Intermunicipal Development Plan

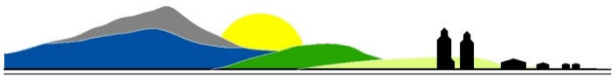
COUNTY OF WARNER NO. 5 & VILLAGE OF WARNER



Bylaw No. 955-19
&
Bylaw No. 589-19

Consolidated to Bylaw 966-20 and Bylaw 602-20, November 2020

March 2020



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Prepared for the County of Warner No. 5 & Village of Warner

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County of Warner and Village of Warner Intermunicipal Development Plan
Bylaw 955-19 & 589-19 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
966-20 & 602-20	Amend Policy 2.5.5 to correct a clerical error. Amend Map 4 to correct clerical errors regarding the map labeling.		17-Nov-2020 & 18-Nov-2020

COUNTY OF WARNER
IN THE PROVINCE OF ALBERTA

BYLAW NO. 955-19

BEING a bylaw of the County of Warner No. 5 in the Province of Alberta, to adopt Bylaw No. 955-19, being the County of Warner No. 5 and Village of Warner 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 Warner 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 Warner 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 Warner Intermunicipal Development Plan in consultation and as agreed to with the Village of Warner.
2. This plan, upon adoption, shall be cited as the County of Warner No. 5 and Village of Warner Intermunicipal Development Plan Bylaw.
3. Bylaw No. 822-03, being the former County of Warner No. 5 and Village of Warner 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 26 day of November, 2019.

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

READ a **second** time this 3 day of MARCH, 2020.

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

READ a **third** time and finally PASSED this 3 day of MARCH, 2020.

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

VILLAGE OF WARNER
IN THE PROVINCE OF ALBERTA

BYLAW NO. 589-19

BEING a bylaw of the Village of Warner in the Province of Alberta, to adopt Bylaw No. 589-19, being the County of Warner No. 5 and Village of Warner 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 Warner 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 Warner 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 Warner duly assembled hereby enacts the following:

1. Council shall adopt the County of Warner No. 5 and Village of Warner Intermunicipal Development Plan in consultation and as agreed to with the County of Warner No. 5.
2. This plan, upon adoption, shall be cited as the County of Warner No. 5 and Village of Warner Intermunicipal Development Plan.
3. Bylaw No. 487-03, being the former County of Warner No. 5 and Village of Warner 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 18th day of December, 2019.

Mayor – *Tyler Lindsay* | **Municipal Administrator** – *Jon Hood*

READ a **second** time this 18th day of March, 2020.

Mayor – *Tyler Lindsay* | **Municipal Administrator** – *Jon Hood*

READ a **third** time and finally PASSED this 18th day of March, 2020.

Mayor – *Tyler Lindsay* | **Municipal Administrator** – *Jon Hood*

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PART 1

Introduction

PART 1

Introduction

1.1 Introduction

The County of Warner No. 5 (County) and the Village of Warner (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 September of 2003, the County and 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 has lapsed but has continued to be used as the policies remain relevant and applicable for the circumstances within the urban fringe area. However, revisions to planning regulations in the *Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26* solidify the requirements for municipalities to consider and consult their neighbours during the planning process. Therefore, both municipalities wish to be proactive and establish a framework to direct and manage development in a manner which is mutually beneficial. The key policy areas of the Plan include:

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

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.*

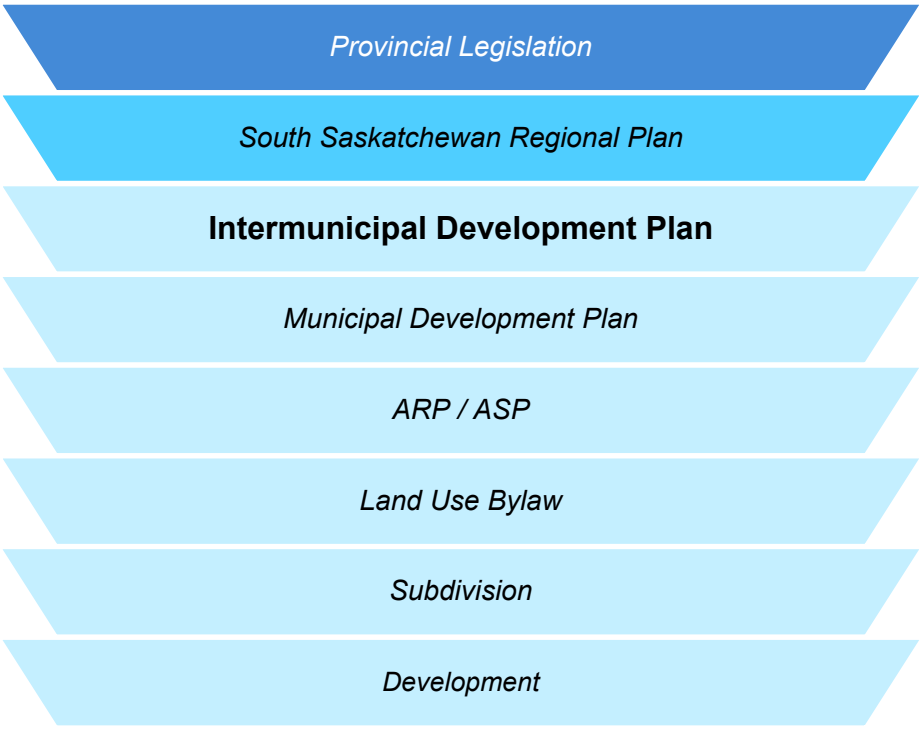
It is noted that the paramountcy of the IDP is established within the "Plans Consistent" (section 638) portion of the *MGA*:

