

**THE TOWN OF
HARDISTY &
FLAGSTAFF COUNTY**

FINAL

**INTERMUNICIPAL
DEVELOPMENT PLAN
February 2010**

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1.0 INTRODUCTION

The Town of Hardisty is a bustling and vibrant community located within Flagstaff County. Originally a railway Town, the community is positioned along the railway, adjacent to the Battle River, within the far eastern portion of the County. The Town is also located within five (5) miles of the M.D. of Provost and the Hardisty Terminal which is a large scale “tank farm” providing employment opportunities as well as commercial and industrial development opportunities for the larger area.

In recent years the Hardisty Terminal has been the location of significant oil and gas pipeline and tank storage developments. These developments have created economic incentives for the area but have also resulted in some regulatory challenges for development. In light of these opportunities and challenges the County and the Town decided that it would be beneficial for both municipalities to establish an Intermunicipal Development Plan to help guide land use and development decisions within the areas of mutual interest.

In February 2009 Flagstaff County and the Town of Hardisty approved a process to develop an Intermunicipal Development Plan (IDP).

The municipalities established a joint planning committee, hired a planning consultant, established a plan area boundary and began the plan preparation programme. The Town and County agreed that an Intermunicipal Development Plan would be prepared to provide policies and guidelines for:

- a) establishment of an Intermunicipal Planning Committee,
- b) development of roads, services, infrastructure,
- c) future residential, commercial and industrial development,
- d) municipal reserve, environmental reserve and open space locations,
- e) economic development,
- f) potential annexation,
- g) dispute resolution and,
- h) Intermunicipal Development Plan administration,

within the Intermunicipal Development Plan area.

The Municipalities also agreed that the initial Study Area would be larger than the Intermunicipal Development Plan area thereby allowing both municipalities to consider data collected for the larger area when formulating plan policies and objectives. This data has been included for information in Appendix A, which does not form part of this Plan. As a result, the Study Area includes lands within Flagstaff County, the M.D. of Provost and the Town of Hardisty. After thoughtful consideration of the Study Area data the Town and the County defined the current IDP Area. **Map1** in Section 7 of the IDP shows the Study Area and the Intermunicipal Development Plan Area.

The Intermunicipal Development Plan Area includes some lands within the Town of Hardisty and all those lands within Flagstaff County extending approximately 3.32 km (2 miles) from the boundary of the Town of Hardisty. The Plan area also includes the Hardisty Airport, which is

located in Flagstaff County. **Map 2** in Section 7 shows the Intermunicipal Development Plan (IDP) Area.

1.1 CONSULTATION PROCESS

The joint planning committee met five (5) times to review data and discuss plan goals, objectives, policies, plan administration and dispute resolution strategies. During the process, consultation was undertaken with government agencies and stakeholders in order to determine their requirements respecting future development within the Plan Area and to help articulate servicing options.

1.2 PURPOSE

The purpose of the Hardisty/Flagstaff Intermunicipal Development Plan is to establish a coordinated and cooperative framework for building Community Capital within the Plan Area. For the purposes of this document Community Capital includes the natural, human, social and built capital from which a community receives benefits and on which the community relies for continued existence. To achieve this end the plan incorporated policies for attracting economic opportunities and managing land use, subdivision and development within the Plan area. The Town and County wish to minimize competition for development and encourage the efficient use of social and community services. Both municipalities have also expressed a desire to establish consistency in land development and to facilitate inter-municipal communication and co-operation in land development matters. Further, the municipalities want to be future-oriented in their planning efforts as well as “development ready”.

1.3 APPROACH

1.3.1 Comprehensive Planning approach

The Plan utilizes a comprehensive approach to land-use planning. In practice, this means that local information, specialized viewpoints and environmental stewardship practices are used in the decision-making process for land use and development.

The comprehensive approach takes into account both the past and present human and physical environments. Considering where the community has been, where it is presently and where it wants to go enables both municipalities to set in place a “plan” for how to reach their desired destination. This comprehensive approach to planning assumes that plan policies and subsequent decisions will be based on careful consideration of baseline environmental data, stakeholder interests and municipal goals and objectives. The comprehensive planning approach offers communities the opportunity to provide widely-accepted and enduring solutions to development and land use management issues.

1.3.2 Watershed Planning

Considering land use planning and development at the watershed scale can help decision makers make informed decisions about future development that may have an impact on water resources within the Plan Area. The comprehensive approach to planning involves working with affected stakeholders within the watershed area to develop management alternatives that meet local development objectives.

1.4 GOAL

The goal of the Flagstaff/Hardisty Intermunicipal Development Plan is to compile and analyze relevant baseline data in order to determine appropriate land use polices for the Plan area.

1.5 PLAN ASSUMPTIONS AND OBJECTIVES

Plan Objectives have been organized under the three (3) types of community capital, which represent the basic assumptions underlying the planning process. The three (3) types of community capital are:

- Natural Capital,
- Human and Social Capital, and
- Built Capital

1.5.1 Natural Capital

For the purpose of this document, natural capital refers to natural recourses, ecosystem services, tourism and recreation resources and the esthetic value of the natural environment. The following objectives had been identified to ensure the preservation and enhancement of nature capital within the Plan Area:

- (a) protect and enhance water resources within the Plan Area;
- (b) protect and enhance sensitive environmental features (rivers, creeks and streams, floodplain areas, and riparian areas);
- (c) promote low-impact recreational opportunities in environmentally sensitive areas through open space management and recreation policies;
- (d) support and grow existing and future recreational assets;
- (e) support the existing and future agricultural community;
- (f) identify and protect significant viewsapes; and
- (g) ensure public access to significant bodies of water.

1.5.2 Human and Social Capital

For the purpose of this document, human and social capital refers to community members, community services, communication and cooperation. The following objectives had been identified to ensure the preservation and enhancement of human and social capital within the Plan Area:

- (a) promote the Plan area as a desirable place to live, work and play by working with regional tourism and economic development partnerships;

- (b) ensure that the Plan conforms to all master planning documents and statutory planning documents which apply to the plan area and, if applicable, the larger region;
- (c) identify areas where more detailed planning may be necessary;
- (d) outline the procedure and requirements for submitting and reviewing annexation requests;
- (e) foster and improve intermunicipal communication and cooperation through the implementation for conflict resolution, plan amendment policies, plan “sunset clause”, joint economic initiatives, joint servicing initiatives and profit sharing policies;
- (f) improve the transparency and efficiency of the subdivision and development process within the plan area;
- (g) maintain and enhance mutually beneficial policies and relationships between the two municipalities; and
- (h) continue to develop and maintain open lines of communication to resolve misunderstandings and problems in order to capitalize on opportunities for mutual benefit.

1.5.3 Built Capital

For the purpose of this document built capital refers to human made resources and assets such as, buildings, equipment, infrastructure and information systems. The following objectives have been identified to ensure the preservation and enhancement of built capital within the Plan Area:

- (a) establish a land use concept for future development within the Hardisty/Flagstaff Intermunicipal Development Plan Area;
- (b) ensure that future development identifies and addresses potential impacts on roads, sewage treatment and water treatment facilities, storm water management facilities and waste disposal;
- (c) outline a framework for more detailed implementation of land development, economic development, transportation systems and municipal infrastructure;
- (d) ensure that both communities have enough land in appropriate locations for uses and developments that are important to the future sustainability of the communities (agricultural, residential, commercial and industrial);
- (e) ensure that future land uses are compatible and complementary; and
- (f) identify areas most appropriate for serviced development and areas that are most suitable for un-serviced development.

