Lomond Boundary
- Confined Feeding Operation Exclusion Area From Vulcan County MDP Bylaw 2012-003
- Lomond Confined Feeding Operation Exclusion Area

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1

Kilometers

N

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

GROWTH AREAS

MAP 4

16 - 20 - W4

16 - 19 - W4

22 23 24 19

531

15 14 13 18

10 11 12 7

845

16 - 20 - W4

16 - 19 - W4

IMDP Boundary

Village of Lomond Boundary

Highways

Growth Areas

Commercial/Industrial

Residential

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1

Kilometers

N

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 need to coordinate provincial transportation plans and municipal land use plans to ensure proper planning of development adjacent to highways of provincial interest. The County and Village will consult with Alberta Transportation regarding the implementation of this Plan.

2.6.7 With respect to future growth and development for the Plan Area, it is recognized that no additional direct access to Highway 531 or Highway 845 will be permitted without the authorization of Alberta Transportation. Any additional proposed new road access linkage to a highway shall be determined in consultation with the provincial department with consideration for the need of preparing an Area Structure Plan or Traffic Studies.

2.6.8 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.

2.7 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.

Policies

2.7.1 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.

2.7.2 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 Policies 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.

2.7.3 Both municipalities endorse the dedication of environmental reserve or an environmental reserve easement for watercourses, natural drainage courses, wetland areas and other areas within the Plan Area and recognize that the *Municipal Government Act* authorizes:

(a) the dedication of a minimum 6-metre strip abutting a water course; and

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

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

2.7.4 The municipalities recognize the importance of the Bow River Irrigation District lateral within the SE¼ 7-16-10-W4 of the Plan Area and the Village water reservoir (Map 6) and shall ensure the protection of these assets when considering development and subdivision proposals.

2.7.5 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.

2.7.6 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 Lomond is not committed to providing any new services outside the Village boundaries, and

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

GROWTH RESTRICTIONS

MAP 5

16 - 20 - W4

16 - 19 - W4

22 23 24 19

15 14 13 18

10 11 12 7

531

845

- Oil/Gas Well¹
- Oil/Gas Well Buffer - 100m
- Waste Transfer Buffer - 300m
- Sewage Lagoon Buffer - 300m
- Highways
- Wetlands²
- IDP Boundary
- Village of Lomond Boundary
- Gas Line R/W
- 200m Gas Line R/W Buffer

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

Aerial Photo Date: 2018

Vulcan County

Village of Lomond Alberta

Oldman River Regional Services Commission

0 0.5 1
Kilometers

N

(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/landowner 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/landowner;

(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/landowner;

(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.

2.9 Urban Growth & Annexation

Intent

The County and Village have identified the Village's preferred growth directions to assist decision makers within both jurisdictions for future development and infrastructure planning (Map 4). 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. Plan policies are provided to outline a clear process to guide annexation while also ensuring the options of all affected stakeholders into the expansion process are considered.

Policies

2.9.1 The general growth directions of the Village are indicated on Map 4 and the County and Village through policy will attempt to protect these lands 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 that need to be involved in the process including:

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

(b) Village of Lomond, 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 Intermunicipal Development Plan Committee shall review the IDP boundary to determine whether a need to amend the Plan boundary, or any other planning matter or boundary, is warranted.

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 cooperative cost and revenue sharing to the benefit of both municipalities.

2.10 Renewable Energy Developments

Intent

To establish policies for the development of commercial-scale renewable energy developments in order to ensure compatible land use outcomes and a vision for the future of the Plan Area while acknowledging that the municipal role may be limited due to the provincial approval process. The Alberta Utilities Commission (AUC) *Rule 007: Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* and *Rule 012: Noise Control* are understood to be the most relevant regulations directing the planning and approval of renewable energy developments.

Policies

2.10.1 The municipalities recognize their role in the planning approval process as a limited one, subject to sections 618-620 of the *Municipal Government Act* and that the Alberta Utilities Commission regulatory role is paramount to the municipal regulatory role.

