

BYLAW 04/17

BEING A BYLAW OF FLAGSTAFF COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ADOPTING THE VILLAGE OF FORESTBURG / FLAGSTAFF COUNTY INTER-MUNICIPAL DEVELOPMENT PLAN.

WHEREAS Section 631(1) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, provides that two or more Councils may, by each passing a Bylaw, adopt an Inter-municipal Development Plan;

WHEREAS Council deems it desirable to adopt an Inter-municipal Development Plan with the Village of Forestburg;

WHEREAS Council recognizes that the lands contained within the Inter-municipal Development Plan will remain under the jurisdiction of Flagstaff County, and that the inter-municipal Development Plan provides a basis for cooperation and communication on matters of mutual interest;

WHEREAS notice of the proposed Bylaw and Public Hearing will be given pursuant to Section 606(2) of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta;

NOW THEREFORE the Municipal Council of Flagstaff County duly assembled enacts as follows:

THAT THE VILLAGE OF FORESTBURG / FLAGSTAFF COUNTY INTER-MUNICIPAL DEVELOPMENT PLAN, AS ATTACHED AND FORMING PART OF THIS BYLAW BE ADOPTED.

FLAGSTAFF COUNTY BYLAW NO. 05/09 IS HEREBY REPEALED.

THIS BYLAW SHALL COME INTO EFFECT UPON THIRD AND FINAL READING THEREOF.

READ A FIRST TIME THIS 10th DAY OF May, A.D. 2017,

Shirley Kuyler
Reeve

S. Cunningham
Chief Administrative Officer

READ A SECOND TIME THIS 14 DAY OF June, A.D. 2017,

Shirley Kuyler
Reeve

S. Cunningham
Chief Administrative Officer

READ A THIRD TIME AND FINALLY PASSED THIS 14 DAY OF June, A.D. 2017,

Shirley Kuyler
Reeve

S. Cunningham
Chief Administrative Officer



VILLAGE OF FORESTBURG & FLAGSTAFF COUNTY
INTERMUNICIPAL DEVELOPMENT PLAN

ACKNOWLEDGEMENTS

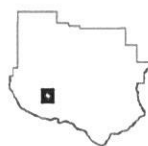
The Village of Forestburg & Flagstaff County Intermunicipal Development Plan was originally prepared by Austrom Consulting Ltd., and approved in 2009.

Beginning in 2015, Municipal Planning Services (2009) Ltd. worked with the Village and County to undertake a review of the goals and policies of the plan, as a part of the plan's periodic review requirements.



TABLE OF CONTENTS

1 	<u>INTRODUCTION</u>	3
1.1	PLAN ORGANIZATION	3
1.2	PURPOSE AND BACKGROUND	3
1.3	GOALS OF THE IDP	4
1.4	ENACTMENT	4
1.5	DURATION	4
1.6	PLAN AREA	4
1.7	ENABLING LEGISLATION	4
1.8	GUIDING PRINCIPLES	5
1.9	PUBLIC ENGAGEMENT	5
1.10	DEFINITIONS	6
2 	<u>PLAN POLICIES</u>	7
2.1	PLAN AREA	7
2.2	LAND USE CONCEPT	8
2.3	UTILITY AND STORMWATER MANAGEMENT POLICIES	9
2.4	TRANSPORTATION POLICIES	10
2.5	ENVIRONMENTAL PROTECTION AND OPEN SPACE	10
2.6	INFRASTRUCTURE CORRIDORS	11
2.7	OIL AND GAS INFRASTRUCTURE	11
2.8	ECONOMIC DEVELOPMENT	11
3 	<u>PLAN ADMINISTRATION AND IMPLEMENTATION</u>	12
3.1	ADOPTION PROCESS	12
3.2	APPROVING AUTHORITIES	12
3.3	PLAN AMENDMENTS	12
3.4	ESTABLISHMENT OF THE INTERMUNICIPAL PLANNING COMMITTEE	12
3.5	PLAN REVIEW	14
3.6	PLAN TERMINATION/REPEAL	14
3.7	ANNEXATION	15
3.8	DISPUTE RESOLUTION	15
3.9	DISPUTE RESOLUTION PROCESS	16
3.10	CORRESPONDENCE	16
4 	<u>MAPS</u>	17
4.1	MAP 1 - PLAN AREA BOUNDARIES	18
4.2	MAP 2 - FUTURE LAND USE CONCEPT	19