1.6 ENACTMENT

The policies contained within the Flagstaff/Hardisty Intermunicipal Development Plan come into force once the Town of Hardisty and Flagstaff County Councils have each given Third Reading to the bylaws adopting this Flagstaff/Hardisty Intermunicipal Development Plan.

1.7 DURATION

The Flagstaff/Hardisty Intermunicipal Development Plan will establish, in general terms, the general land use patterns, together with the conditions upon which the provision of municipal piped services may occur within the Plan area as well as mutually agreed to policy direction for the next 15- 20 years.

While the Flagstaff/Hardisty Intermunicipal Development Plan is meant to be a long range planning document, it is intended that regular monitoring, review and periodic amendments may be required for policies within the Intermunicipal Development Plan to remain current with changing trends, regional growth and regional planning documents. As such, the Flagstaff/Hardisty Intermunicipal Development Plan also established a process for amendment.

Finally, the Flagstaff/Hardisty Intermunicipal Development Plan includes a “sunset clause”; a time at which the Plan will cease to have any force and effect; should the two municipalities not re-adopt the Plan. Notwithstanding these processes, the Flagstaff/Hardisty Intermunicipal Development Plan shall be reviewed every three (3) years from the date on which the Intermunicipal Development Plan comes into effect to ensure that it is still current and meets the needs of the Town and County.

1.8 ENABLING LEGISLATION

Two or more councils may, by each passing a bylaw adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

- (1) An intermunicipal development plan
 - (a) may provide for;
 - (i) the future land use within the area,
 - (ii) the manner of and the proposals for future development in the area, and
 - (iii) any other matter relating to the physical, social or economic development of the area that the councils consider necessary,
 - and
 - (b) must include
 - (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,

- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan.

The procedure for adopting an Intermunicipal Development Plan is described in Section 692 of the Municipal Government Act.

1.9 AREA OF THE INTERMUNICIPAL DEVELOPMENT PLAN

The area affected by the Intermunicipal Development Plan is that portion of the Town of Hardisty and of Flagstaff County indicated on Map 1.

2.0 FUTURE LAND USE CONCEPT

In general, the Flagstaff/Hardisty Intermunicipal Development Plan utilizes the existing opportunities and constraints to development within the Plan area, both at present and perceived for the future.

- a) Provision is made for a broad mix of land uses throughout the Flagstaff/Hardisty Intermunicipal Development Plan area with opportunities for many different forms of land use.
- b) Part of the attraction of development in the Flagstaff/Hardisty Intermunicipal Development Plan area is due to the availability of municipal piped services (piped water supply and distribution, and sanitary sewage collection and disposal) available, for the most part, from the Town of Hardisty. Therefore, the Intermunicipal Development Plan takes the view that, subject to the policies contained within Section 3.4 of this Plan, land uses in the immediate zone of urban influence could be provided with municipal piped water and sewer services.

To that end, the Plan clearly divides serviced (piped water supply and distribution, and sanitary sewage collection and disposal) from unserved development areas. The investment by the Town in these services could be used to the greatest advantage in the Flagstaff/Hardisty Intermunicipal Development Plan area and kept in as concentrated an area around the Town as is reasonable, while not precluding servicing more distant areas if the costs to do so are not prohibitive.

- c) The Hardisty Airport area is an opportunity for both residential and business development. Business development should utilize the unique opportunities provided by a small operating airport and, to that end, be limited to aviation related businesses, perhaps including an expansion of the airport hangar and associated facilities. As well, all development must be carefully designed so as to not negatively impact the airport's operations, viability, or potential for expansion.
- d) The areas along the Highway #13 within the Plan area is ideal for business development which can best utilize both the availability of ready access to the Highway and the potential availability of municipal piped services. However, the viability of Highway #13 as major transportation artery in Alberta Transportation's long range planning scheme must be respected and protected.
- e) Much of the land within the County in the Intermunicipal Development Plan area would normally be considered to be reasonable, for low-density, multi-lot country residential development. Some areas are already developed in that residential form. The areas which are already developed in multi-lot country residential uses are designated Country Residential in this Plan.

Because of the general suitability of the lands in the Plan area for multi-lot country residential development, it would be counter productive to designate specific future Country Residential areas in this Plan. Areas so designated might not develop, and the owners of areas not designated would apply for amendments to this Plan, thereby impacting the integrity of the Plan by rendering the Plan subject to numerous amendments.

Rather than designating specifically where multi-lot country residential development is to go or not go, this Plan provides criteria for dealing with multi-lot country residential developments within the Plan area.

Multi-lot country residential developments are to be predominantly residential in nature. No developments will be approved either within multi-lot country residential areas or adjacent to them which would, in the opinion of the County and the Town, negatively impact the residential areas.

- f) Most of the Flagstaff/Hardisty Intermunicipal Development Plan area is agricultural land. It is the policy of the Flagstaff/Hardisty Intermunicipal Development Plan that agricultural operations in the Plan area are to be protected from encroachment by either competing or conflicting developments.
- g) Notwithstanding the fact that there is some undeveloped land within the Town which is suitable for residential, commercial and industrial development the Town may at some point in the future be short of readily and economically developable residential, commercial and industrial land. To that end, the Flagstaff/Hardisty Intermunicipal Development Plan identifies additional areas which may be suitable for annexation to the Town to allow for residential, commercial and industrial development at urban densities with full municipal piped services. Areas which may be suitable for future annexation are identified on **Map 2** in Section 7.

3.0 LAND USE AND DEVELOPMENT POLICIES

3.1 LAND USE POLICIES

- a) Future subdivision and development shall be in accordance with this Hardisty/Flagstaff Intermunicipal Development Plan. Major deviations to the Intermunicipal Development Plan design and policies shall require an amendment to this Plan. Minor relaxations may be considered without an amendment to this Plan where the developer can demonstrate to the satisfaction of the approving body and the Intermunicipal Planning Committee that the subdivision or development would maintain the intent of the Intermunicipal Development Plan policies.

However, if the Intermunicipal Planning Committee makes a recommendation on a relaxation to this Plan to a Council or an approving authority, that Council or authority shall strongly consider such recommendation.

- b) The municipalities agree to work with landowners and Alberta Transportation and Alberta Environment to encourage the preparation of Area Structure Plans and/or Development Concept Plans where required by the Intermunicipal Development Plan to assure certainty of land use and development standards.
- c) New applications for confined feeding operations in the Intermunicipal Development Plan area, or applications for the expansion of any existing confined feeding operations, shall not be allowed.
- d) The Town and County will work together to provide an adequate inventory of suitable lands to attract a broad range of business and appropriate industry, and will encourage industries that generate large volumes of traffic or substantial traffic loads (in terms of either bulk or weight or potential hazard) to locate in such a manner as to minimize any traffic impact, such as the need for traffic to travel through the Town.
- e) Subdivision applicants shall dedicate a minimum of 30 metres of environmental reserve, in accordance with the provisions of the Municipal Government Act, adjacent to major bodies of water such as lakes and the Battle River. At the sole discretion of the Subdivision Authority for the affected municipality the amount of environmental reserve required may be varied to accommodate unique site conditions such as steep slopes, bank instability or pre-existing development.
- f) Subdivision applicants will be required to dedicate the full amount of Municipal Reserve owing in the forms provided for in the Municipal Government Act. The County and Town will consider establishing jointly-administered cash-in-lieu of municipal reserve fund into which reserve proceeds in the Intermunicipal Development Plan area would be placed for the purposes of undertaking capital works on regional recreational facilities. **Map 3** in Section 7 illustrates the jointly-administered municipal reserve area.