2.10.2 Commercial-scale renewable energy developments within the Plan Area may or may not be supported upon review and consideration of the project by both municipalities. The County and Village may discuss and consider revenue sharing as a means of mitigating the impact of a commercial-scale renewable energy project on the neighbouring municipality. Any revenue sharing would be established through a separate and independent agreement for projects within the Plan Area or inside the Village adjacent to the corporate boundary.



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 to updates or changes and/or unforeseen situations not specifically addressed in the Plan; any amendments must be adopted by both Councils using the procedures established in the *Municipal Government Act*. No amendment shall come into force until such time as both municipalities adopt the amending bylaw.

3.1.3 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 Lomond 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 as shown in Figure 2:

- 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

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, if deemed necessary by either 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 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.

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 either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in policy 3.3.5(a), (b) and (c), it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

3.2.7 Written comments from the receiving municipality that are 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.

Figure 2: Intermunicipal Development Plan Referral Flow Chart



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 Councils, 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 Councils 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*

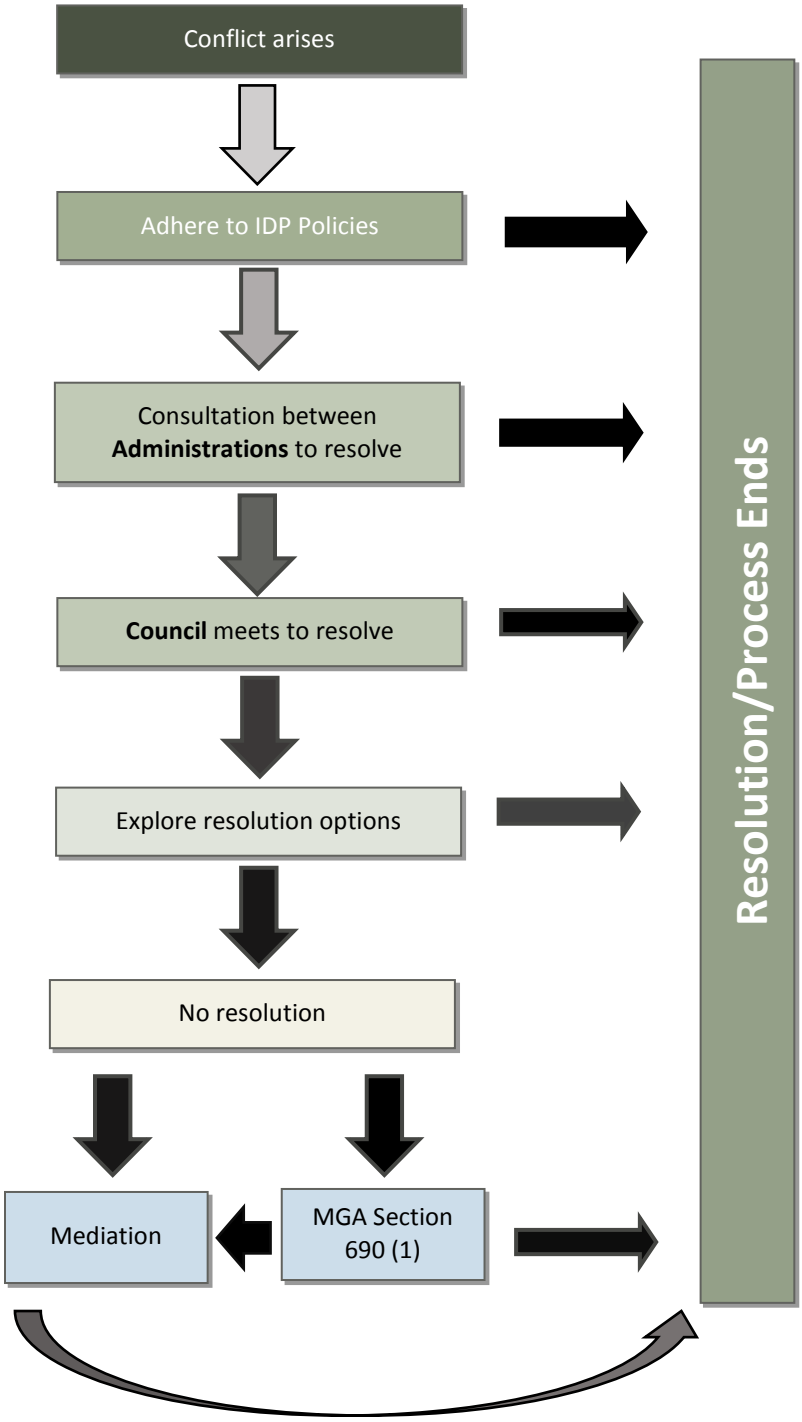
3.3.8 In the case of a dispute involving the adoption of a statutory plan, land use bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *Municipal Government 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 prepared 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 7 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 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 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.