11 INTRODUCTION

1.1 | PLAN ORGANIZATION

- 1 | The Flagstaff County and the Village of Forestburg Intermunicipal Development Plan has been organized into three sections:
 - a. **SECTION 1 INTRODUCTION** includes the purpose and background, goals of the IDP, enactment, duration, description of the plan area, enabling legislation, guiding principles, public engagement process and key definitions.
 - b. **SECTION 2 PLAN POLICIES** includes the plan area, land use concept, utility and stormwater management policies; transportation policies; environmental protection, recreation and open space, infrastructure corridors; oil and gas infrastructure; and economic development.
 - c. **SECTION 3 PLAN ADMINISTRATION AND IMPLEMENTATION** includes adoption process, approving authorities, plan amendments, establishment of the Intermunicipal Planning Committee, plan review, plan termination/repeal, annexation, dispute resolution, and correspondence.

1.2 | PURPOSE AND BACKGROUND

- 1 | The municipalities of Flagstaff County (County) and the Village of Forestburg (Village) agreed to enter the process to jointly develop an Intermunicipal Development Plan (IDP).

"The purpose of the IDP will be to ensure that a coordinated and cooperative approach is in place for managing the use and development of lands adjacent to the boundary of Forestburg, within Flagstaff County".

- 2 | The Village and County have agreed to undertake the process for preparing and adopting, by bylaw, the IDP which will address the principles, policies and considerations outlined in this document.
- 3 | The Village and County recognize that all municipalities are equal and have the right to growth and development. Both municipalities have agreed that a negotiated IDP is the preferred method of addressing intermunicipal land use planning issues within the IDP area and that it represents the best opportunity for a continuing cooperative working relationship between the two municipalities.
- 4 | The municipal policy framework for the preparation of an IDP is contained within the County and Village Municipal Development Plans. The Village's Municipal Development Plan (MDP), identifies development opportunities for lands adjacent to the Village. In addition, the MDP contains policies regarding intermunicipal planning and cooperation. The County's Municipal Development Plan contains intermunicipal policies and supports the protection of a 3.2 kilometre area around each urban municipality for urban expansion plans and industrial parks.
- 5 | Nothing contained within this IDP is intended to nor shall be interpreted as fettering either Council's discretion.



1.3 | GOALS OF THE IDP

- 1 | The overall goals of the Flagstaff County and Village of Forestburg Intermunicipal Development Plan are to:
 - a. Ensure orderly development, while protecting the area surrounding the Village for future expansion;
 - b. Establish a framework for attracting economic opportunities;
 - c. Improve opportunities to secure a long-term economic base for the region;
 - d. Ensure the municipalities are development ready and future oriented in their efforts to attract economic activity; and
 - e. Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of the municipalities.
- 2 | The IDP and the various cost sharing agreements together form the basis of cooperative effort between the Village and the County to work together to serve the needs of their communities.

1.4 | ENACTMENT

- 1 | The policies contained within the Flagstaff County and Village of Forestburg Intermunicipal Development Plan Bylaw come into force once the County and the Village Council have given Third Reading to this IDP Bylaw. The intent is not that any policies in the IDP Bylaw be applied retroactively to any applications that are already in process.

1.5 | DURATION

- 1 | The IDP sets forth, in general terms, the strategic patterns for land uses, servicing and transportation policies as well as other mutually agreed to policy directions to the year 2026. While the IDP is meant to be a long range planning document, it is intended that regular monitoring, review and periodic amendments may be required for policies in the IDP to remain current with changing trends, technologies and growth within the region.
- 2 | The IDP sets forth a process for amendment and repeal of this document when it is in the mutual interests of the County and the Village to do so.

1.6 | PLAN AREA

- 1 | The IDP area encompasses lands north, west, east, and south of the present corporate limits of the Village of Forestburg as shown on **Map 1 – Plan Area Boundaries**. Property owners within the IDP area, adjacent property owners, residents of the Village and other interested parties have been consulted during the IDP planning process.
- 2 | The IDP area encompasses lands identified as the Short Term Annexation Area, Urban Expansion Area, and Referral Area as defined in **Section 1.10** of this Plan.