- g) Within the Town of Hardisty, the Residential policies within the Town's Municipal Development Plan shall apply to the lands designated Residential in this Intermunicipal Development Plan, the Large Lot Residential policies within the Town's Municipal Development Plan shall apply to the lands designated Large Lot Residential in this Intermunicipal Development Plan, the Commercial policies within the Town's Municipal Development Plan shall apply to the lands designated Commercial in this Intermunicipal Development Plan, the Institutional policies within the Town's Municipal Development Plan shall apply to the lands designated Institutional in this Intermunicipal Development Plan, the Industrial policies within the Town's Municipal Development Plan shall apply to the lands designated Industrial in this Intermunicipal Development Plan, and the Park policies within the Town's Municipal Development Plan shall apply to the lands designated Park in this Intermunicipal Development Plan.

The Town of Hardisty shall require a Development Concept Plan be prepared and approved prior to the approval of any major development within that portion of the Town located within the Intermunicipal Development Plan area. That Development Concept Plan may be in the form of an Area Structure Plan considered and adopted pursuant to the Municipal Government Act.

For the purposes of implementing this policy, the definition of the term "major" shall be as agreed upon by the consensus of Town and County staffs, but shall not include development which had been appropriately classified in the municipality's Land Use Bylaw as of the date of the approval of this Plan. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.

- h) Land designated Serviced Residential shall be developed in a predominantly residential neighbourhood form, with a mixture of residential densities, park and recreation uses, and should the Area Structure Plan for the area indicate, some small-scale, neighbourhood oriented commercial uses.
- i) Undeveloped land designated for Serviced Residential development shall be buffered from uses that may have negative effects on future urban development by virtue of odour, heat, vibration, visual impact, noise or light. This does not apply to such effects that arise in the course of normal, non-intensive farm operations.
- j) Land designated Country Residential will have, for the most part, already been developed for residential and directly-related accessory purposes.
- k) Land designated Industrial may develop in a wide range of rural industrial or industrial uses. Land uses that may be suitable for the area may include but are not limited to:
- (i) natural resource processing industries,
 - (ii) grain elevators,
 - (iii) manufacturing, processing, storage, packaging or assembly of

goods or materials, including petroleum products, chemical and associated products, pulp and paper products, fertilizer or animal by-products,

- (iv) warehousing, storage, receiving or distributing facilities,
- (v) metal processing or fabrication operation or storage,
- (vi) agricultural services,
- (vii) auctioneering,
- (viii) bulk fuel storage and distribution,
- (ix) accessory offices,
- (x) commercial greenhouses,
- (xi) transportation and public utility facilities/buildings,
- (xii) accessory surveillance suites,
- (xiii) public utilities,
- (xiv) public or quasi-public uses (e.g., municipal equipment and maintenance yards),and
- (xv) accessory uses or buildings,

provided that any nuisance such as odour, noise, glare, vibration, heat, smoke, or effluent is confined to the site of the establishment or within the applicable Industrial area, or substantially mitigated in accordance with the policies and/or regulations and/or design of a Development Concept Plan, especially in those areas in proximity to existing or proposed residential areas or in proximity to the Town. In this respect, individual developments will not necessarily be precluded; however, extra precautions shall be required such as requiring a warning system or so-called “disaster plan” should the need arise.

- l) Flagstaff County shall require a Development Concept Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a substantial rural industrial development within 1.6 km (1.0 mile) of the boundary of the Town of Hardisty. That Development Concept Plan may be in the form of an Area Structure Plan considered and adopted pursuant to the Municipal Government Act.
- m) For the purposes of implementing this policy, the definition of the term “substantial” shall be as agreed upon by the consensus of Town and County staffs. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.
- n) Lands designated Agricultural may develop or continue to be used for farming. Land uses that may be suitable for the area may include but are not limited to:
 - (i) extensive agriculture, as defined in the Flagstaff County Land Use Bylaw,
 - (ii) intensive agricultural operations – e.g. tree nursery, market garden,
 - (iii) dwellings accessory to farming operations, or on individually-subdivided residential parcels,
 - (iv) home occupations (minor/major), including home based businesses which, are subsidiary to agricultural operations,
 - (v) bed and breakfast operations (minor/major),
 - (vi) transportation and public utility facilities/buildings,

- (vii) natural resource extraction,
- (viii) places of worship,
- (ix) public or quasi-public uses,
- (x) accessory uses or buildings,
- (xi) industrial and commercial uses that provide services to agricultural operations, and
- (xii) multi-lot country residential development, but only in accordance with the policies and procedures outlined in Section 3.2 and Section 3.3 of this Plan.

However, because of proximity to the Town and to other forms of urban development, confined feeding operations shall not be allowed within the lands designated for Agricultural development in this Intermunicipal Development Plan.

- o) Lands designated Highway Commercial may develop in a range of uses which serve the motoring public. These uses include but are not limited to:
 - (i) hotels and motels
 - (ii) food/beverage establishments
 - (iii) gas bars/service stations
 - (iv) travel information centres
 - (v) car washes
 - (vi) souvenir shops
 - (vii) personal service establishments within a hotel/motel
 - (viii) retail stores with no more than approximately 200 sq. m of retail floor space
 - (ix) vehicle or recreational equipment sales and service
 - (x) recreational establishments
 - (xi) drive-through businesses
 - (xii) bus depots
 - (xiii) bulk fuel storage and distribution
 - (xiv) equipment sales, service and rentals
 - (xv) manufactured and modular home sales and service
 - (xvi) public or quasi-public uses
 - (xvii) surveillance suites
 - (xviii) accessory uses or buildings

- p) Flagstaff County shall require a Development Concept Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a substantial highway commercial development within 1.6 km (1.0 mile) of the boundary of the Town of Hardisty. That Development Concept Plan may be in the form of an Area Structure Plan considered and adopted pursuant to the Municipal Government Act.

3.2 MULTI-LOT COUNTRY RESIDENTIAL DEVELOPMENT

3.2.1 Location of Multi-Lot Country Residential Development

New multi-lot country residential development within this Intermunicipal Development Plan area, which, for the purposes of this Plan shall be considered the development of more than four (4) residential lots without municipal piped sewage collection and water supply services within any quarter section, may be located in any area designated Agricultural in this Intermunicipal Development Plan, subject to the policies in this Section 3.2.

3.2.2 Criteria for the Development of Multi-Lot Country Residential Development

- a) Within any quarter section, the County will encourage multi-lot country residential development to be located on lower capability agricultural land and not on higher capability agricultural land. However, multi-lot country residential development shall not be allowed on lands which are subject to a flood or subsidence hazard, or which are subject to high water tables.
- b) Multi-lot country residential development shall be allowed only after amendment to the Land Use Bylaw, placing the lands where such development may occur into an appropriate Country Residential District.
- c) The regulations for residential and accessory development in multi-lot country residential developments shall be provided by the County's Land Use Bylaw, as amended from time to time.
- d) The following policies shall apply to multi-lot country residential development applications and designs:
 - (i) internal road access shall be provided to each lot;
 - (ii) the minimum parcel size shall be 0.4 ha (1 ac.), and the normal maximum parcel size shall be 2.02 ha (5.0 ac.); and
 - (iii) subdivision proposals shall indicate the location of development areas within lots as well as the natural areas on the lots.
- e) Multi-lot country residential redistricting, and subdivision proposals shall address potential conflicts with existing agricultural operations and proposed industrial and commercial operations, that is, those which may occur on lands designated for industrial or commercial development, and how they will be resolved or mitigated.
- f) Within the Intermunicipal Development Plan area, the County may require a Development Concept Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a multi-lot country residential subdivision of more than four (4) residential lots within any quarter section with or without municipal piped sewage collection and water supply services.