> ***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.*

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.

Figure 1: Planning Hierarchy Flowchart



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

Objectives:

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

Strategies:

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

8.2 Address common planning issues, especially where valued natural features and historic resources are of interests to more than one stakeholder and where the possible effect of development transcends jurisdictional boundaries.

8.3 Coordinate and work with each other in their respective planning activities (such as in the development of plans and policies) and development approval processes to address issues of mutual interest.

8.4 Work together to anticipate, plan and set aside adequate land with the physical infrastructure and services required to accommodate future population growth and accompanying community development needs.

8.5 Build awareness regarding the application of land-use planning tools that reduce the impact of residential, commercial and industrial developments on the land, including approaches and best practices for promoting the efficient use of private and public lands.

8.6 Pursue joint use agreements, regional services commissions and any other joint cooperative arrangements that contribute 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 Background

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 in each direction of the Village of Warner. This includes land to the east and west sides of Highway 4, with the main east entrance to the Village at the intersection of Highways 4, 36 and 504 (Map 1). Both natural and human-made (Map 3) features on the landscape present constraints when planning for growth and development within the Plan Area. These features include the natural wetlands, the operating Village sewage lagoons north of the Village, natural drainage courses, Highway 4 to the east, and lands to the northwest and south that have been identified by the province as having a probability of containing historic artifacts (Map 7). The CPR rail line runs parallel to Highway 4, running through the northeastern portion of the Village boundary, creating fragmented lands between the two major transportation networks.

A background study report was prepared as part of the land area analysis and formation of this IDP. The study examined a wide range of municipal documents, land use, transportation systems, natural features, soils,

topography, environmental aspects, abandoned gas wells, and various other provincial data available. Maps 2 through 9 illustrate some of the physical features and constraints present in the defined Plan Area.

Agriculture is an important component of the local economy and the majority of land within the Plan Area contain fertile soils (CLI classes 2 and 3) that can render high crop yields under proper cultivation practices that conserve soil moisture. The main farming operations involve dryland activities for the raising of primarily cereal crops, along with some grazing of livestock.

Existing subdivisions and developments within the Plan Area can be primarily characterized as relating to farming and agriculture, with a few notable exceptions, such as the Village of Warner sewage lagoons, the airport lands, and some business industrial parcels along the railway. The majority of these industrial lots are situated between the old highway and the realigned Highway 4 and were created in the early 1980s.

Considering these growth restrictions, and the historic patterns of development, the logical future growth and development areas have been identified on Map 4, which also illustrates the logical future urban expansion areas for the Village. The Land Use Concept area map generally indicates future industrial expansion is to be concentrated to the east of the Village, and residential development to the west and potentially south of the established residential areas.

1.4 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 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.

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 establish a planning approach defined in a land use concept that will facilitate orderly development as well as promote compatible and complementary land uses.

5. To establish a logical plan for future growth and land use in the fringe area that considers both municipality's needs and perspectives.

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 Land Use Strategy

PART 2

Coordinated Land Use Strategy

2.1 Plan Area

The Intermunicipal Development Plan Area (also referred to as the IDP Area or Plan Area) consists of approximately 4,514 acres (1,827 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 Warner situated adjacent to the municipal boundary. Land Use 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.

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 the IDP boundary which includes the Urban Fringe district within the County 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 settling 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 Warner Land Use Bylaw and the *Municipal Government Act (MGA),* 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 cropland or pastureland and there are no existing confined feeding operations (CFOs). 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 Exclusion Area (Map 6).

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 Operation 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 any 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 general land use and future growth directions of the Village for the Plan Area are indicated on Map 4 and the County and Village will attempt to protect these lands from conflicting, incompatible or premature land uses and fragmentation.