1.7 | ENABLING LEGISLATION

- 1 | The contents of an Intermunicipal Development Plan are outlined in Section 631 of the Municipal Government Act which reads:



"631(1) Two or more councils may, by each passing a bylaw in accordance with this Part or in accordance with section 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.

(2) 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.

- 2 | The procedure for adopting an intermunicipal development plan is described in Section 692 of the Municipal Government Act.

1.8 | GUIDING PRINCIPLES

- 1 | Maintain an open, fair and honest communication between the two municipalities and affected stakeholders.
- 2 | Promote orderly, economic and beneficial land development to minimize the amount of agricultural land converted to other land uses prematurely.
- 3 | Recognize the need for urban expansion of the Village and the need for orderly, timely and agreed upon annexation.
- 4 | Determine compatible and complementary land uses within the IDP area and adjacent lands while ensuring proposed land uses and development do not interfere or conflict with future urban expansion.
- 5 | Development of land use policies to provide for and in support of economic development that will benefit the two municipality's economically and socially.
- 6 | Development of a Plan for the provision of utility corridors within the Plan Area to provide for future growth and development of the IDP area, and to ensure oil and gas development/pipelines and/or gravel extraction facilities do not inhibit or restrict the future development of the region.
- 7 | Effective coordination of transportation systems and protection of required land for future road and trail network developments.
- 8 | Development of land use policies to ensure that future sites for schools and recreation areas are protected.
- 9 | Identification and protection of physical features and environmentally sensitive areas.
- 10 | Provide for effective IDP administration and implementation mechanisms.

1.9 | PUBLIC ENGAGEMENT

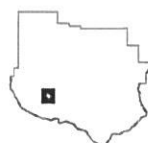
- 1 | In accordance with Section 692 of the Municipal Government Act, Councils must take measures to involve the public prior to adopting an Intermunicipal Development Plan. Several opportunities and methods have been used to carry out effective public engagement. In summary they include:
 - a. Media releases to facilitate project awareness;
 - b. Mailings to affected property owners, adjacent residents and other stakeholders;



- c. A public information session was held with affected landowners and other stakeholders within the IDP boundaries. Comment sheets and a survey were provided to encourage feedback.
- d. A combined Public Hearing held before Flagstaff County and the Village of Forestburg Councils to allow all parties to make representations on the IDP.

1.10 | DEFINITIONS

- 1 | All the terms and meanings in this IDP shall carry their normal definitions unless otherwise defined herein:
 - a. "area structure plan" means a statutory plan, adopted by bylaw, which provides a policy framework for subsequent redesignation, subdivision and development of a specified area of land in the municipality pursuant to Section 633 of the Municipal Government Act.
 - b. "development" means an activity taking place on a parcel as defined pursuant to the Municipal Government Act.
 - c. "confined feeding operation" is an agricultural operation as defined within the Agricultural Operations Practices Act.
 - d. "farmstead" means an agricultural dwelling and improvements as defined within the Flagstaff County Land Use Bylaw.
 - e. "fragmented parcel" means a parcel of land that is separated from the balance of the remainder of the parcel as defined within the Flagstaff County land Use Bylaw.
 - f. "multi-lot country residential subdivisions" shall be considered to be any subdivision which will create four or more country residential parcels on a quarter section.
 - g. "referral area" are lands within the plan area that are intended for eventual growth of the Village; within this area the County will refer to the Village for comment on proposed discretionary development activities (as illustrated in **Map 1 – Plan Area Boundaries**).
 - h. "short term annexation area" are lands identified for immediate urban expansion and are identified for annexation (within one year of Intermunicipal Development Plan adoption), by the Village.
 - i. "urban expansion area" means an area in Flagstaff County identified in this plan for future planned urban development, and is the priority area for future annexations by the Village of Forestburg.
 - j. "utility services" means a parcel serviced with municipal gas, water and sewer services.



2 | PLAN POLICIES

2.1 | PLAN AREA

GOAL To protect the lands identified as the Short Term Annexation Area and Urban Expansion Area from fragmented un-serviced development; to encourage collaborative planning within the remaining IDP lands identified as the Referral Area; and to minimize premature subdivision activity within the agricultural area surrounding the Village.