3.3 DEVELOPMENT CONCEPT PLANS & AREA STRUCTURE PLANS

- a) A Development Concept Plan or Area Structure Plan may describe, outline, or provide, among other matters, in text and map form:
 - (i) a definition of the affected area and the relationship to surrounding lands;
 - (ii) an indication of the proposed land uses and the area of each land use;
 - (iii) an indication of the total number of dwelling units proposed on the quarter section;
 - (iv) policies and plans addressing buffering from adjacent land uses which may be affected by or which may affect a residential community;
 - (v) policies respecting phasing, if any, including an indication of which lots will be developed first and how the development of these lots will be designed specifically to allow for further development of the subject quarter section into multi-lot country residential lots;
 - (vi) policies respecting environmental protection, habitat, ecological conservation, effect on the adjacent agricultural community, including any existing or potential confined feeding operations;
 - (vii) policies and plans addressing natural and man-made limitations to development, such as flood susceptibility, bank subsidence, erosion, railway lines, oil and gas wells, pipelines, and other facilities (including active, inactive, abandoned, and decommissioned facilities, sour gas, etc.), gravel operations or resources, airports, agricultural operations, historical resources, other nearby land uses, etc.;
 - (viii) policies respecting built form, amenities, aesthetics, landscaping, architecture, buffering from potential limiting factors, dealing with the potential for land use conflict, etc.;
 - (ix) policies and plans for necessary water supply, sanitary sewage disposal, and storm water management;
 - (x) as required, policies relating to:
 - (1) the impact on adjacent land uses,
 - (2) the impact on community services, such as fire protection,
 - (3) the municipal servicing costs associated with the development, and
 - (4) landscaping;
 - (xi) a Phase I Environmental Assessment, describing the possibility of contamination within the Plan area and, if the Phase I indicates, a Phase II Environmental Assessment, describing the extent of any contamination within the Plan area and the means of mitigation;

- (xii) engineering information in sufficient detail to show how that is to be done;
 - (xiii) if the development is to provide water by a municipal piped water supply system, engineering information showing how that is to be done;
 - (xiv) if the development is to be supplied with water by means other than a municipal piped water supply system, a report which would satisfy the requirements of Section 23(3)(a) of the Water Act;
 - (xv) an assessment of the general suitability of the Plan area for sewage disposal by tile field (percolation tests);
 - (xvi) a determination of any flood plains relating to any water bodies within or adjacent to the subject site, including a description as to how any flood plain lands will be made suitable for development without transferring the flood hazard to other lands;
 - (xvii) an assessment of the stability of any banks (either steep slopes or watercourse valleys) within or adjacent to the subject site, including a description as to how any bank stability hazards will be mitigated without transferring the stability hazard to other lands;
 - (xviii) a traffic impact assessment, indicating the expected vehicular generation from the development at various stages of development, and any roadway improvements that may be necessary on adjacent and nearby roads and Highways (and on their intersections) resulting from that vehicular generation;
 - (xix) an assessment of the site, indicating
 - (1) how Environmental Reserves, Environmental Reserve Easements, Municipal Reserves, and other land management tools are to be used to protect significant biophysical sites, and
 - (2) how all Provincial and Federal legislation and regulations are to be adhered to respecting wetlands, habitat, and environmentally sensitive lands;
 - (xx) an assessment of all other limitations to development, including potential and actual land use conflicts, which have been identified, indicating how the limitations and conflicts are to be accommodated, dealt with, and/or overcome; and
 - (xxi) other policies and plans as may be indicated by the proponent or the municipality to address any unique circumstances of the Development Concept Plan or Area Structure Plan area,
- b) The level of detail required in a Development Concept Plan or Area Structure Plan shall be as shall be as agreed upon by the consensus of Town and County

staff. If they cannot agree, the definition of the term shall be considered and determined by the Intermunicipal Planning Committee.

- c) The process for considering a Development Concept Plan or Area Structure Plan for approval will be the same as for a major development proposal. The approving authority shall be the Council of the municipality in which the site of the Development Concept Plan is located.

3.4 MUNICIPAL SERVICING AND ROAD POLICIES

- a) The Town and County shall establish strategies and standards for the orderly, efficient and economical extension of wastewater collection, water distribution systems, stormwater management and roads within the Intermunicipal Development Plan area.
- b) Some of the development strategies within the Intermunicipal Development Plan area are closely connected to the ability and need for municipal piped services.
- c) Future servicing with municipal piped services may be required for the area designated Serviced Residential within the Intermunicipal Development Plan area. If such services are not available due to cost or capacity limitations or other reasons, the area shall not be developed for Serviced Residential purposes unless it meets a minimum agreed residential development standard. As well, an amendment to the approved Intermunicipal Development Plan shall be required for any form of development in the area designated Serviced Residential other than extensive agriculture.
- d) In addition to the area designated Serviced Residential, future servicing with municipal piped services shall also be considered by the County and Town for the areas designated Country Residential, Highway Commercial,, and the additional multi-lot country residential areas within the areas designated Agricultural within the Intermunicipal Development Plan area, subject to cost, capacity, and availability limitations. The Town and the County will **not** pay for any extensions or expansions of municipal piped water services to serve these areas unless the economies of scale allow for this possibility. If the municipalities are involved in the funding of any extensions or expansions, the municipalities will explore the possibility of using offsite levies to recover any funds expended.
- e) Where it is deemed appropriate, necessary and/or desirable, further to this Intermunicipal Development Plan, the Town and County will endeavour to enter into agreements respecting municipal piped services in the Intermunicipal Development Plan area.

4.0 INTERMUNICIPAL DEVELOPMENT PLAN IMPLEMENTATION

4.1 IMPLEMENTATION PRINCIPLES

4.1.1 Annexation

- a) There will continue to be a boundary between the Town and County for administration of services such as maintenance of infrastructure, waste management, development control, weed control, etc.
- b) There is a need for periodic expansion of the urban area, and thus the Town of Hardisty, by annexation. Annexations will occur from time to time in a positive, orderly, and timely manner with an agreed-upon process where there is a clear need for Town annexation to provide more land for urban development.

4.1.2 Cost/Revenue Sharing Schemes

- a) Any agreements for cost and revenue sharing shall be to benefit future development of land within the Intermunicipal Development Plan area.

4.1.3 Framework Not Details

- a) The Flagstaff/Hardisty Intermunicipal Development Plan is conceptual. Its policies do not delve into the fine details of land use, servicing or implementation but instead set out a framework of guidelines which will be further articulated by the Intermunicipal Planning Committee.
- b) The Town and the County will co-operate in pursuing mutually beneficial economic development initiatives that would attract investment and create employment opportunities in the Flagstaff/Hardisty region.
- c) The Future Land Use Map will be the primary land use document supplemented by implementation tools such as Area Structure Plans. The Town and County shall amend their respective Municipal Development Plans and Land Use Bylaws as necessary to be consistent with the policies and provisions of the Flagstaff/Hardisty Intermunicipal Development Plan.

4.2 INTERMUNICIPAL PLANNING COMMITTEE

- a) The Intermunicipal Planning Committee will be established upon third reading of the Bylaw adopting the Flagstaff/Hardisty Intermunicipal Development Plan.
- b) The Intermunicipal Planning Committee will not be a decision-making body, but will submit recommendations to the approving bodies of the respective municipalities, striving for consensus as much as possible.