3.5.6 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.

3.5.7 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.

3.5.8 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.

3.5.9 The County and Village may collaborate and investigate methods of giving various support to a variety of community cultural, recreational, environmental or heritage projects that may mutually benefit or enhance the quality of life of ratepayers of both municipalities within the region. This could be in the form of: time (municipal staff), gifts in kind, materials, municipal letters of support, unified government lobbying, application for grants, or other more permanent arrangements if both municipalities agree and enter into discussions and make specific agreements for the type and method of delivery of such municipal support.

3.5.10 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 Village for operating and/or capital expenses.

Part 4

Maps

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

EXISTING LAND USE

MAP 6

16 - 20 - W4

16 - 19 - W4

22 23 24 19

531

15 14 13 18

Water Line R/W (726.JK)

Water Line R/W (7810.436)

10 11 12 7

845

16 - 20 - W4

16 - 19 - W4

- IDP Boundary
- Village of Lomond Boundary
- Highways
- Farmstead
- Farm Building
- Institutional
- Utility
- Water Line R/W
- Gas Line R/W
- 200m Gas Line R/W Buffer

Vulcan County

Village of Lomond Alberta

Aerial Photo Date: 2015

Oldman River Regional Services Commission

0 0.5 1

Kilometers

N

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

LAND USE ZONING

MAP 7

16 - 20 - W4

16 - 19 - W4

22 23 24 19

15 14 13 18

10 11 12 7

531

845

IDP Boundary

Village of Lomond Boundary

Highways

Lomond Land Use Districts

Residential R

Commercial C

Industrial I

Public P

Transitional Agriculture TA

Vulcan County Land Use Districts

Urban Fringe UF

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 0.5 1

Kilometers

N

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW #640
INTERMUNICIPAL DEVELOPMENT PLAN

SOIL CAPABILITY FOR AGRICULTURE INDEXED BY CANADA LAND INVENTORY

MAP 8

16 - 20 - W4

16 - 19 - W4

22 23 24 19

531

15 14 13 18

10 11 12 7

845

16 - 20 - W4

16 - 19 - W4

IDP Boundary

Village of Lomond Boundary

Highways

Soil Type[1]

3 - Moderately High Productivity, Moderately Severe Crop Limitations (232.3±ha)

4 - Low to Medium Productivity, Severe Crop Limitations (2918.9±ha)

