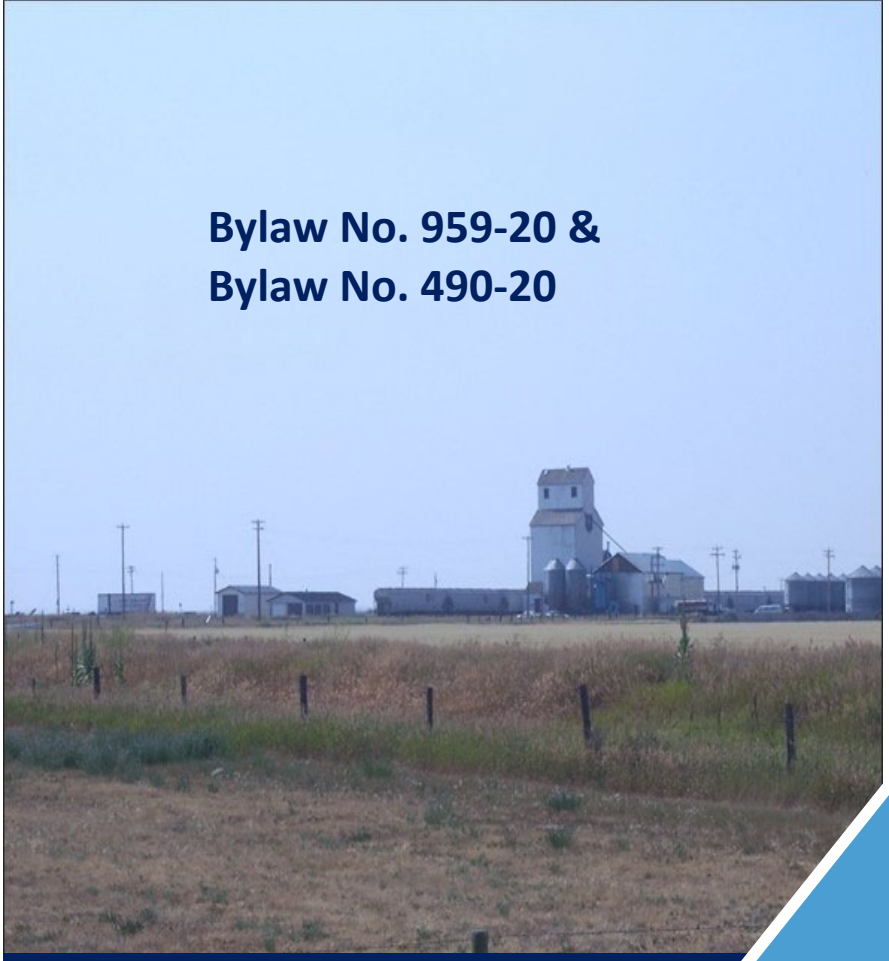


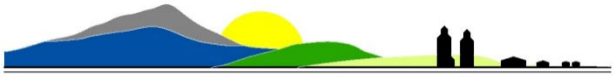
Bylaw No. 959-20 &
Bylaw No. 490-20

May 2020



County of Warner No. 5 & Village of Stirling

INTERMUNICIPAL DEVELOPMENT PLAN



OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Prepared for the County of Warner No. 5 and the Village of Stirling

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COUNTY OF WARNER
IN THE PROVINCE OF ALBERTA

BYLAW NO. 959-20

BEING a bylaw of the County of Warner No. 5 in the Province of Alberta, to adopt Bylaw No. 959-20 being the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan.

WHEREAS councils of municipalities that have common boundaries are required by provincial legislation to pass and adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

AND WHEREAS the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan establishes policies that apply to lands within both municipalities as defined within the plan 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 County of Warner No. 5 and the Village of Stirling 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 each municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the County of Warner No. 5 duly assembled hereby enacts the following:

1. Council shall adopt the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan in consultation and as agreed to with the Village of Stirling.
2. This plan, upon adoption, shall be cited as the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan Bylaw.
3. Bylaw No. 836-04, being the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan and any amendments thereto, is hereby rescinded.
4. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 18 day of FEBRUARY, 2020.

Reeve *– Randy Taylor* ***Municipal Administrator*** *– Shawn Hathaway*

READ a **second** time this 5 day of MAY, 2020.

Reeve *– Randy Taylor* ***Municipal Administrator*** *– Shawn Hathaway*

READ a **third** time and finally PASSED this 5 day of MAY, 2020.

Reeve *– Randy Taylor* ***Municipal Administrator*** *– Shawn Hathaway*

VILLAGE OF STIRLING
IN THE PROVINCE OF ALBERTA
Bylaw No. 490-20
County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan Bylaw

BEING A BYLAW OF THE VILLAGE OF STIRLING IN THE PROVINCE OF ALBERTA, TO ADOPT BYLAW NO. 490-20, BEING THE COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN.

WHEREAS councils of municipalities that have common boundaries are required by provincial legislation to pass and adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

AND WHEREAS the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan establishes policies that apply to lands within both municipalities as defined within the plan 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 County of Warner No. 5 and the Village of Stirling 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 each municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

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

1. Council shall adopt the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan in consultation and as agreed to with the County of Warner.
2. This plan, upon adoption, shall be cited as the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan Bylaw.
3. Bylaw No. 396-04, being the County of Warner No. 5 and Village of Stirling Intermunicipal Development Plan and any amendments thereto, is hereby rescinded.
3. This bylaw shall come into effect upon third and final reading thereof.

READ a **first** time this 19 day of February 2020.

READ a **second** time this 8 day of April 2020.

READ a **third** time and passed this 20 day of May 2020.

Mayor – Trevor Lewington

CAO – Bob Payette

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PART 1

Introduction

PART 1
Introduction

1.1 Introduction

The County of Warner (County) and the Village of Stirling (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.

In 2004, the County and the Village adopted their first Intermunicipal Development Plan (IDP or Plan) to create 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. This IDP is still active, but the land use vision and policies require updating to remain relevant and applicable for the circumstances within the urban fringe area.

Revisions to planning regulations in the *Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended* solidify the requirements for municipalities to consider and consult their neighbours during the planning process. Both municipalities wish to be proactive and establish a framework to direct and manage development in a manner which is mutually beneficial. Therefore, it is prudent that the County and Village adopt a new IDP to formalize intermunicipal cooperation and coordination of land, in order to mitigate potential issues arising from development on lands immediately adjacent to the Village boundary.

The key policy areas of the Plan include:

- Land Use,
- Transportation,
- Utilities, Servicing and Drainage,
- Coordination of Economic, Social and Environmental Issues, and
- Administration and Dispute Resolution.

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.

1.2 Legislative Requirements

In order to foster cooperation and mitigate conflict between municipalities, the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended (MGA)* requires adjacent municipalities to adopt an Intermunicipal Development Plan.