- c) The Intermunicipal Planning Committee will be comprised of two members of the Councils of the Town and the County and one staff member from both the Town and the County. It will select its own chairman and vice-chairman. The Councils may appoint alternative members, should any member not be able to attend Committee meetings. The Chief Administrative Officer and the Development Officer of each municipality shall be ex-officio members of the Committee and serve on the committee exclusively in an advisory role.
- d) The Intermunicipal Planning Committee shall establish its own rules of procedure, including its own schedule of meetings, with meetings being held no less than annually. If additional meetings are required they shall be scheduled as necessary.
- e) The Intermunicipal Planning Committee shall not deal with all development matters within the Flagstaff/Hardisty Intermunicipal Plan area. Rather, it will deal with all matters referred to it in the manner described below.
- f) The Intermunicipal Planning Committee has the following functions:
 - (i) to clarify the intent and interpretation of the Intermunicipal Development Plan;
 - (ii) to develop specific strategies related to the provision of infrastructure, service provision, cost sharing, etc for proposed subdivision and development in the Flagstaff/Hardisty Intermunicipal Development Plan area that reflect the policies and guidelines set out in the Intermunicipal Development Plan;
 - (iii) to review and comment on applications to amend the Flagstaff/Hardisty Intermunicipal Development Plan;
 - (iv) to review and comment on development matters referred to it in accordance with this Intermunicipal Development Plan; and
 - (v) to undertake such other matters as it deems reasonable and as are referred to it by either Council or municipal administration.
- g) The Town and County agree that the County's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications received within the Intermunicipal Development Plan area and that the Town's Subdivision Authority and Development Authority will notify the Intermunicipal Planning Committee of applications in proximity to and adjacent to the Intermunicipal Development Plan area.
- h) Each municipality's Subdivision Authority and Development Authority will deal with an application within their own boundaries in accordance with the Flagstaff/Hardisty Intermunicipal Development Plan.

- i) Depending on the nature of the proposed subdivision or development, the Intermunicipal Planning Committee may provide recommendations related to the proposed development or subdivision.

4.3 ANNEXATION CRITERIA

- a) The Town and County may establish agreements separate from or supplemental to this Intermunicipal Development Plan for the purpose of either fixing, delaying, or avoiding a time-frame for annexation.
- b) Each municipality shall protect lands identified in the Flagstaff/Hardisty Intermunicipal Development Plan suitable for municipal piped services from land uses and developments which might unduly interfere with and create conflict with future urbanization.
- c) Both municipalities would prefer to avoid large and complex annexations in favour of annexations involving smaller amounts of land occurring on an as-needed basis.
- d) Both municipalities shall follow the annexation process as outlined in the Municipal Government Act current at the time an annexation application is made.
- e) In determining the timing, size and location of an annexation area, the following will be considered:
 - (i) **Justifiable and mutually agreeable current and future growth rates** – Growth rates are defined as the rate at which land is consumed for residential, commercial and industrial purposes normally expressed in acres per year over a 20-30 year time horizon.
 - (ii) **Availability and cost of servicing** – The physical and economic ability to extend Town services to specific areas should be logical, reasonable and cost effective.
 - (iii) **Adequacy of transportation systems to accommodate new development** – The annexation area should be either serviced with a road network or be able to be serviced with a logical extension of the existing road networks.
 - (iv) **Land ownership patterns** – The annexation should follow legal boundaries or natural features to avoid creating a fragmented pattern of land ownership.
 - (v) **Local support** – Annexation should as much as possible have the concurrence of the landowners involved.
 - (vi) **Consistent with local plans** – The annexation should be consistent with the policies of this Plan, the respective Municipal Development Plans and

any Area Structure Plan or other study. Planning for annexations should consider a 20-30 year time horizon for land needs.

- (vii) **Logical extension** – The annexation should be a logical expansion of the Town of Hardisty and may include developed areas.
 - (viii) **Agricultural mill rates** – The annexation should not dramatically alter the taxes collected from agricultural lands in the annexation area simply because of annexation. The Town may consider implementing a tax system for its agricultural lands that is similar to the County tax system for agricultural lands.
 - (ix) Any other matter that both Councils consider necessary.
- f) The County and Town have included lands east of the River within the Intermunicipal Development Plan Area in order to emphasize their commitment to ensuring open communication especially in relation to potential future industrial developments. Notwithstanding the other policies within this Plan regarding annexation, the lands located within the Plan Area, east of the Battle River shall not be subject to annexation into the Town of Hardisty.

5.0 DISPUTE RESOLUTION/MEDIATION PROCEDURES

The dispute resolution process for matters related to this Intermunicipal Development Plan is outlined below. The emphasis of the dispute resolution process is mediation at the municipal level prior to an appeal to the Municipal Government Board. This process is based on an assumption that the two parties may have significant differences of opinion on any particular matter and that third-party assistance may be necessary to help resolve the disputes.

- a) For the purposes of this Intermunicipal Development Plan, a dispute is defined as a disagreement between the Town of Hardisty and Flagstaff County on any statutory plan, any Land Use Bylaw, or any amendment to either of them which is given 1st reading by a Council, or any subdivision or development permit application, or any scheme for the provision of municipal services, which the other municipality deems may be inconsistent with the goals, objectives and policies of this Intermunicipal Development Plan.
- b) Decisions on all disputes will be made by the respective municipalities in accordance with the provisions of this Plan and the Municipal Government Act, but with review as indicated in this Section 4
- c) The Town and County agree to consider the establishment of an Intermunicipal Subdivision and Development Appeal Board to deal with appeals arising from subdivision or development permit decisions within the Flagstaff/Hardisty Intermunicipal Development Plan area.

- d) Disputes shall be addressed and shall be resolved through any of the following mechanisms either singularly or in combination with each other:
 - (i) Administrative Review
 - (ii) Intermunicipal Planning Committee
 - (iii) Municipal Councils
 - (iv) Mediation
 - (v) Appeal Process – Intermunicipal Dispute or Subdivision and Development Appeal Board
 - (vi) Court Option
- e) In the event of a dispute, the applicant municipality will not give approval to the matter in any way (e.g., development permit or subdivision approval, or 2nd or 3rd reading of a bylaw) until the dispute is past the mediation stage.
- f) The time limitations and legislative requirements as may be specified from time to time in the Municipal Government Act will be respected in relation to the administration of this dispute resolution procedure and may supersede the time processes provided for in this Intermunicipal Development Plan.

5.1. ADMINISTRATIVE REVIEW

- a) The municipality within which any development, subdivision, land use bylaw amendment, servicing scheme, or other matter is proposed (hereinafter referred to as “the applicant municipality”) will provide complete information concerning the matter to both the other municipality and to the Intermunicipal Planning Committee. The other municipality (hereinafter referred to as “the responding municipality”) will undertake an evaluation of the matter and provide comments to the administration of the applicant municipality.
- b) If there is any concern, the two administrations shall discuss the issue and attempt to resolve the matter.
- c) If the administrations resolve the concern, the responding municipality will formally notify the applicant municipality and the Intermunicipal Planning Committee, and the applicant municipality will take the appropriate actions to consider approving the matter.
- d) In the event that the issue is not resolved at the administrative level, the applicant municipality’s administration shall refer the matter to the Intermunicipal Planning Committee.

5.2. INTERMUNICIPAL PLANNING COMMITTEE

- a) Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and Town will present their positions on the matter to the Committee.
- b) After consideration of a matter, the Committee may:
 - (i) provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both Municipalities,
 - (ii) if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils,
 - (iii) conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils,
 - (iv) if agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position,
 - (v) if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils, or
 - (vi) undertake any other action it deems reasonable.

5.3. MUNICIPAL COUNCILS

- a) After receiving the recommendations of the Intermunicipal Planning Committee with respect to a particular matter, each Council will establish a position on the matter.
- b) If both municipal Councils are in agreement on a matter, then the consideration of approval (including, if necessary, an Intermunicipal Development Plan amendment process) can be completed. If neither Council supports the matter, then no further action will be undertaken.
- c) If the Councils cannot agree on a matter, then the matter may be referred to a mediation process.
- d) In the event that the matter goes to mediation, the applicant municipality will not give any approval to the matter until mediation has been pursued.