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

Oldman River Regional Services Commission

0 0.5 1

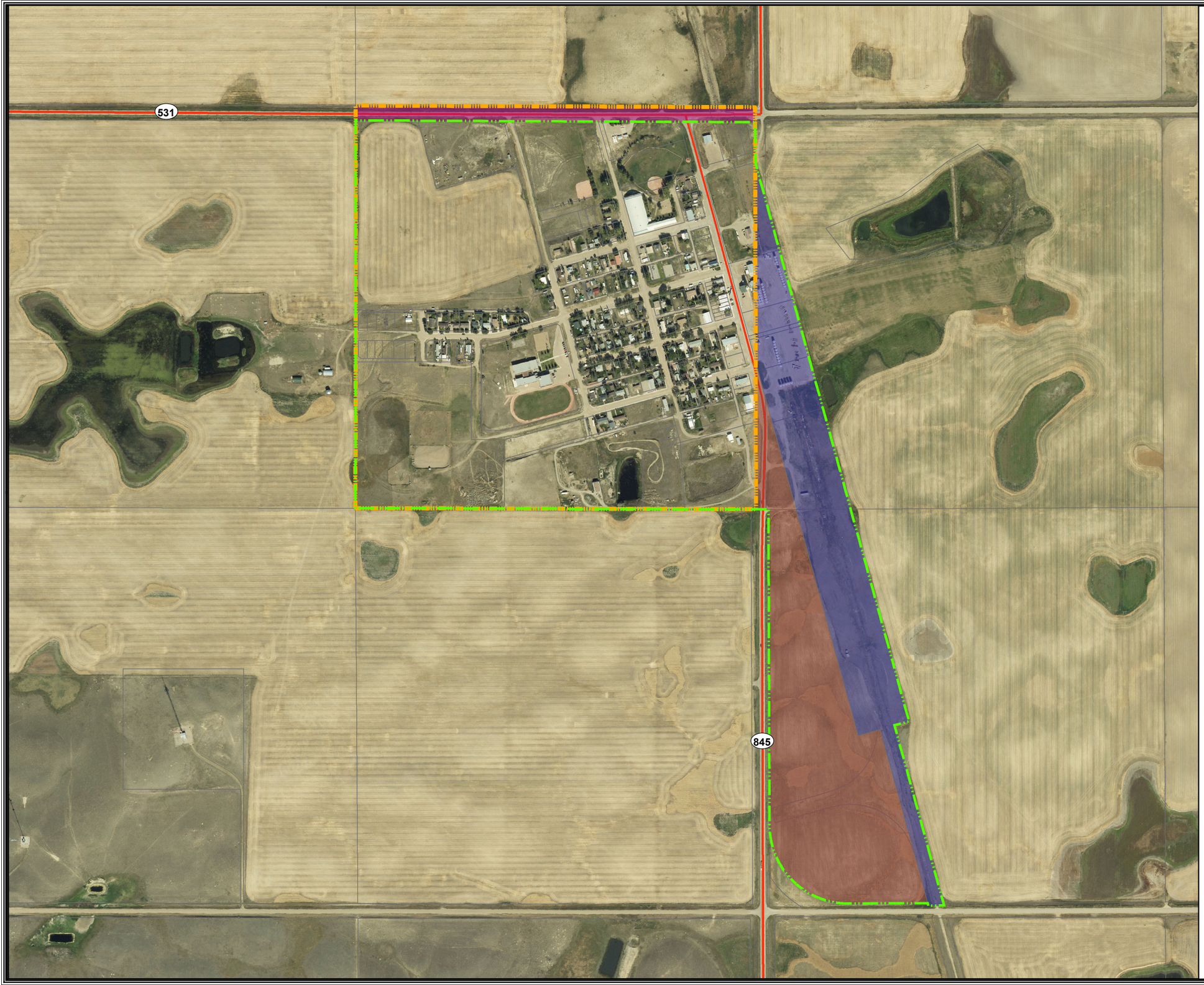
Kilometers

N

VULCAN COUNTY BYLAW # 2021-005
VILLAGE OF LOMOND BYLAW # 640
INTERMUNICIPAL DEVELOPMENT PLAN

HISTORICAL ANNEXATION AREAS

MAP 9



- Highways
- Current Village Boundary
- Original Village Boundary

Lomond Annexation History

- 1929 Annexation
- 1970 Annexation to Vulcan County
- 1985 Annexation

Aerial Photo Date: 2018

Oldman River Regional Services Commission

0 100 200 300 400

Meters

N