1 | General IDP Policies:

- a. Confined feeding operations requiring registrations or approvals and manure storage facilities requiring authorization under the Agricultural Operations Practices Act shall be discouraged within the Plan Area.
- b. The County will refer all subdivision applications, Municipal Development Plan and Land Use Bylaw amendments, and Area Structure Plans within the Plan Area to the Village for comment.
- c. Any disputes shall be dealt with through the procedure outlined within **Sections 3.9 and 3.10** of this Plan.

2 | Short Term Annexation Area Policies:

- a. The Short Term Annexation Area will consist of lands identified as the "short term annexation area identified on **Map 1 – Plan Area Boundaries**.
- b. Area Structure Plans within the Short Term Annexation Area shall be required for all proposed new multi-lot subdivisions, unless agreed to in writing by the Village and the County.
- c. In addition to referrals cited in **Section 2.1(1)(b)**, the County shall refer all development permit applications within the Short Term Annexation Area for comment until such time as the lands are annexed to the Village.
- d. In addition to referrals cited in **Section 2.1(1)(b)**, the County shall refer all natural resource related requests for development (e.g. oil & gas facilities, wells, & pipelines) to the Village on lands identified within the Short Term Annexation Area.
- e. The planning process in the Short Term Annexation Area will be a cooperative effort between the Village and the County. Developers will be required to work with the Village and County planning departments to ensure that the development is compatible with the future growth patterns of the Village.
- f. The Village will, within one year of the adoption of the Intermunicipal Development Plan, proceed with the annexation of the land identified within the short term annexation area.

3 | Urban Expansion Area Policies:

- a. The Urban Expansion Area will consist of lands identified as the "urban expansion area" identified on **Map 1 – Plan Area Boundaries**.
- b. Area Structure Plans within the Urban Expansion Area may be required where:
 1. The subject lands are within 0.8 kilometres of Highway 53 and Highway 856; or
 2. The subdivision of the subject lands will result in the creation of a parcel or parcels for residential purposes and, combined with previously subdivided parcels, total greater than 6.06 ha (15.0 acres) or



3. The subdivision of the subject lands will result in the creation of a parcel or parcels for commercial and industrial purposes.
 - c. Farmstead and fragmented parcel subdivisions shall be permitted within the Urban Expansion Area pursuant to the County's Municipal Development Plan and Land Use Bylaw.
 - d. Multi-lot country residential subdivisions may be permitted within the Urban Expansion Area subject to the provisions of the Flagstaff County Municipal Development Plan and **Section 2** of this Plan.
 - e. In addition to referrals cited in **Section 2.1(1)(b)**, the County shall refer all development permit applications within the Urban Expansion Area to the Village for comment.
 - f. The planning process in the Urban Expansion Area will be a cooperative effort between the Village and the County. Developers will be required to work with the Village and County planning departments to ensure that the development is compatible with the future growth patterns of the Village.
- 4 | Referral Area Policies:
- a. In accordance with the Flagstaff County Municipal Development Plan all subdivision applications and discretionary development permits within the Intermunicipal Development Plan area will be forwarded to the Village for review and comment.

2.2 | LAND USE CONCEPT

GOAL To ensure that future land uses allowed within the Short Term Annexation Area, Urban Expansion Area and Referral Area are compatible with the future growth patterns of the Village.

- 1 | Flagstaff County agrees that all development within the Short Term Annexation Area, Urban Expansion Area, and Referral Area will be planned to minimize the impact on the growth of the Village.
- 2 | Short Term Annexation Area and Urban Expansion Area Land Use Policies:
 - a. In considering subdivision and development proposals in the Short Term Annexation Area and Urban Expansion Area, the County Subdivision and Development Authority will ensure the proposed subdivision and/or development conforms to the intent of **Map 2 – Future Land Use Concept** and the land use policies contained herein.
 - b. Residential, commercial and industrial areas identified in **Map 2 – Future Land Use Concept** shall be used predominantly for these purposes over the long term. Agricultural, local commercial (within residential areas), open space, recreational, institutional and resource extraction industrial uses may also be present based on the detailed land use concept of an approved area structure plan.
 - c. Un-serviced residential development shall be limited to 6.06 ha (15.0 acres) per quarter section within the Short Term Annexation Area and Urban Expansion Area, unless agreed to in writing by the Village. Notwithstanding, the County shall apply a deferred services caveat to all newly created parcels in the Short Term Annexation Area and Urban Expansion Area to ensure the orderly future servicing of these lands.
 - d. If agreed to in writing by the Village, subdivision and development within the Short Term Annexation Area and Urban Expansion Area of an area exceeding 6.06 ha (15.0 acres) per quarter section for multi-lot country residential subdivisions may be allowed where the lot sizes are from 1.0 to 5.0 acres in size.