2.4.2 Based on the locations of the existing highway and railway, topography, the availability of services, and the compatibility of land uses, it is anticipated the preferred Village growth directions will logically expand to the east (northeast) of the Village for industrial expansion (W½ of NW 11-4-17-W4M), and

residential development to the west (north of 4 Ave in NW 10-4-17-W4M) and potentially south (NE 3-4-17-W4M) of the established residential areas as shown on Map 4.

2.4.3 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.)

2.4.4 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.

2.4.5 The Village, in consideration of the policies and strategies outlined in its Municipal Development Plan, will formulate a strategy for servicing and developing internal vacant land within the Village boundaries as a first priority. Land at the very south end of the Village, and in particular a 24-acre parcel (Lot 1, Block 1, Plan 1612083), would be a focus to direct internal residential growth as it is an area that services can be extended by the Village.

2.4.6 Prior to proceeding with multi-lot subdivision of the land at the very south end of the Village, an Area Structure Plan or conceptual design scheme will be required to address the planning and servicing of the land and must include any planning requirements as stipulated in the Village's Land Use Bylaw and Municipal Development Plan. The Village shall refer the document to the County in consideration of the referral and circulation policies of the IDP.

2.4.7 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).

2.4.8 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 MGB. 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*.

2.4.9 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.

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

2.4.11 Notwithstanding policy 2.4.8 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.

2.4.12 Upon the completion of an annexation and the MGB 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.

2.4.13 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).

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 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 The land shown as Area 1 on Map 4, located to the west of the current Village boundary (north of 4 Ave in NW 10-4-17-W4M), is recognized as the primary future residential growth direction of the Village, when required, due to the likely ease of providing municipal servicing and fewer impediments to growth. This area would be primarily urban residential land use in conjunction with the associated public uses needed by an urban community (i.e. parks, recreation and institutional uses).

2.5.5 As a very long-term future residential growth direction, land immediately to the south of the current Village boundary, shown on Map 4 as Area 2 (south of South Avenue in NE 3-4-17-W4M) is recognized as a potential future residential growth direction of the Village due to the potential ability of extending municipal servicing and fewer impediments to growth.

2.5.6 Lands to the east of the Village and west of Highway 4, illustrated on Map 4 as Area 3 and primarily within the W½ of NW of 11-4-17-W4M, contain existing business/industrial uses and are identified as a suitable location for future additional industrial developments and are a preferred Village industrial growth direction.

2.5.7 In accordance with the County Land Use Bylaw Urban Fringe district, the County may consider some light industrial/commercial uses east of Range Rd 172, south of Volker Stevin Highways Ltd. parcel, in the SW 11-4-17-W4M if appropriately planned (illustrated on Map 4 as Area 4). Any land use decision making process should include considerations of the compatibility of the proposed use with adjacent land uses, no noxious industries to be permitted, and an engineer's study should be prepared to examine the drainage and water table depth, as the land is historically known to have drainage issues.

2.5.8 Highway commercial, light industrial and industrial type uses may be considered in the areas that can take advantage of Highways 4, 36 and 504 exposure and access, or rail access, and can demonstrate conformity with adjacent land uses both within the County and Village (Map 4).

2.5.9 It is recognized that the Urban Fringe district of the County's Land Use Bylaw does allow consideration for a variety of business type land uses, including isolated commercial and isolated industrial uses. Any such development proposals submitted to the County should 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.

2.5.10 The County should not consider approving isolated noxious or heavy industrial uses along the west or south side of the Village, and in particular within the Village future residential expansion areas, due to prevalent wind patterns and the proximity to residential uses.

2.5.11 The east Highway 4 entrance into the Village is considered a gateway corridor and any future development proposed adjacent to the identified Village entranceway 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.

2.5.12 The intersection of Highway 4 and Highway 36 within the Plan Area has been identified as a potential opportunity area for limited highway commercial/industrial development (Map 4) which may be reviewed on a case-by-case basis in consultation between the County, Village and Alberta Transportation. It is recognized direct access to the highways 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.

2.5.13 Any proposed land uses on the east side of Highway 4 and in proximity to the Warner Airport must be carefully reviewed and considered in regard to potential impacts to airport operations and the flight path so that they do not penetrate the obstruction zone. Development should not be approved if the maximum elevation or height of the proposed development exceeds Transport Canada or Nav Canada standards or will impede the flight path in any manner.

2.5.14 In relation to policy 2.5.13 and the Warner Airport operations, all proposed developments will be required to obtain the necessary approvals or clearances from Transport Canada or Nav Canada that may be applicable.

2.5.15 The County may, through its Land Use Bylaw, adopt appropriate standards that apply to the airport lands to regulate future development and ensure development is compatible with airport operations.