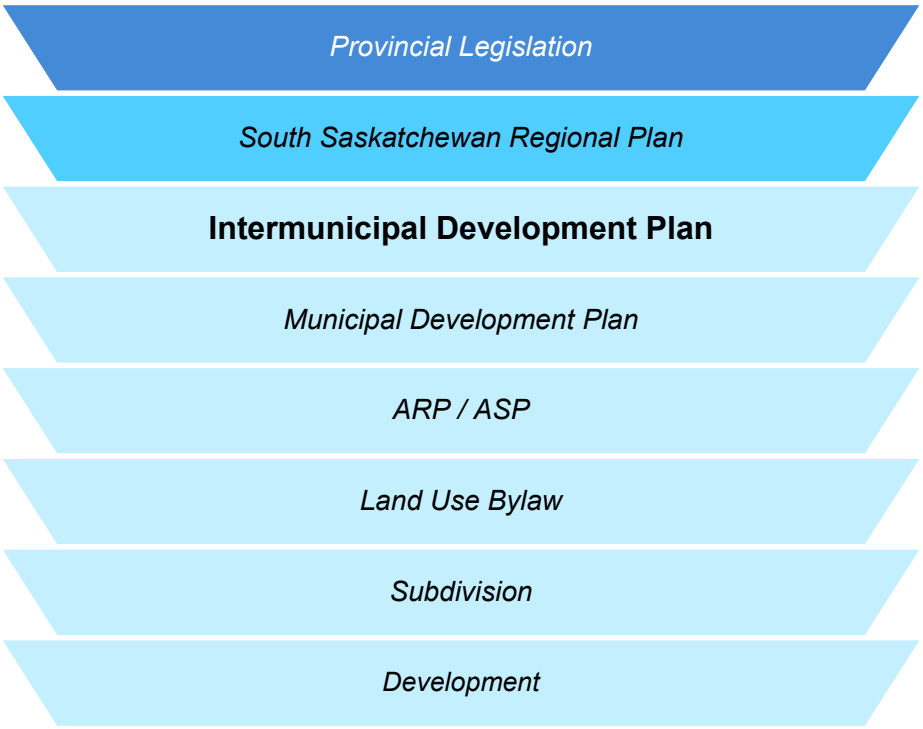
Specifically, the *MGA* states:

> ***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.*

Figure 1: Planning Hierarchy Flowchart



In addition to *MGA* 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.

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 specially 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.

1.3 Plan Area

The Intermunicipal Development Plan Area (also referred to as the Plan Area or IDP Area) encompasses approximately one mile of land within the County of Warner and surrounds the Village of Stirling, including land to the east and west of Highway 4 and the southernmost entrance to the Village from Highway 846 (Map 1). The land within the Plan Area encompasses approximately 5,091 acres (2,060 ha) of land within the County of Warner.

As part of the IDP planning process, a background study was undertaken to help identify major development considerations and limitations requiring intermunicipal consideration within the Plan Area. The study examined land use, transportation systems, natural features, soils, topography, environmental aspects, abandoned gas wells, and subdivision and title configurations, amongst other matters. Maps 2 through 9 illustrate some of the physical features and considerations within the Plan Area.

Both natural and human-made features on the landscape affect planning for growth and development within the Plan Area. Natural features within the Plan Area include waterbodies, wetlands and drainage courses. Kipp Coulee, a natural drainage formation which extends throughout the Plan Area, running through the western portion of the Village, and joining the Etzikom Coulee just north east of Stirling, is recognized as an important planning consideration. While located just outside of the Plan boundary, Stirling Lake is also recognized within this Plan as an important regional water habitat area that is managed by Ducks Unlimited. Provincial information identifies various small pockets of potential wetlands, primarily located south and to the northeast of the Village.

The provincial data also distinguishes areas with potential for historical resources within the Plan Area and the Village of Stirling. Lands within and north of the Village have been identified by the Government of Alberta as having a high probability of containing important historic artifacts, HRV resources of 2, 3 and 5 values (Map 6). The Village of Stirling has had National Historic Site designation in place since 1989. The Village was designated as a national historical site of Canada because it is the best surviving example of a Mormon agricultural village.

A large portion of the lands within the Plan Area are used for various agriculture purposes. The majority of agriculture land within the IDP boundary contain fertile soils (CLI classes 2 and 3) that can render high crop yields under proper cultivation practices. There is only one livestock operation within the Plan Area classified as a Confined Feeding Operation (CFO), but there are a few smaller seasonal cow-calf type of operations.

Other characteristics or constraints of the Plan Area include the Village sewage lagoons located to the north of Stirling, and the waste transfer station sited north of the cemetery, just to the northwest of the Village boundary. Additionally, Highways 4 and 846 along with the CPR Railway that lies parallel to Highway 4, situated to the east of the Village boundary, create fragmented lands between the two major transportation networks. The Lethbridge County boundary touches this IDP boundary on the northwest near Stirling Lake, and the County of Warner and Lethbridge County have their own IDP adopted for lands on both sides of the shared rural boundary.

Existing subdivisions and developments within the Plan Area can be primarily characterized as relating to historic plan plots, farming and agriculture, and country residential uses. A few notable exceptions include:

- Village of Stirling cemetery,
- regional waste transfer station,
- isolated commercial use on Highway 4, and
- the historic, former locality of Maybutt Siding.

1.4 Plan Goals

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

2. To encourage on-going consultation and collaboration between the County and Village on matters of intermunicipal importance.

3. 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.

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.

1.5 Plan Preparation, Process & Procedure for Adoption

The background and study and analysis served as the foundation from which both municipalities could review the existing land use conditions and determine the relevant issues, goals and objectives. Once each municipality's perspectives were identified, a draft document was prepared for review by each municipality prior to consultation with affected landowners, stakeholders and the general public.

Upon completing the public consultation phase, a refined document was then prepared, and final draft was forwarded to each Council for review. As required by the *MGA*, public hearings were held by each Council and subsequent to the public hearings, the IDP was adopted by each municipality under separate municipal bylaws.

The policies outlined in Part 4 of this Plan are to be adhered to with respect to adoption, implementation, amendments and general administration of the IDP.

PART 2

Coordinated Growth Management Strategy

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 5,091 acres (2,060 ha) within the County of Warner and is illustrated on Map 1. The Plan Area also includes those parcels of land within the Village of Stirling situated adjacent to the municipal boundary. Land Use and Transportation Concepts (Map 4) 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.

2.2 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

2.2.1 This document outlines policies that apply to all land within the IDP boundary illustrated on Map 1 and lands adjacent to the municipal boundary in the Village.

2.2.2 The Plan provides a basis for consultation and consensus making. However, each municipality will be ultimately responsible for making decisions within their own respective municipal boundaries, having regard for the policies of this Plan and the dispute resolution process in this Plan.

2.2.3 Both the County and Village shall update and amend their Land Use Bylaws and Municipal Development Plans as required to ensure conformity with the Intermunicipal Development Plan as adopted.

2.2.4 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 County of Warner Land Use Bylaw, Village of Stirling 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.

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

2.2.6 Any new 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 County of Warner Land Use Bylaw and Municipal Development Plan.

2.2.7 All the required plans, design schemes or other reports in support of major subdivisions/ developments must be professionally prepared and engineered to an acceptable municipal standard.

2.2.8 Applications or proposals may come forward from landowners or developers that may not be specifically addressed through the policies of this IDP. In such circumstances, the two municipalities should consult and determine if the proposal should be discouraged, supported, or if amendments may be needed to be made to the IDP in order to enable the proposal to proceed if there is general agreement between the County and Village that the proposal is acceptable.

2.2.9 Both the County and Village will ensure that redesignation, subdivision and development applications located within the defined setback parameters of a provincial highway (300 metres for the boundary of a designated provincial highway or 800 metres from the intersection) are referred to Alberta Transportation.

2.3 Agricultural Practices

Intent

In terms of agricultural production, the existing use in the fringe is largely irrigated cropland, including some pastureland and one existing poultry confined feeding operation (CFO). It is the intent of both municipalities that agricultural activities are to continue to operate under acceptable farming practices within the Intermunicipal Development Plan boundary.

Policies

2.3.1 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.

2.3.2 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*.

2.3.3 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.