5.4. MEDIATION

- a) The following will be required before a mediation process can proceed:
 - (i) agreement by both Councils that mediation is necessary;
 - (ii) appointment by both Councils of an equal number of elected officials to participate in a mediation process;
 - (iii) engagement, at equal cost to both municipalities, of an impartial and independent mediator agreed to by both municipalities; and

- (iv) approval by both municipalities of a mediation schedule, including the time and location of meetings and a deadline for the completion of the mediation process.
- b) If agreed to by both municipalities, any members of the Intermunicipal Planning Committee or administrative staff from either municipality who are not participating directly in the mediation process may act as information resources either directly or indirectly to the mediation process.
- c) All participants in the mediation process will be required to keep details of the mediation confidential until the conclusion of the mediation.
- d) At the conclusion of the mediation, the mediator will submit a mediator's report to both Councils.
- e) If a mediated agreement is reached, then that agreement will be referred to both Councils for action. Both Councils will consider the mediator's report and the respective positions of the municipal administrations with respect to the mediated agreement. Any mediated agreement will not be binding on either municipality and will be subject to the formal approval of both Councils.
- f) If no mediated agreement can be reached or if both Councils do not approve a mediated agreement, then an appeal process may be initiated if provided for under the provisions of the Municipal Government Act. If there is no appeal process available, then the applicant municipality may proceed with any approvals as are allowed, should it so choose.

5.5 APPEAL PROCESS – INTERMUNICIPAL DISPUTE OR SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- a) In the event that the mediation process fails, the applicant municipality may approve the matter (e.g., a Land Use Bylaw amendment, a development permit approval, etc.).
- b) If the applicant municipality passes a bylaw to implement the matter, then the responding municipality may appeal that action to the Municipal Government Board under the provisions of Section 690 of the Municipal Government Act in accordance with that Act.
- c) If the appeal of the matter is to the applicant municipality's Subdivision and Development Appeal Board, the responding municipality may appeal that action to the Subdivision and Development Appeal Board as it sees fit.
- d) If the Town and County establish an Intermunicipal Subdivision and Development Appeal Board as indicated in Section 5.0 (c) above, then the appeal will be to the Intermunicipal Subdivision and Development Appeal Board.

- e) If there is no appeal available pursuant to the Act, then the responding municipality may wish to pursue a Court option.

5.6. COURT OPTION

- a) After any action by the Municipal Government Board, or the applicant municipality's Council or Subdivision and Development Appeal Board from which there is no further appeal, the responding municipality will have the option, should it so choose, of undertaking a Court challenge of the matter.

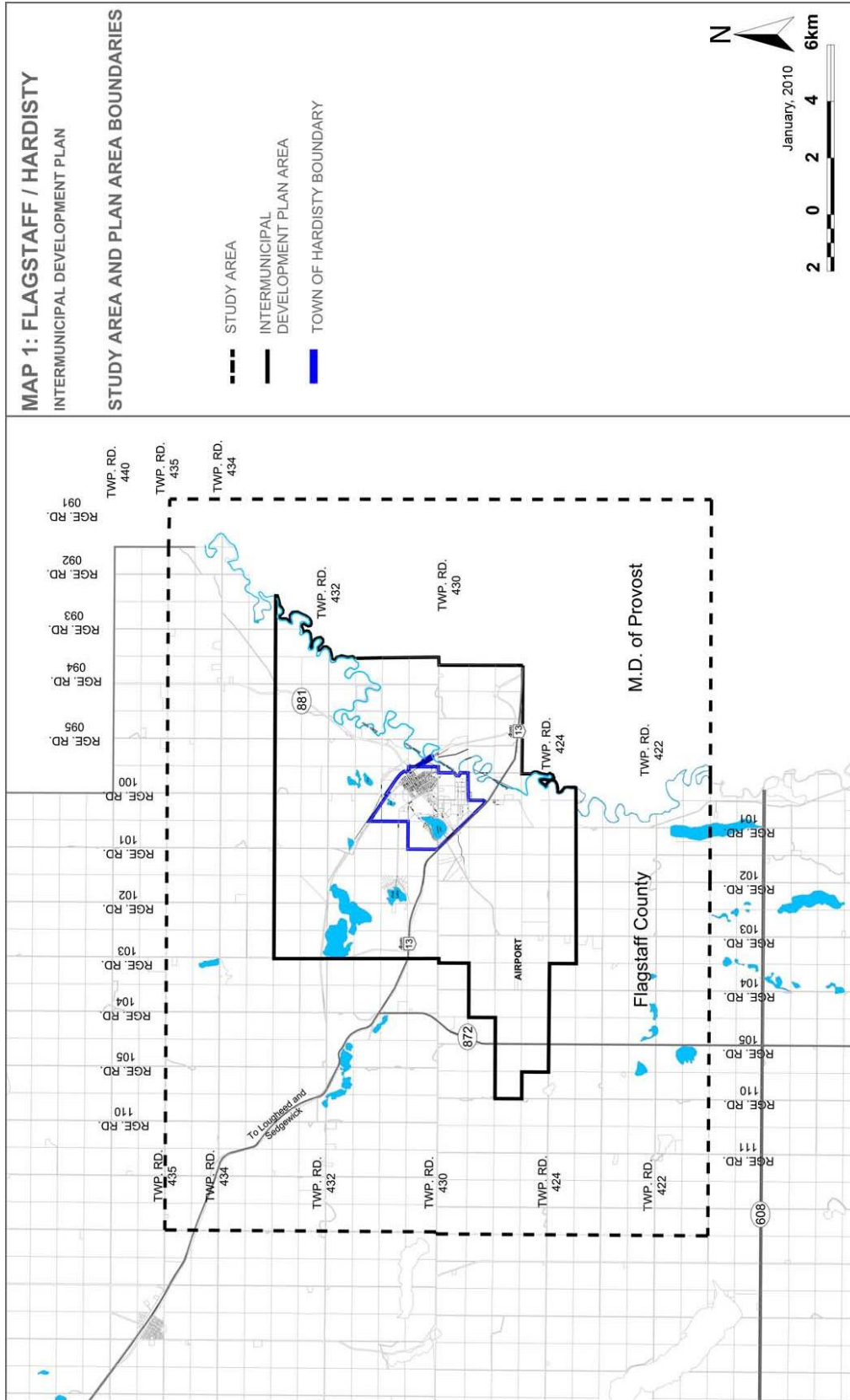
6.0 INTERMUNICIPAL DEVELOPMENT PLAN TERMINATION

The Intermunicipal Development Plan is renewable by resolution of both Councils before the 5th anniversary of the third reading and every 5 years thereafter. Failure to renew the Intermunicipal Development Plan by the 5th anniversary will cause the Plan to lapse and cease to exist.