2.5.16 The future development of lands within the Land Use Concept areas identified on Map 4 will require at some future point Area Structure Plans to outline the planning, land use, density, road network, drainage management and servicing framework for the particular area (Areas 1 to 4). For smaller multi-lot subdivisions, the municipalities may also require the proponent/developer provide an Area Structure Plan or conceptual design scheme that demonstrates good planning, appropriate servicing and appropriate access to service the development.

2.5.17 The Village sewer lagoon is situated within SE 15-4-17-W4M in the County, and both municipalities shall consider the following required provincial setbacks to these facilities when making decisions on subdivision and development proposals in the area:

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

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

2.5.18 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.

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

2.5.20 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.

2.5.21 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.

2.6 Transportation and Roads

Intent

The policies in this section are intended to address the IDP requirements of the *MGA* 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 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.

2.6.2 Development and subdivision proposals, along with any Area Structure Plan or conceptual design scheme required, must address as part of the planning process considerations for 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 If road dedication is stipulated as a condition of subdivision approval, the landowner/developer will be required to enter into a development agreement for road construction standards 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.

2.6.4 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 The County and Village should work together to formulate a plan for registration of the existing north access into the Village (located west of the CPR tracks) as a public roadway. This access has historically been used as a public roadway but traverses over privately owned land (LSD 15 within NE 10-4-17-W4M and Lot 4, Block RLY, Plan RY23) and a portion of which is located within a utility right-of-way.

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 traffic studies with respect to impact and access onto Highways 4, 36 and 504 and any upgrading identified by the traffic studies will be implemented at the sole cost of the developer/landowner and to the satisfaction of Alberta Transportation.

2.6.8 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 highways 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).

2.6.9 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.

2.6.10 The intersection of Highways 4, 36 and 504 may be subject to future upgrades/improvements when warranted by the Traffic Impact Assessment (TIA) as the area further develops out. This will be determined in consideration of the findings and recommendations as identified in a professionally engineered Traffic Impact Assessment (TIA) with respect to policies 2.6.7 and 2.6.8, or upon the direction or request of Alberta Transportation.

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 which encompasses almost all of the land in the Plan Area. If a bylaw amendment application was proposed to the County to contemplate allowing such a use, 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.

2.8.3 Commercial-scale Wind Energy Conversion Systems (WECS) proposed in proximity to the Warner Airport but outside the IDP boundary (e.g., east of Highway 4) should be carefully reviewed in regard to potential impacts to airport operations and the flight path so that they do not penetrate the obstruction zone. Such proposals should not be supported if the maximum elevation or height of the proposed development exceeds Transport Canada or Nav Canada standards or will impede the flight path in any manner.

2.8.4 Any proposed commercial-scale solar (photovoltaic) facility in proximity to the Warner Airport but outside the IDP boundary (e.g., east of Highway 4) should only be considered for approval if the type of solar panel photovoltaic-cell is a non-reflective (anti-glare) type of technology.

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 Village and County 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.

3.2 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 Several areas with potential for historical resources are identified by the province within the Plan Area, primarily to the north and south of the Village (Map 7). 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 Some small various wetlands are dispersed throughout the Plan Area (refer to Map 3) 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 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.

3.2.5 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*.

3.2.6 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.

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 4.3 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 ongoing 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.*

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

4.3.1 For the purposes of administering and monitoring the IDP, the County and Village have agreed upon an administrative consultation-based approach whereby administrative representatives from each of the municipalities may make comments and recommendations on referrals under policy 4.3.3, issue administrative decisions under Section 4.4 and address and discuss matters of joint municipal interest as authorized by their respective municipality.

4.3.2 Where a matter has been referred to administration and a resolution cannot be found, the Dispute Resolution process in Section 4.4 of this Plan should be followed.

Referral Process (see Figure 2)

4.3.3 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.

4.3.4 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 for comment prior to a decision being rendered. However, the administration is responsible for forwarding on any provided comments to the other municipality in the framework and timeline as outlined.

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

4.3.6 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.

4.3.7 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

4.3.8 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.

4.3.9 In the event that either municipality does not reply within, or request an extension to, the response time for intermunicipal referrals stipulated in policy 4.3.8, it will be assumed that the responding municipality has no comment or objection to the referred planning document or application.

4.3.10 In the event that a receiving municipality's administrative representative desires to send the referral to their Municipal Planning Commission (MPC) or Council and they may not meet within the timeframes prescribed in policy policy 4.3.8, an extension to the response time may be requested in writing to the municipality processing the proposal. In such circumstances, the request shall indicate on what date the MPC or Council meeting is scheduled to review the matter. The administrative representative from the receiving/responding municipality shall provide written comments within 10 days of the meeting date, otherwise policy 4.3.9 shall apply.