2.3.4 If any issue or complaint arises in either municipality regarding impacts from agricultural operations, the municipality receiving the complaint will direct the affected parties to the appropriate agency, government department, or municipality having jurisdiction over the land for consultation, investigation or resolution, as applicable.

2.3.5 New confined feeding operations (CFOs) and expansions are not permitted to be established within the Intermunicipal Development Plan Confined Feeding Operations Exclusion Area (Map 5). The two municipalities agree that the CFO Exclusion Area shall extend outside the IDP boundary, ½-mile to the west and ½-mile to the south, on lands situated west of Highway 846 as depicted on Map 5.

2.3.6 The County agrees that it shall update and amend the Municipal Development Plan as required to ensure it aligns with the CFO policies stipulated in this Plan.

2.3.7 The spreading of manure is strongly discouraged on land within the IDP Area. However, as it is recognized the Natural Resources Conservation Board (NRCB) has jurisdiction over such issues, it is requested that the procedures outlined in the *Agricultural Operations Practices Act*, Standards and Administration Regulation or the additional recommendations or conditions of the NRCB be strictly adhered to.

2.3.8 The County agrees that it will continue to regulate intensive livestock operations for threshold numbers that fall below the minimum threshold criteria for approvals under the mandate of the NRCB, through policies stipulated in the County's Land Use Bylaw.

2.4 Urban Growth & Annexation

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 4). Any future annexation of these lands will occur in the framework and context of long-range planning documents, this IDP, and in consultation with the County.

Policies

2.4.1 The future land use concept illustrated on Map 4 establishes, generally, the preferred growth areas within the Plan Area. Future land uses will need to be more fully defined and planned through additional planning and engineering studies for the area when required. (Section 2.5 more fully outlines the future growth concepts of the IDP.)

2.4.2 Based on the locations of the existing highways and railway, topography, availability of services, and compatibility of land uses, the preferred Village growth directions will be to the north of the Village

for residential and industrial expansion and to the east of Highway 846 for commercial development and residential expansion as shown on Map 4.

2.4.3 The Village will attempt to implement the growth and development strategies as outlined in its Municipal Development Plan as best it can prior to commencing an annexation process unless unique circumstances present themselves in which earlier annexation is viewed as necessary.

2.4.4 Both municipalities recognize that future subdivision of larger agricultural parcels south and west of Kipp Coulee within the Village is challenging, due to servicing constraints, flooding potential and linkages with the historic nature of the Village (National Historic Sites designation). Village internal residential growth will be generally directed east of Kipp Coulee on lands with in-fill potential and servicing capability.

2.4.5 If the annexation of land is deemed necessary by the Village, either to accommodate growth or realign municipal shared boundaries in a more rational manner, the Village Chief Administrative Officer (CAO) will contact the CAO of the County to discuss the proposal and provide and share any of the necessary information, studies, facts and details on the proposal so all parties are adequately informed prior to submitting a notice of intent to annex with the Municipal Government Board (MGB).

2.4.6 When the Village formally determines annexation of land is necessary to accommodate growth, it will prepare and share with the County a growth strategy/study before submitting a notice of intent to annex with the Municipal Government Board. The growth strategy/study will indicate the necessity of the land, describe how land has been utilized to its fullest potential within the Village, outline proposed uses of the land, servicing implications, and any identified financial impacts to both municipalities, while addressing the MGB's "Annexation Principles" and demonstrating consistency with the relevant portions of the *South Saskatchewan Regional Plan*.

2.4.7 Annexation involves a number of stakeholders and the two municipalities agree that the following parties need to be involved in the process including:

a) land owners directly affected by the application must be part of the negotiation process;

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

c) the 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.

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

2.4.9 Notwithstanding policy 2.4.7 above, the County or Village may initiate an application for annexation without preparing a growth strategy/study 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.

2.4.10 Upon the completion of an annexation and the Municipal Government Board Order approval, the County and/or Village are responsible for reviewing their respective Land Use Bylaw to amend any municipal boundaries on diagrams, and to determine if a redesignation of the land is required to conform with the purpose of the annexation application, or as per any agreement with the land owners involved in the annexation process of their land.

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

2.5 Future Land Use

Intent

To address the matter of future land use within the Plan Area, land use concepts have been defined to ensure compatible land use occurs. The areas have also been identified to allow for future servicing considerations and studies to be adequately planned. Additionally, possible logical expansion areas have been identified and need to have special considerations for long-term planning (Map 4).

The following policies are intended to apply to issues that affect the fringe surrounding the Village of Stirling. It is recognized that the Stirling fringe is complex, consisting of existing fragmented parcels, many of which were created at the turn of the century through the registration of the original Village site plot plan. These policies will in part govern subdivision and development in the fringe and are supplemented with policies from the County's statutory plans and bylaws.

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 remainder of 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 preferred growth areas within the Plan Area. The boundaries of the future land uses shown on Map 4 are general approximations and are not intended to be exact boundaries.

2.5.3 Proposals for development that are not consistent with the Land Use Concept may be considered on a case-by-case basis upon consultation between the County and Village.

2.5.4 As shown in Map 4, lands immediately to the north of 1 Avenue in Stirling (S½ of SE 32-6-19-W4M) and east of Highway 846 in a portion of SW 33-6-19-W4M are recognized as future Village residential growth areas. Lands east of the current Village boundary are recognized as the potential future residential and commercial growth areas (east of Highway 846 to the CPR right-of-way), due to the likely ease of providing municipal servicing and fewer impediments to growth.

2.5.5 Lands to the north of the Village and west of Highway 4, primarily within the NE and N½ of SE 32-6-19-W4M, are identified as a suitable location for future industrial developments to be planned as the primary land use for the County and for the Village as a future expansion area as depicted on Map 4.

2.5.6 An area east of the intersection of Highways 4, 846 and 61 within the northeast potion of the Plan Area has been identified by the County as an opportunity area for further industrial development (Map 4). Access to any future development of this site shall be to the satisfaction of Alberta Transportation.

2.5.7 The area east of the Village and west of Highway 4, situated between the CPR railway and Highway 4 (SW 33-6-19-W4M, portion of NW 33-6-19-W4M, and portion of NW 28-6-19-W4M) is identified as a limited industrial/commercial land use area for the County. Any land use decision making process should include considerations of the compatibility of the proposed use with adjacent land uses, a potential engineer's study to examine the drainage and water table depth, and anticipated traffic volumes as there are some restrictions due to limited access points into the area.

2.5.8 A potential highway commercial cluster area has been identified along both sides of Highway 4 at the east entrance road to the Village (County Township Rd 64A which connects to 4 Avenue) as illustrated on Map 4. It is recognized direct access to the highway will not be allowed and access to any future development of this area shall be in consultation with and to the satisfaction of Alberta Transportation.

2.5.9 Any future development proposed adjacent to Highways 4 and 846 and 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.

2.5.10 It is recognized that the Village has identified a need to plan for a future urban commercial core centre, as land available for such use is presently limited within the Village on Main Street (4 Avenue). Some potential lands east of Highway 846, between 4 Avenue and 6 Avenue, and to the north between 2 Avenue and 3 Avenue have been identified and reserved for potential future Village commercial use.

2.5.11 Outside of the identified expansion and potential development areas, it is recognized that the Urban Fringe district of the County's Land Use Bylaw allows consideration for a variety of business type land uses, including isolated commercial and isolated industrial uses. Any such development proposals submitted to the County will be carefully reviewed with respect to roads and access, servicing, drainage, compatibility with adjacent land uses, and how it may align with the intent of this IDP and its policies, and in particular, any such proposal should not hinder the identified future growth land use concept areas.