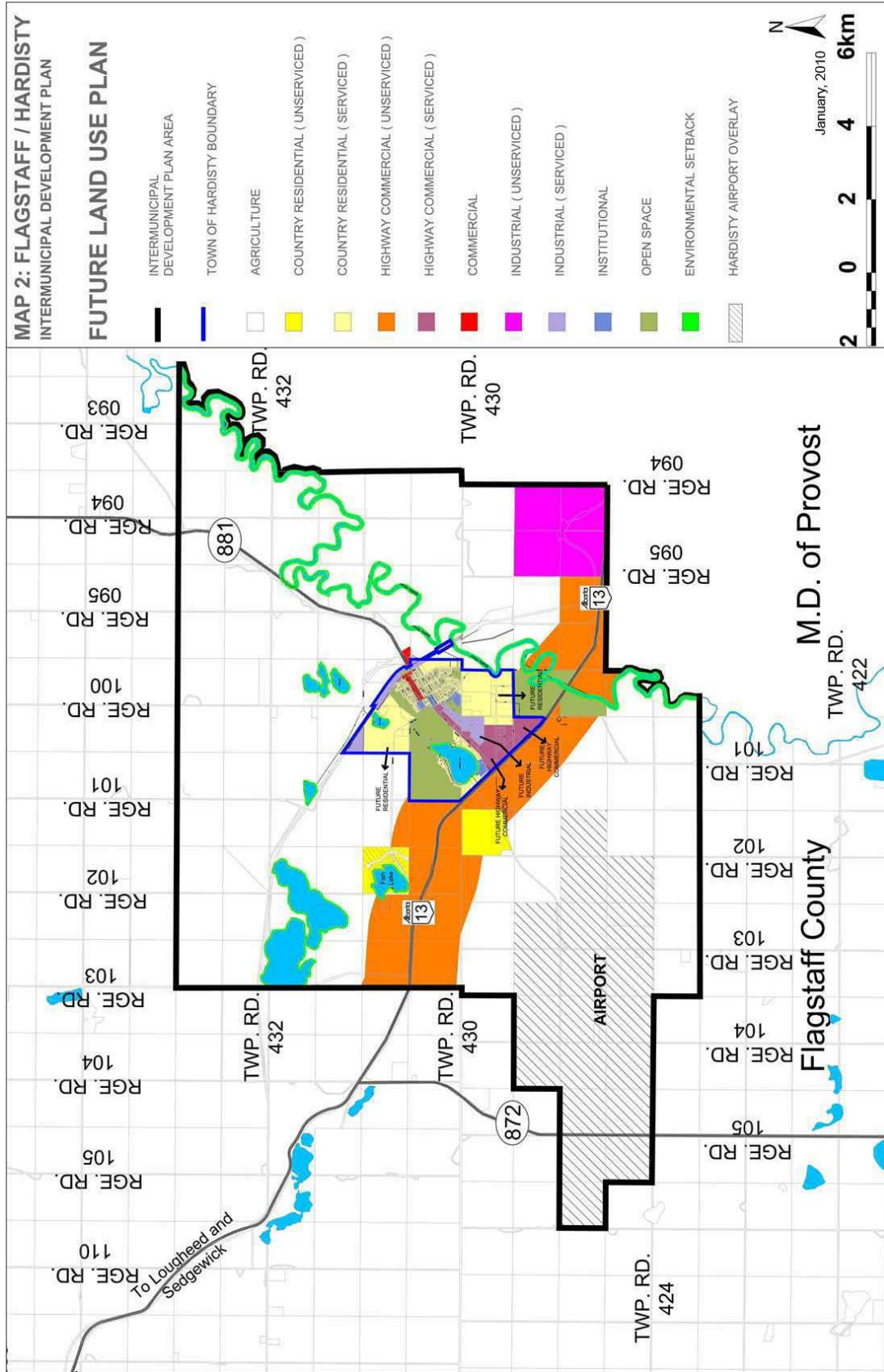
SCHEDULE A

7.0 MAPS

7.1 STUDY AREA AND PLAN AREA BOUNDARIES MAP



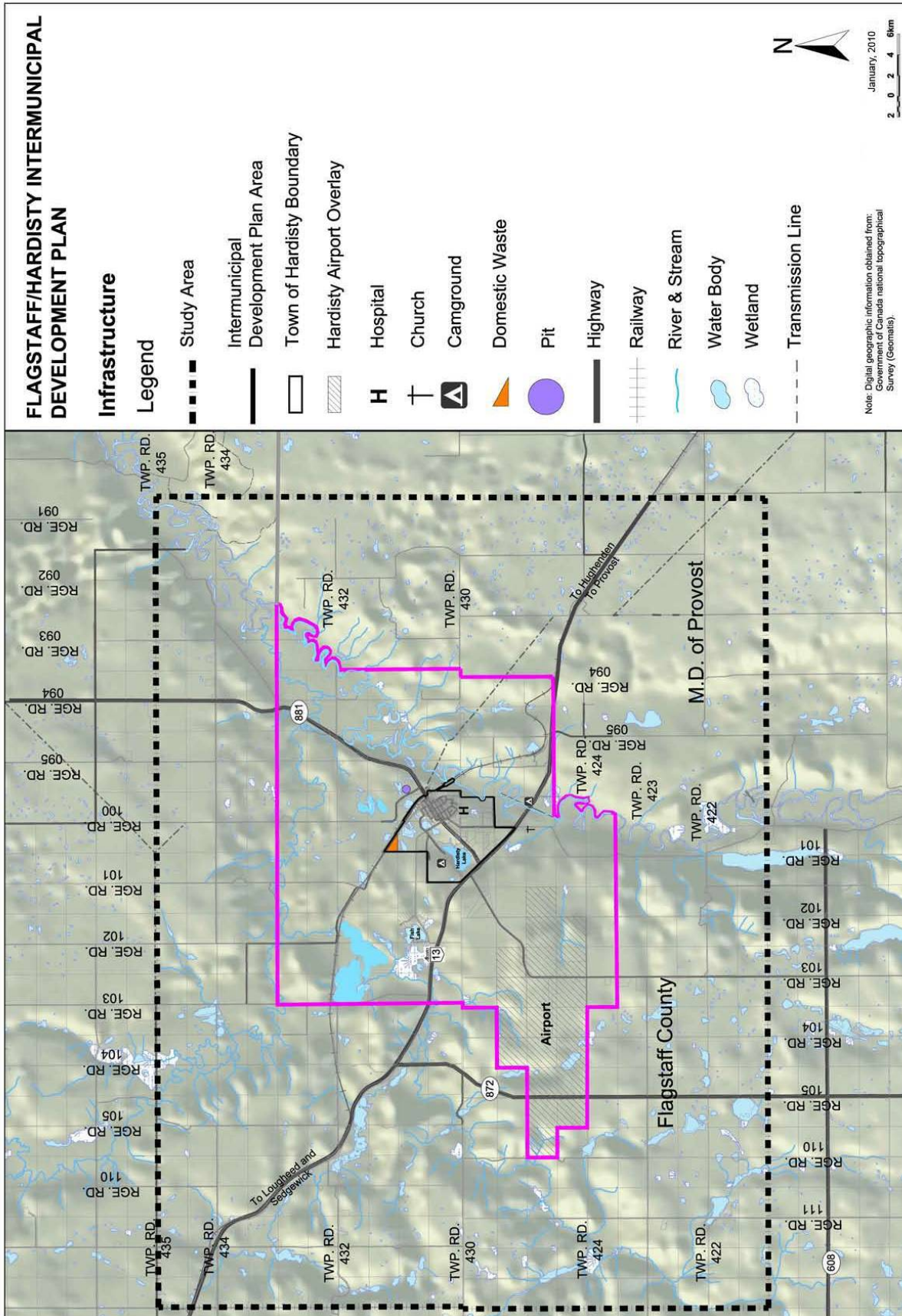
7.2 IDP PLAN AREA MAP



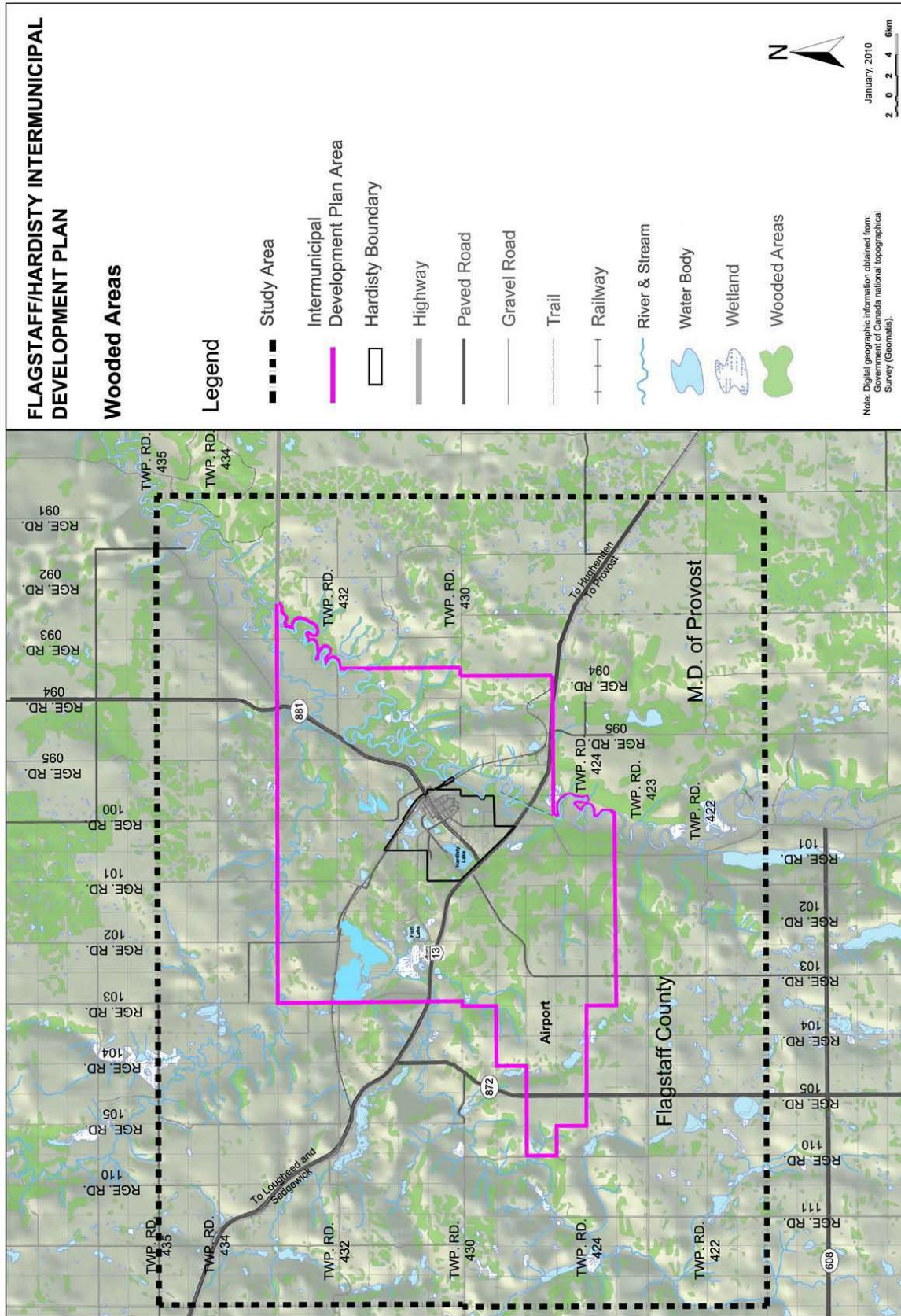