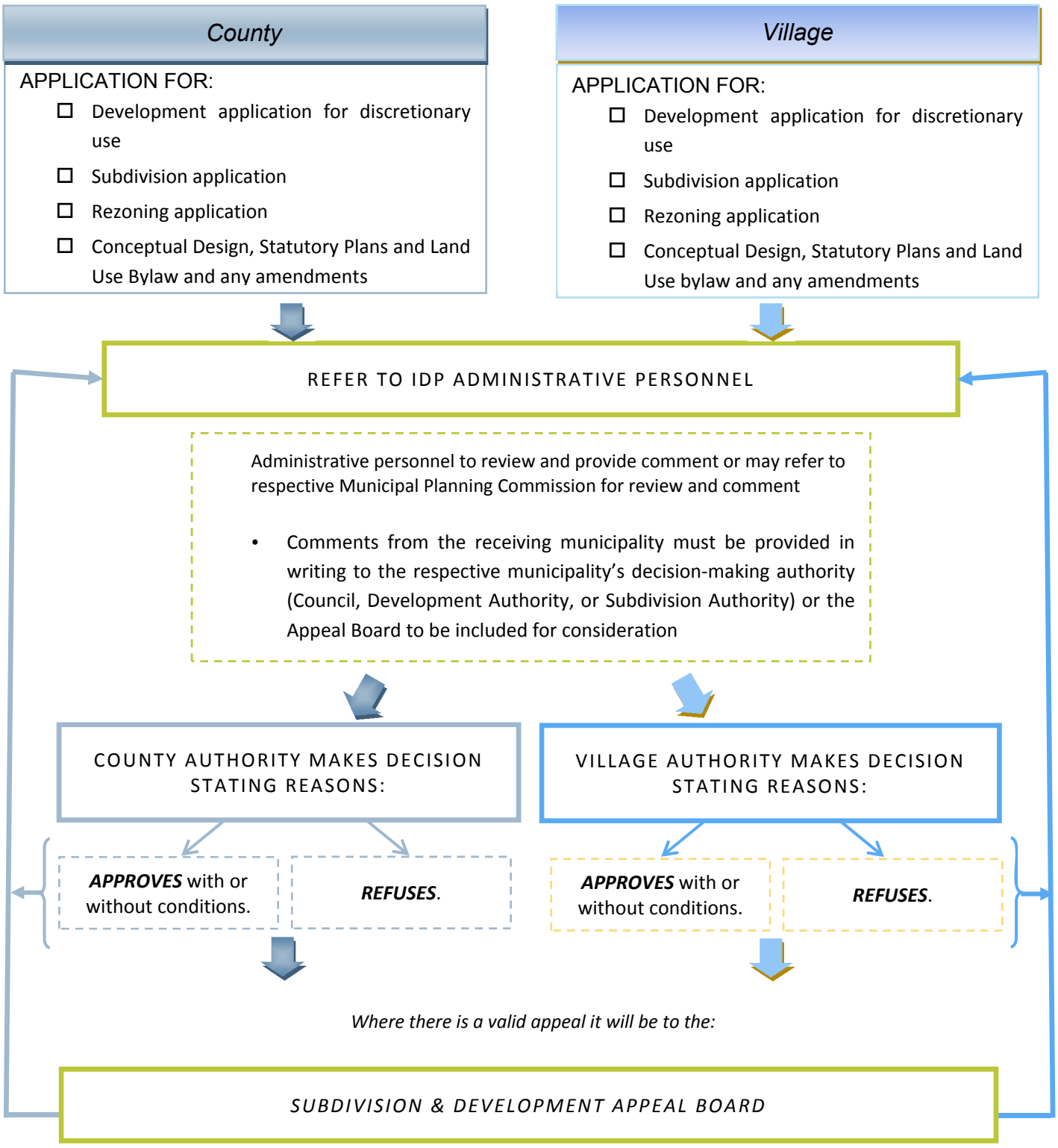
4.3.11 Written comments from the receiving municipality that are provided prior to or at the public hearing or meeting will be considered by the municipality in which the plan, scheme, Land Use Bylaw, subdivision application, development application or amendment is being proposed.

4.3.12 A municipality may call an IDP joint meeting of the two Councils at any time upon not less than 15 calendar days' notice of the meeting being given to administration and support personnel of the other municipality, stating the date, the time, purpose and the place of the proposed meeting. The 15 days' notice may be waived with consent of each municipality.

4.3.13 The municipality that called the IDP joint meeting of the two Councils shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.

4.3.14 Where an IDP matter has been referred to the joint Councils and a resolution cannot be found, then the additional mediation steps as outlined in the Dispute Resolution process in Section 4.4 of this Plan should be followed.

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, 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.