2.5.12 In the 'Historic Site Plan Policy Area' (refer to Map 4), the County shall not approve isolated noxious or heavy industrial uses along the west or south side of the Village, due to prevalent wind patterns and the proximity to residential uses. Additionally, those uses shall not be approved in the identified Village future 'Potential Expansion Area'.

2.5.13 Any subdivision and development within the Urban Fringe district of the County located to the south and west of the Village, as shown on Map 4 as the 'Historic Site Plan Policy Area', must have consideration of the National Historic Site Plans and the criteria of the following policy 2.5.14.

2.5.14 In considering subdivision and development applications within the 'Historic Site Plan Policy Area', the County:

a) will have consideration of the National Historic Site Plans and the historic 10-acre grid and roadway pattern for applications within ½ mile from the Stirling boundary in the south and west, and as may be stipulated in the Urban Fringe district in the County's Land Use Bylaw;

b) may allow on a discretionary basis, a 10-acre parcel to be subdivided into two 5-acre parcels, with consideration of maintaining the historic grid and road pattern.

2.5.15 Within the identified future 'Potential Expansion Area' for the Village depicted on Map 4, country residential subdivision will be restricted to the creation of 10-acre[1] square-grid blocks or the resubdivision of an existing 10-acre parcel into no more than two 5-acre parcels that align with the existing block and road pattern established in the vicinity.

2.5.16 It is recognized that the Municipal Development Plan and Land Use Bylaw subdivision policies of the County allow consideration for grouped country residential land use in the Urban Fringe district without the requirement for a bylaw redesignation to the Grouped Country Residential (GCR) district. In respect of this, any multi-lot country residential proposal that comes forward by landowners/developers should be carefully reviewed with respect to roads and access, servicing, drainage, and how it may align with the intent of this IDP and its policies, and in particular, any such proposal should not conflict with the identified Land Use Concepts plan or future potential Village growth opportunities.

2.5.17 Grouped Country Residential (GCR) development within the County of Warner, whether designated as GCR or not, should be restricted in areas:

[1] The 10-acre parcel size reference is a generality as acreage is to be calculated to two decimal places and rounded to the nearest acre using conventional rounding rules; that is, acreages of 9.50-9.99 are rounded up to 10.

a) near Stirling Lake because of the Stirling sewage lagoon and varying water conditions,

b) within ½ mile to the west and south of the village because of the implementation of the National Historic Site Plans, and

c) within the Potential Expansion Area for the Village identified on Map 4.

2.5.18 Any discretionary uses approved by the County should be compatible with the proposed future Land Use Concept and should be deemed compatible with adjacent land uses on the Village side of the municipal boundary.

2.5.19 Subdivision applications will be required to demonstrate consistency with the intent of the Future Land Use Concept (Map 4). Proposals for subdivision that are not consistent with the Land Use Concept may be considered on a case-by-case basis upon consultation with the Village.

2.5.20 For any multi-lot subdivision proposals within the Plan Area, an Area Structure Plan or conceptual design scheme will be required to be submitted by developers to address the planning and servicing items as stipulated in the County's Land Use Bylaw and Municipal Development Plan. The County shall refer the document to the Village in consideration of the referral and circulation policies of the IDP.

2.5.21 The County and Village both agree in the merit of removing the Urban Fringe Agricultural and Urban Fringe Residential districts from the County of Warner Land Use Bylaw that currently apply to the Stirling fringe area. The County agrees that the management of the special land use and subdivision parcel sizes previously addressed within those districts will be applied through unique criteria and specific standards added into the Urban Fringe district of the Land Use Bylaw.

2.5.22 In consideration of policy 2.5.21, both municipalities agree that the following land uses listed in the Urban Fringe district of the County's Land Use Bylaw are deemed not compatible within the Village's 'Potential Expansion Area' and the 'Historic Site Plan Policy Area' as illustrated on Map 4:

USE	**Potential Residential Development Area**	**Historic Site Plan Policy Area**
Abattoir	X	X
Agricultural services	X	
Autobody repair and paint shop	X	X
Automotive dealership	X	X
Automotive repair and service shop	X	X
Breeding facility	X	
Highway commercial	X	
Intensive horticulture	X	
Isolated single lot industrial	X	X
Kennel	X	
Minor livestock operation	X	
Mobile home	X	
Service station	X	X

2.5.23 The Village sewage lagoon is situated adjacent to Stirling Lake within SW 5-7-19-W4M in the County, and, as such, both municipalities shall consider the following required provincial setbacks from this facility 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.

2.5.24 The regional waste transfer station is located within the SW 32-6-19-W4M just to the northwest of the Village boundary which also must be considered by both municipalities in making land use decisions. As such, in accordance with provincial legislation, any subdivision or development application shall not be approved for a school, hospital, food establishment or residential use if the property line of a subdivision or building site for a development for any of those uses is located within 300 metres of the waste transfer site.

Municipal Reserve

2.5.25 To provide opportunity for future greenspace and amenities on land within the Potential Expansion Area for the Village, the County acknowledges that specific consideration with respect to municipal reserve is necessary. Within the area identified as the 'Potential Expansion Area' for the Village on Map 4, where municipal reserve is applicable in accordance with the *Municipal Government Act*, at least 50% of the municipal reserve owing will be deferred and registered as a deferred reserve caveat on each lot subject of the subdivision, unless otherwise mutually agreed upon by the County and the Village. The remaining 50% of the municipal reserve owing will be provided as required by the County.

2.5.26 Except as required in policy 2.5.25, all other municipal reserve owing within the Plan Area will be as determined by the County.

2.6 Transportation & Roads

Intent

The policies in this section are intended to address the IDP requirements of the *Municipal Government Act* and also help foster enhanced coordination of transportation linkages. The planning and coordination of linked road networks is 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 Map 4 illustrates a basic transportation concept based on an extension of the established grid road layout in the Village that must be taken into consideration when planning or subdividing areas for future development. A continuation of the grid layout for the road network is the preferred road and subdivision configuration.

2.6.2 In consideration of the Transportation Concept, development and subdivision proposals, along with any Area Structure Plan or conceptual design scheme, must address as part of the planning process, access, circulation and road connectivity to existing adjacent roadways or to establish a road network to areas identified for future growth and development.

2.6.3 Each municipality must be notified, prior to a decision being made, on any development or subdivision proposal in the other municipality that will result in access being required from an adjoining road under its control or management. The affected municipality must give permission in writing to the municipality processing the application prior to any access being permitted as a result of the approval of the application.

2.6.4 If road dedication is stipulated as a condition of subdivision approval, the landowner/developer will be required to enter into a development agreement to define the terms for road construction and any associated costs. The landowner/developers, not the County or Village, will be responsible for any costs related to providing access or roads as required.

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

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 and the County and Village will consult with Alberta Transportation regarding the implementation of this Plan.

2.6.7 A developer/landowner may be required to conduct a Traffic Impact Assessment (TIA) with respect to impact and access onto Highways 4 and 846, and Highway 61 and any upgrading identified by the traffic studies TIA will be implemented at the sole cost of the developer/landowner and to the satisfaction of Alberta Transportation.

2.6.8 The potential highway commercial cluster area located along both sides of Highway 4 at the east entrance to the Village (4 Avenue and County Township Rd 64A), illustrated on Map 4, must be planned in consultation with Alberta Transportation and in consideration of any of the provincial departments' requirements.