SCHEDULE B

8.0 APPENDIX A – DATA COLLECTION MAPS (Not part of the Bylaw)

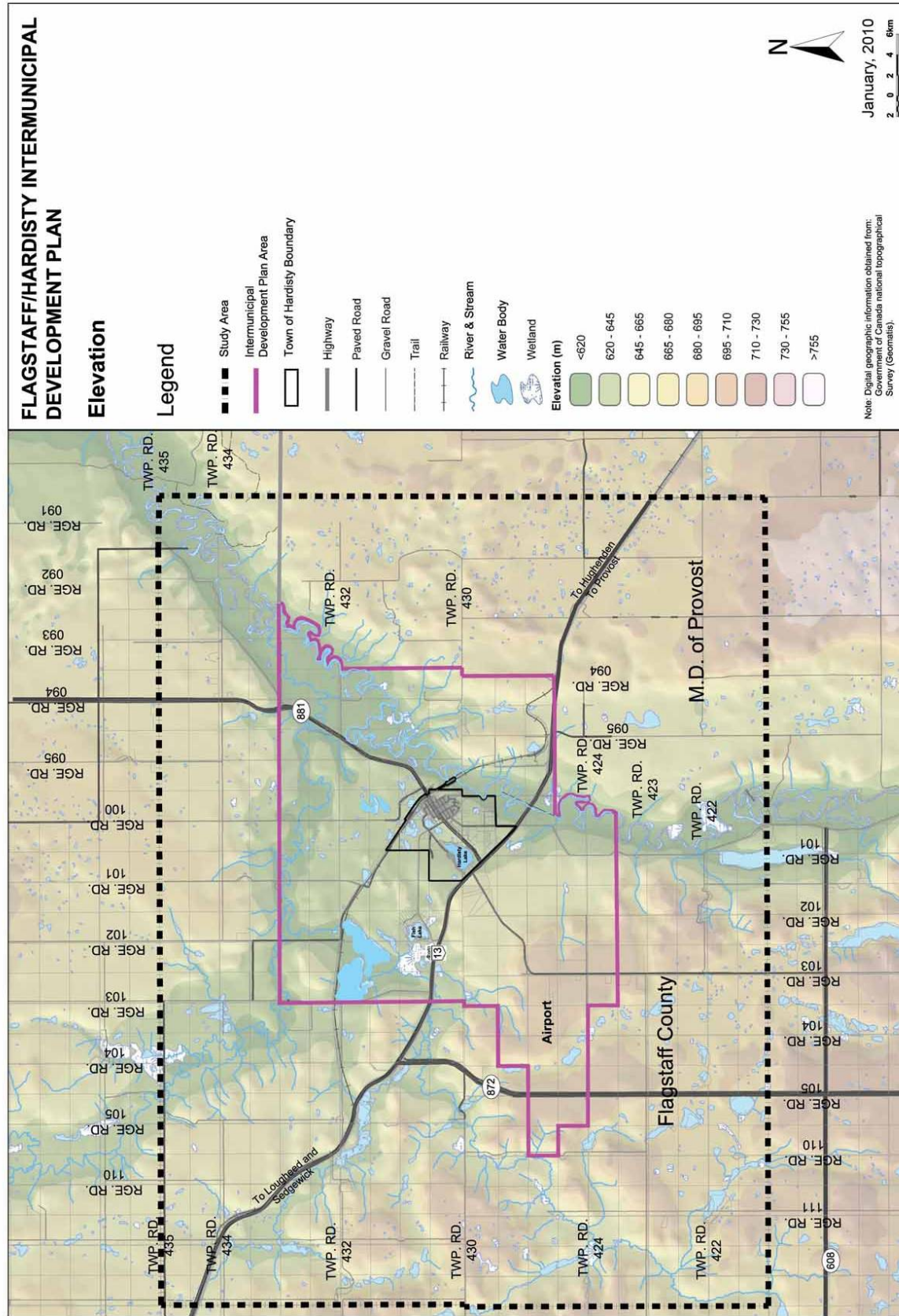
8.1 INFRASTRUCTURE MAP



8.2 WOODED AREAS MAP



8.3 ELEVATION MAP



8.4 SLOPE MAP