4.4.7 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*

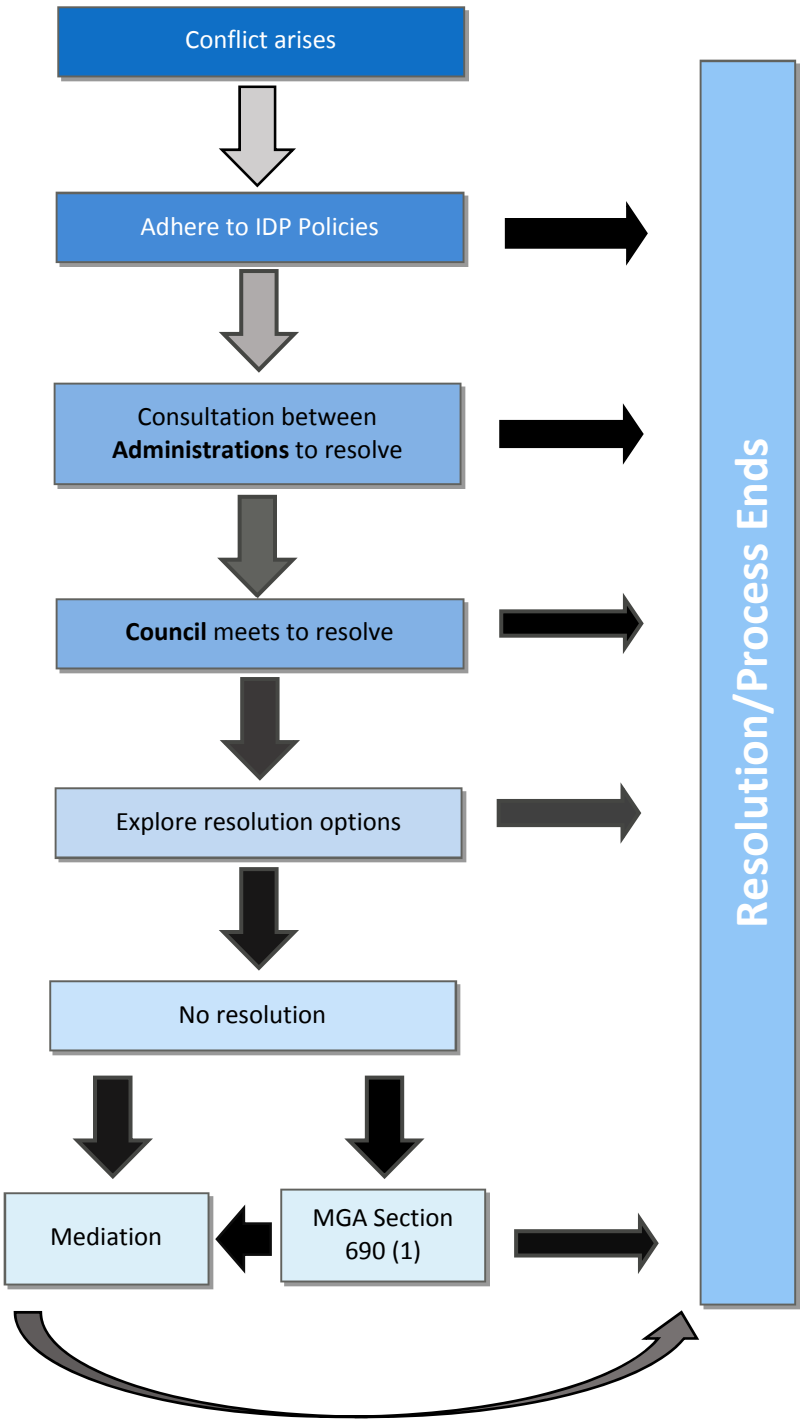
4.4.8 In the case of a dispute involving the adoption of a statutory plan, Land Use Bylaw or amendment to such, within 30 days of adoption, the municipality initiating the dispute may, without prejudice, file an appeal to the Municipal Government Board under section 690(1) of the *Municipal Government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

4.4.9 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.