2.6.9 With respect to future growth and development for the Plan Area, it is recognized that no additional direct access to Highway 4 will be permitted by Alberta Transportation. Any additional proposed new road access (i.e., service road) linkage to the highway shall be determined in consultation with the provincial department with consideration for the need of preparing an Area Structure Plan and/or a Traffic Impact Assessment (TIA).

2.6.10 Isolated industrial/commercial uses in proximity to the highways 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 by the developer/landowner.

2.6.11 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 *FCM: Guidelines for New Development in Proximity to Railway Operations (2013).*

2.7 Utilities & Servicing

Intent

Both municipalities desire quality development with consistent, efficient and acceptable servicing standards that account for and manage cumulative impacts. Additionally, there is a need to provide a guideline for basic and agreed to servicing requirements applicable to the Plan Area.

Policies

2.7.1 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.

2.7.2 If a private sewage system is proposed to serve a subdivision, the developer/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.

2.7.3 For multi-lot subdivision proposals or where required within either jurisdiction in accordance with the municipality's Municipal Development Plan or Land Use Bylaw, developers shall be responsible to provide, at their expense, an engineered storm water management plan and obtain any necessary approvals under the *Water Act*.

2.7.4 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.

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

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

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

2.7.6 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, development fee, or any other acceptable form of remuneration.

2.7.7 When Village municipal services are proposed within the Plan Area:

a) it is the responsibility of the developer/landowner to enter into an agreement with the Village 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 County may collect the agreed upon user fees, for remittance back to the Village.

2.7.8 In consideration of providing municipal services to areas or development 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 to ensure developers contribute their fair share of the costs related to the infrastructure.

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

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

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

2.7.12 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 need to be generally addressed through the ICF but preferably the details and terms would be provided through a separate agreement.

2.8 Renewable Energy Developments

Intent

Both municipalities are open to supporting emerging renewable energy industries on land use within the Plan Area provided they are small-scale, suitably located and reflect the development philosophies of both municipalities.

Policies

2.8.1 The County and Village are supportive of individual small-scale renewable energy developments (e.g., solar, wind, geothermal, etc.) that serve an individual landowner or business provided it is allowed for in the municipality's Land Use Bylaw and any municipal standards are met.

2.8.2 It is recognized that the County does not presently permit commercial-scale renewable energy developments (e.g., solar, wind, biofuel, etc.) in the Urban Fringe district of the Land Use Bylaw. If a bylaw amendment was proposed to the County to contemplate allowing such a use within the Urban Fringe District, the County will consult with the Village on the bylaw request and will circulate any submitted bylaw amending application to the Village for comment in accordance with Section 4.3 of this Plan.

PART 3

Coordination of Social & Environmental Issues

PART 3

Coordination of Social & Environmental Issues

3.1 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

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

3.1.2 The County and Village will continue to consult and cooperate regarding intermunicipal issues and matters of mutual interest in a positive, collaborative manner and develop land use and development strategies for the area with a "regional" perspective to the extent possible.

3.1.3 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 proposals.

3.1.4 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.

3.1.5 Both municipalities 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 activities.

3.1.6 Where feasible, the County and Village may 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.

3.1.7 As a municipal cost-saving initiative endeavor, 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 between the two municipalities.

3.1.8 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.

3.1.9 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. 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.

3.2 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

3.2.1 Areas with potential for historical resources are identified by the province within the Plan Area (refer to Map 6). 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.

3.2.2 On any lands identified as a site of a potential historical 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 *Historical Resources Act (HRA)*.

3.2.3 Various small wetlands are dispersed throughout the Plan Area (refer to Map 7) and developers shall be responsible for avoiding any identified provincial wetlands or undertaking mitigation measures at their expense as required in accordance with the *Water Act* and *Alberta Wetlands Policy*.

3.2.4 Although Stirling Lake is located outside the Plan Area, it is recognized as an important regional water habitat area and any development proposals in proximity must be carefully reviewed with consideration for potential impacts to the waterbody and wildlife.

3.2.5 Kipp Coulee is an important natural drainage formation within the Plan Area that traverses though the County and Village. The County and Village will carefully review development proposals in relation to how they may impact the drainage channel, and the developer shall be responsible to address potential storm water drainage issues as part of their proposal.

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

3.2.7 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*.

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

PART 4

Plan Administration & Implementation

PART 4

Plan Administration & Implementation

4.1 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

4.1.1 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 amended or 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 outlined in Section 4.4 will be undertaken should the municipalities be unable to reach an agreement.

4.1.2 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.

4.1.3 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.

4.1.4 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.

4.1.5 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 interest of both municipalities.

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

4.2 Plan Implementation

Intent

The policies in the Plan serve as the framework for consultation on intermunicipal matters and 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 the agreed to policies in the Plan. The *Municipal Government Act* also stipulates that all statutory plans adopted by a municipality must be consistent with each other.

Policies

4.2.1 The Plan has been prepared by the County and Village 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.

4.2.2 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) and remains in effect until such time it is rescinded or replaced.

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

4.2.4 Variances to the policies of this Plan may be made by the relevant approval authority if:

a) in the opinion of the approval authority the variance is minor; and

b) the variance request has been referred to the other municipality and they have responded they have no issue or concerns with the minor variance proposal; and

c) the variance complies with other statutory plans and bylaws.

4.2.5 To help achieve continued success in implementing the Plan and 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.

4.2.6 The County and Village will monitor and review the Plan on an on-going basis to ensure the goals and policies remain relevant and continue to meet the needs of both municipalities.

4.2.7 As the *South Saskatchewan Regional Plan* governs 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.

4.2.8 Both the County and Village are responsible to review their own Land Use Bylaw and statutory plans to ensure they conform to the IDP, and if an inconsistency is found, they may need to be amended to align 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.*

Intermunicipal Development Plan Committee

4.2.9 An Intermunicipal Development Plan Committee (Committee) shall be established between the County and the Village for the purposes of ensuring continued communication between the municipalities and to provide a forum to review and comment on matters that may have an impact on either municipality.

4.2.10 The Intermunicipal Development Plan Committee shall be an advisory body and may make comments or recommendations to the County and Village. In its advisory capacity, the Committee does not have decision making authority or powers with respect to planning matters in the County or Village.

4.2.11 The County and Village agree that the purpose of the Committee is to:

a) provide a forum for discussion of land use matters within the Plan Area;

b) provide recommendation(s) for proposed amendments to the Plan;

c) discuss and address issues regarding Plan implementation;

d) review and provide comment on referrals under Section 4.3 and any other matters referred to the Committee;

e) provide recommendation(s) regarding intermunicipal issues in an effort to avoid a dispute;

f) provide a forum for discussion of any other matter of joint interest identified by either municipality.

4.2.12 The Committee shall be comprised of six elected officials, three from the County and three from the Village. The Committee may, at its discretion, also include whatever number of resource personnel deemed appropriate in an advisory capacity. Resource personnel may serve as secretary to the Committee and is responsible for recording the minutes of all Committee meetings and preparing the recommendations of the Committee.

4.2.13 Members of the Committee will make their best efforts to attend each meeting. Quorum of the Committee requires that each municipality is represented by a minimum of two of its committee members.

4.2.14 Changes to the Committee format, composition, roles, responsibilities or any aspect of its existence or operation may be requested by either municipality. Council may refer any proposed changes to the Committee for recommendation. Any changes to the Plan require an amendment to the Plan and adoption in accordance with Section 4.1 Plan Validity and Amendment.

4.2.15 Annually, the Committee shall appoint one of its members to chair its meetings for the ensuing year. The Committee shall determine by consensus when and where the meetings will be held.

4.2.16 Meetings of the Committee shall be held on an as-needed basis and can be called by either municipality. At least five days' notice shall be provided for the scheduling of Committee meetings, unless otherwise agreed to by both municipalities.

4.2.17 If a matter has been referred to the Committee for comment, the supporting documentation shall be sent to Committee members prior to the meeting. If all Committee members respond with no concerns regarding the referred matter, the meeting may be cancelled at the Committee's discretion.

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

4.3 Intermunicipal Referrals

Intent

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. The policies are intended 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 (see Figure 2)

4.3.1 Any of the following that affect lands in the Plan Area or land within the Village 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:

- Municipal Development Plans (new or any amendments),
- Area Structure Plans (new or any amendments),
- Area Redevelopment Plans (new or any amendments),
- Conceptual Design Schemes (new or any amendments),
- Overlay Plans (new or any amendments),

- Land Use Bylaws (new or any amendments that affect/apply to the Plan area),
- Subdivision Applications,
- Discretionary Use Development Applications,
- Subdivision and Development Appeals.

4.3.2 The receiving municipality's administrative representatives may decide to refer the above-mentioned document(s) or application(s) to their own respective Municipal Planning Commission or Council, or the Intermunicipal Development Plan Committee for comment prior to a decision being rendered. However, the receiving municipality's administration is responsible for forwarding any comments to the other municipality in the framework and timeline as outlined.

4.3.3 Any changes to the documents or applications referred to in policy 4.3.1 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.

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

4.3.5 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

4.3.6 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.

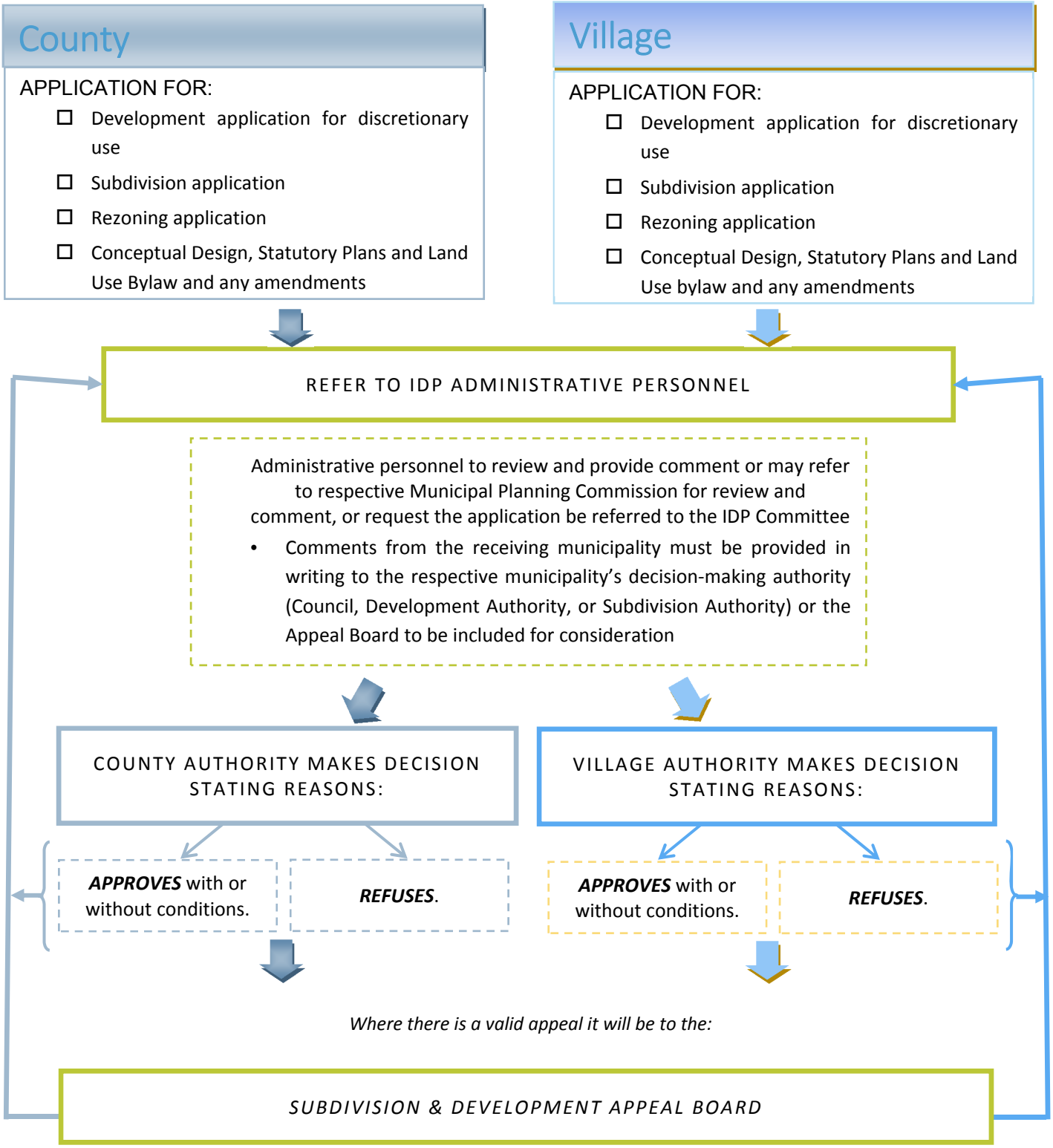
4.3.7 In the event that either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in policy 4.3.6, it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

4.3.8 In the event that a receiving municipality's administrative representative desires to send the referral to their Municipal Planning Commission (MPC), Council or the Intermunicipal Development Plan Committee, and they may not meet within the timeframes prescribed in policy 4.3.6, 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, Council, or Intermunicipal Development Plan Committee 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 4.3.7 shall apply.

4.3.9 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 Flowchart



4.4 Dispute Resolution

Intent

The intent of the dispute resolution process is to maximize opportunities for discussion and review in order to resolve areas of disagreement early in the process. Despite the best efforts 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

4.4.1 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.

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

4.4.3 Administrators 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.

4.4.4 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.

4.4.5 In respect of policy 4.4.4, 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.

4.4.6 In the event a matter or issue cannot be resolved by the administration representatives or within the timeframe prescribed, either municipality may then request that an Intermunicipal Development Plan Committee meeting be scheduled to discuss the issue, per the procedures and times in Section 4.2. The Committee will review the issue and attempt to resolve the matter by consensus.

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

4.4.8 Should the Councils be unable to resolve the matter, either municipality may initiate a formal mediation process to facilitate resolution of the issue. The two municipalities agree that the mediation process available through Municipal Affairs is the preferred mechanism to facilitate mediation with each municipality paying an equal portion of the associated costs.