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

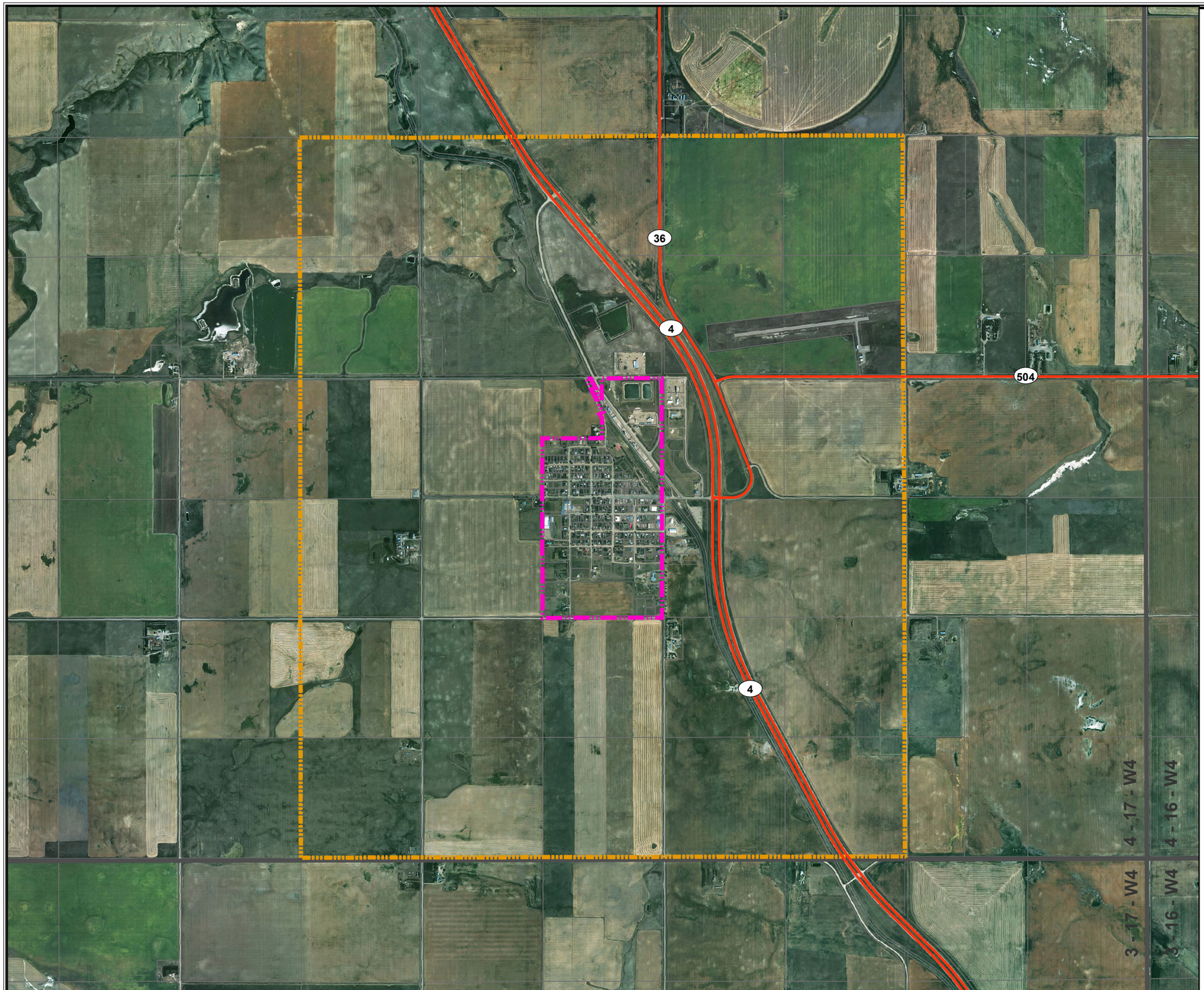
Maps

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

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

IDP BOUNDARY

MAP 1



IDP Boundary

Village of Warner Boundary

Highways

Aerial Photo Date: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.25 0.5 1

Kilometers

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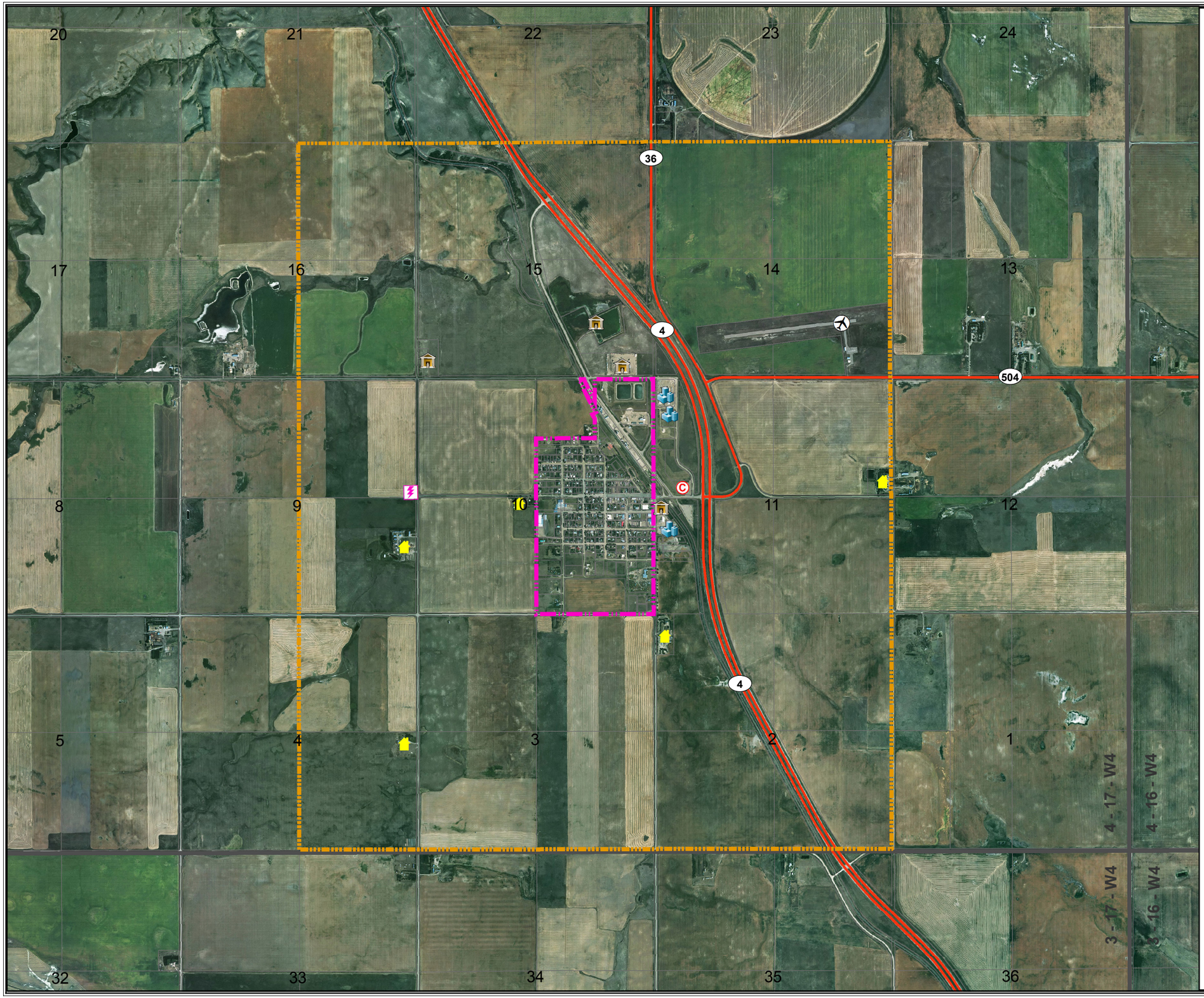

COUNTY OF WARNER NO. 5 AND VILLAGE OF WARNER INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

EXISTING LAND USE

MAP 2

- IDP Boundary
- Village of Warner Boundary
- Highways
- Farmstead
- Utility
- Commercial
- Airport
- Industrial
- Farm Buildings
- Institutional
- Recreational

Aerial Photo Date: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.25 0.5 1
Kilometers

N

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

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

LAND USE CONSTRAINTS

MAP 3

- IDP Boundary
- Village of Warner Boundary
- Highways
- Pipeline - Natural Gas[1]
- Oil/Gas Well - Active[1]
- Gas Well - Abandoned
- Sewage Lagoon Buffer - 300m
- Wetlands[2]

Source:

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

Aerial Photo Date: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 0.25 0.5 1
Kilometers

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

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

LAND USE CONCEPT

MAP 4

AREA 1

AREA 2

AREA 3

AREA 4

504

4

36

4

Village of Warner Boundary

Highways

Future Growth Areas

Residential - Village

Non-Residential - Village

Non-Residential - County

General Growth Direction

SCHEDULE 'A'

Aerial Photo Date: 2015