Filing an Intermunicipal Dispute under the *Municipal Government Act*

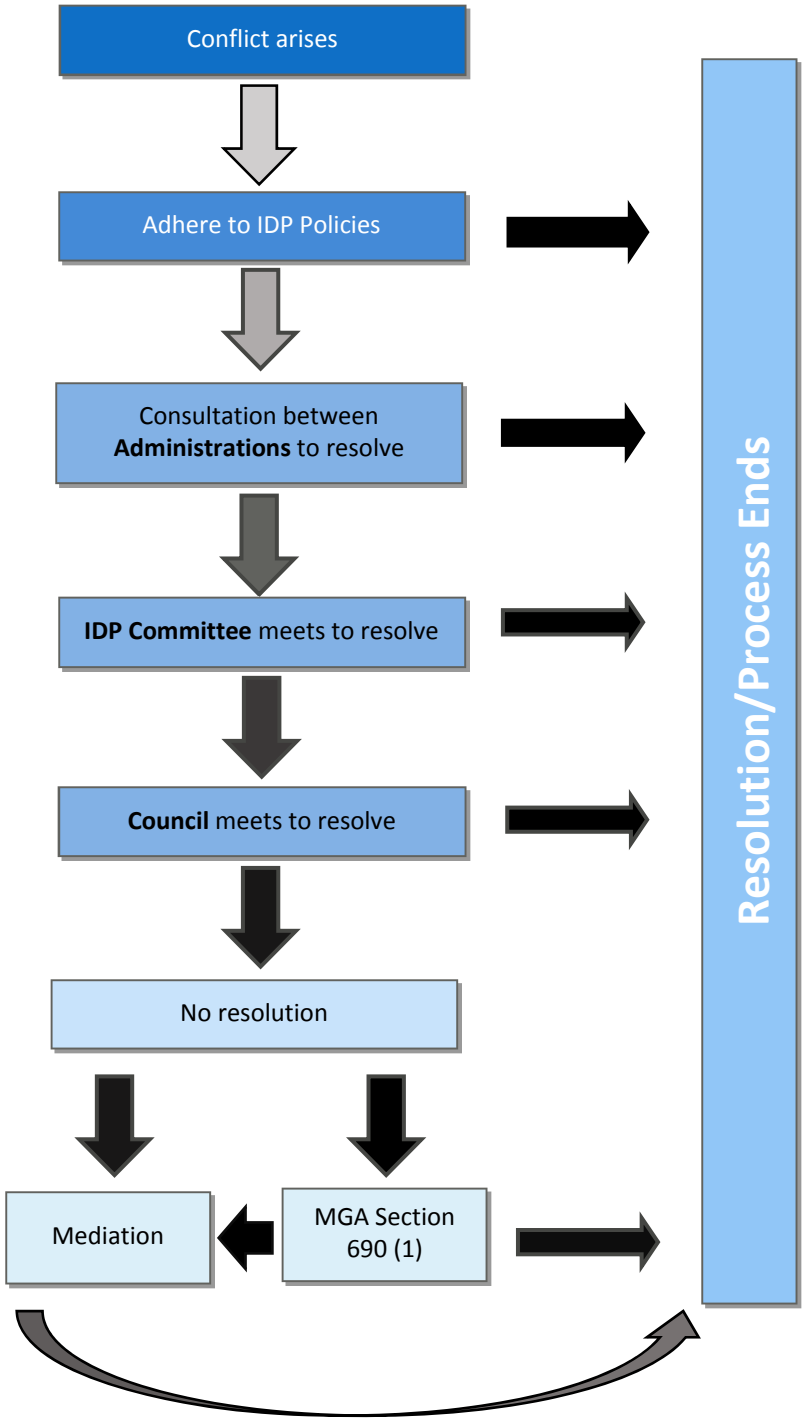
4.4.9 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *Municipal Government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

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

Figure 3: Dispute Resolution Flow Chart

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.



PART 5

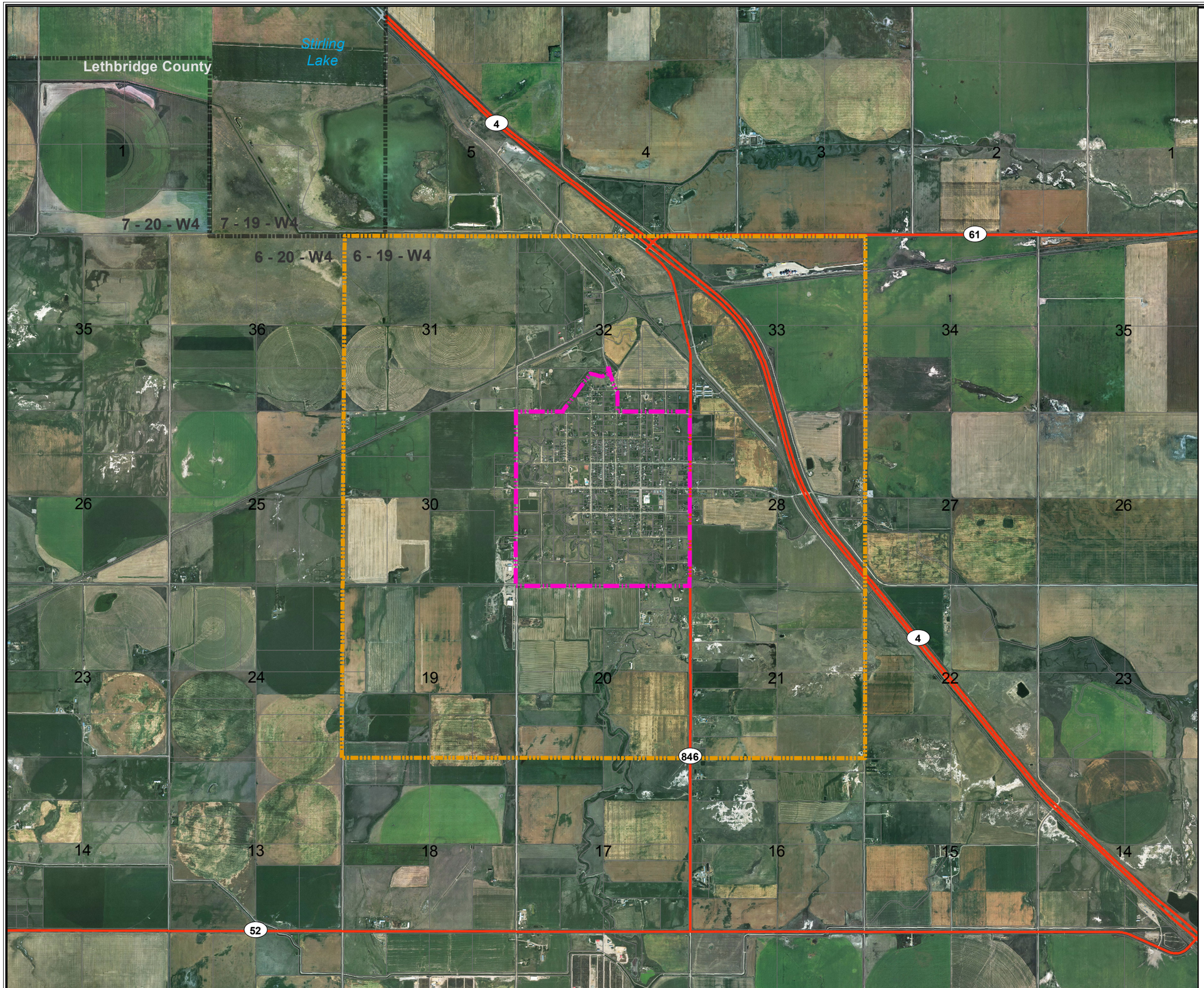
Maps

COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

PLAN AREA

MAP 1



IDP Boundary

Village of Stirling Boundary

Highways

Aerial Photo Date: 2015

Oldman River Regional Services Commission

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Kilometers

N

COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

EXISTING LAND USE

MAP 2

Lethbridge County

Stirling Lake

7 - 19 - W4

6 - 20 - W4

6 - 19 - W4

- IDP Boundary
- Village of Stirling Boundary
- Highways
- Farmstead
- Multi-Unit
- Farm Building
- Country Residence
- Commercial
- Industrial
- CFO
- Cemetery
- Utilities

Aerial Photo Date: 2015

Oldman River Regional Services Commission

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Kilometers

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

LAND USE CONSTRAINTS

MAP 3

Lethbridge County

Stirling Lake

7 - 19 - W4

6 - 20 - W4

6 - 19 - W4

- IDP Boundary
- Village of Stirling Boundary
- Highways
- Sewage Lagoon Buffer - 300m
- Waste Transfer Site Buffer - 300m
- Oil/Gas Well - Active[1]
- Gas Well - Abandoned[1]
- Pipeline - Natural Gas[1]

Aerial Photo Date: 2015

Source:
[1] Alberta Energy Regulator, 2016

Oldman River Regional Services Commission

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

FUTURE LAND USE & TRANSPORTATION CONCEPT

MAP 4

- IDP Boundary
- Village of Stirling Boundary
- Local Road Network
- Waste Transfer Site Buffer - 300m
- Sewage Lagoon Buffer - 300m

Land Use & Transportation Concept

- Historic Site Plan Policy Area
- Potential Expansion Area - Village
- Potential Residential Development Area
- Potential Commercial Development Area
- Potential Limited Industrial Development Area
- Potential Industrial Development Area
- Conceptual Road Network

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

CONFINED FEEDING OPERATION EXCLUSION AREA

MAP 5

- IDP Boundary
- Village of Stirling Boundary
- Highways
- Confined Feeding Operation Exclusion Area

Aerial Photo Date: 2015

Oldman River Regional Services Commission

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Kilometers

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

HISTORIC RESOURCE VALUES

MAP 6

Lethbridge County

Stirling Lake

7 - 19 - W4

6 - 20 - W4

6 - 19 - W4

IDP Boundary

Village of Stirling Boundary

Highways

Historic Resource Values (HRV)[1]*

HRV 2: Designated Under the HRA as a Registered Historic Resource

HRV 3: Contains a Significant Historic Resource That Will Likely Require Avoidance

HRV 5: High Potential to Contain a Historic Resource

Source:

* Refer to AB Culture and Tourism "Listing of Historic Resources Instructions For Use" for HRV descriptions and categories.

[1] Alberta Culture and Tourism Government of Alberta, April 2017

Aerial Photo Date: 2015

Oldman River Regional Services Commission

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Kilometers

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

NATURAL FEATURES

MAP 7

Lethbridge County
Stirling Lake
7 - 19 - W4
6 - 20 - W4
6 - 19 - W4
4
61
846

- IDP Boundary
- Village of Stirling Boundary
- Highways
- Environmentally Significant Areas[1]
- Waterbodies
- Wetlands

Environmentally Significant Areas (ESAs) illustrated on this map are based on macro-scale provincial data and may not depict the full extent of ESAs within the Plan Area. This data is to be used for general information only and is supplementary to other more detailed sources of information the municipalities and province may have regarding ESAs.

Source:
[1] Environmentally Significant Areas in Alberta: 2014 Update, Alberta Parks

Aerial Photo Date: 2015

Oldman River Regional Services Commission

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Kilometers

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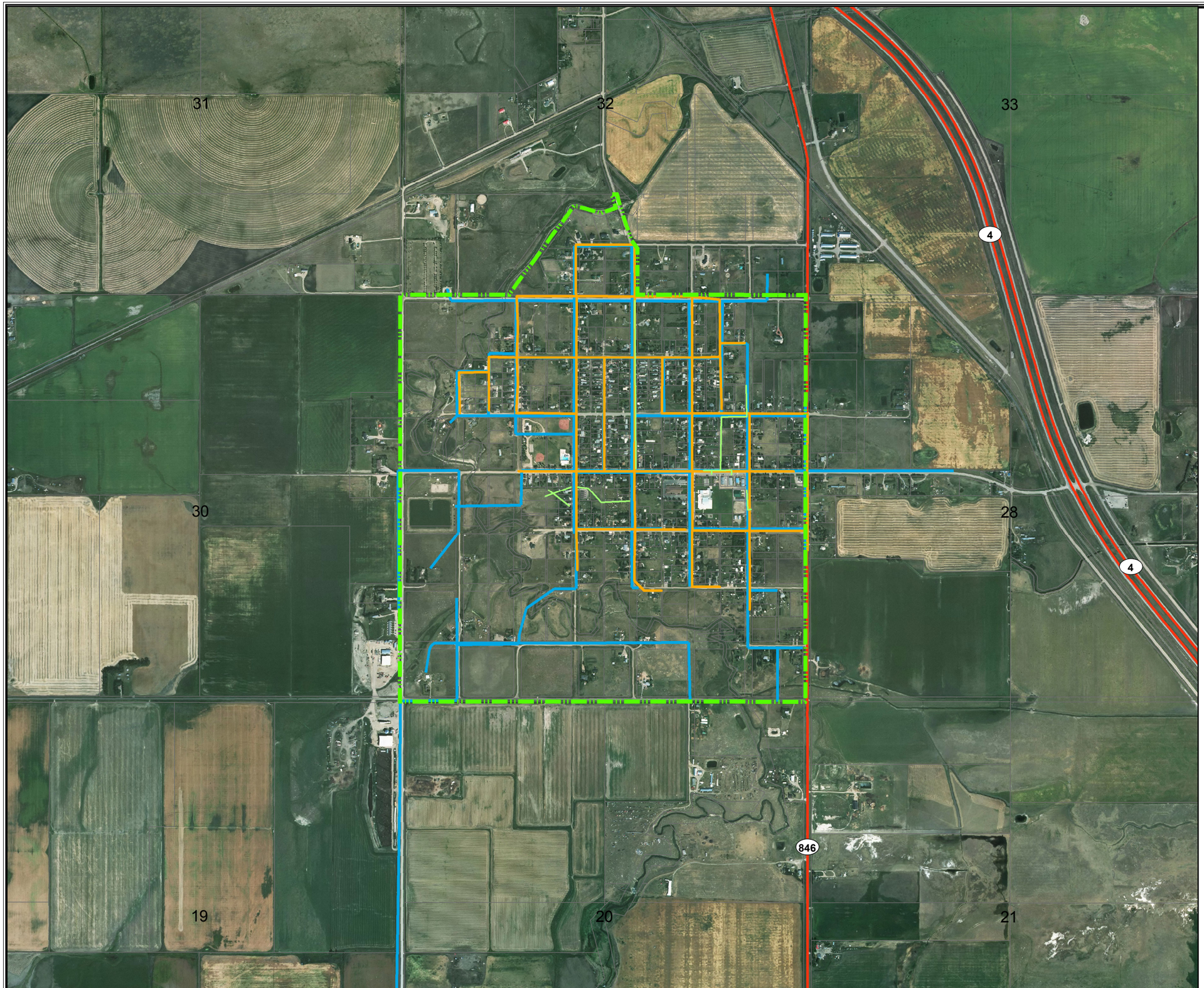
COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) &
BYLAW NO. 490-20 (VILLAGE)

EXISTING INFRASTRUCTURE

MAP 8



- IDP Boundary
- Village of Stirling Boundary
- Highways
- Stirling Sanitary Main
- Stirling Water Main
- Stirling Storm Main

Aerial Photo Date: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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Kilometers

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COUNTY OF WARNER NO. 5 AND VILLAGE OF STIRLING INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 959-20 (COUNTY) & BYLAW NO. 490-20 (VILLAGE)

SOIL CAPABILITY FOR AGRICULTURE INDEXED BY CANADA LAND INVENTORY

MAP 9

Lethbridge County

7 - 19 - W4

6 - 20 - W4

6 - 19 - W4

IDP Boundary

Village of Stirling Boundary

Highways

Soil Type[1]

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

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

Oldman River Regional Services Commission

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Kilometers

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