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 50 100 200 300 400

Meters

N

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

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

ZONING

MAP 5

- IDP Boundary
- Village of Warner Boundary
- Highways

Warner Land Use Districts

- Residential R
- Residential Manufactured Home RMH
- Commercial C
- Industrial I
- Public & Institutional PI
- Transitional Agricultural TA

County of Warner Land Use Districts

- Urban Fringe (UF)
- Linear Parcel Direct Control (LPDC)

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 WARNER INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

CONFINED FEEDING OPERATION EXCLUSION AREA

MAP 6

- IDP Boundary
- Village of Warner 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 WARNER INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

HISTORIC RESOURCE VALUES

MAP 7

IDP Boundary

Village of Warner 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 Requires Avoidance

HRV 4: Contains a Historic Resource That May 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 WARNER INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

INFRASTRUCTURE CONNECTIONS

MAP 8

- IDP Boundary
- Village of Warner Boundary
- Highways
- Warner Sanitary Main
- Warner Water 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 WARNER INTERMUNICIPAL DEVELOPMENT PLAN

BYLAW No. 955-19 (COUNTY) &
BYLAW No. 589-19 (VILLAGE)

SOIL CAPABILITY FOR AGRICULTURE INDEXED BY CANADA LAND INVENTORY

MAP 9

- IDP Boundary
- Village of Warner 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 Crop Limitations

[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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