3 | Referral Area Land Use Policies:

- a. All land use matters within the Referral Area (as illustrated in **Map 1 – Plan Area Boundaries**) shall be dealt with in accordance with the Flagstaff County Municipal Development Plan and Flagstaff County Land Use Bylaw.

2.3 | UTILITY AND STORMWATER MANAGEMENT POLICIES

GOAL The lands within the Short Term Annexation Area and Urban Expansion Area will be serviced and include suitable stormwater management systems.

1 | Plans Required:

- a. Within the Short Term Annexation Area and Urban Expansion Area, Area Structure Plans shall be accompanied by the preparation of the following:
 1. Water and Wastewater Servicing Plans;
 2. Geotechnical Report;
 3. Phase I Environmental Assessment; and a
 4. Stormwater Management Plan.
- b. Within the Short Term Annexation Area and Urban Expansion Area, Area Structure Plans may also be required to be accompanied by the preparation of the following:
 1. Wetland assessment;
 2. Traffic Impact Assessment; and
 3. Any other studies required by the County's Approving authorities to determine the suitability of the site for the proposed use.

2 | Utility Services:

- a. Services for all developments outside of the Village boundaries shall not connect to the Village's infrastructure system until such time that the land is annexed, unless otherwise agreed to by the Village and County.
- b. The County agrees to require all new parcels created in the Short Term Annexation Area and Urban Expansion Area to be developed with internal water and wastewater servicing to the same standards as the Village (with the exception of multi parcel subdivisions approved as per **Section 2.2.2(c)**). Notwithstanding, staged servicing solutions for water and sanitary services may be permitted at the County's discretion, provided that it meets Provincial regulations. On an interim basis, developments may also be served via cistern and hauling (for water) and pumpout tanks (for wastewater), hauling to the Forestburg Wastewater Lagoon, until such time as the lands are annexed and water and wastewater transmission lines are extended to the area, and subject to the developer entering into a deferred servicing agreement with the County.
- c. For developments requiring or proposing to require water and wastewater services in the Short Term Annexation Area and Urban Expansion Area, the Village and County agree to enter into a joint servicing agreement for said services.
- d. For developments located within the Urban Expansion Area requiring or proposed to require water and wastewater services from the Village, the County will submit the relevant portions of the development agreement, including full details on the water and wastewater servicing standards and anticipated volumes, for the Village's approval.



- e. The Village, subject to available capacity, payment of the user fees and Alberta Environment approval, agrees to accept, from County residents and developments in the Urban Expansion Area, wastewater from holding tanks that complies with the standards set by the Village.

3 | Stormwater Management:

- a. Provisions should be made to control stormwater runoff to predevelopment rates. The number of stormwater management facilities in the Urban Expansion Area should be minimized in order to control ongoing operational and maintenance costs and consumption of developable lands.
- b. Best management practices should be utilized as measures to control stormwater quality. Incorporation of stormwater management facilities with natural areas may benefit the area as a whole. Existing water bodies could be utilized or integrated into stormwater management plans.

2.4 | TRANSPORTATION POLICIES

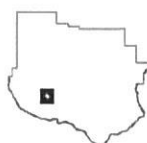
GOAL The Village and County will work together and in partnership with the Province in the continual development and maintenance of a safe and efficient transportation network within the IDP area.

- 1 | The Village and County will work together and with Alberta Transportation to ensure a safe and efficient transportation network is developed and maintained to service the residents and businesses within the IDP Area.
- 2 | When subdivisions are approved in the IDP area, all right-of-way requirements will be secured to ensure that long-term transportation and road plans can be implemented when warranted.
- 3 | Developers will be required to construct all roads to County standards.
- 4 | As a part of the Area Structure Plan process, Alberta Transportation may require the development of a Traffic Impact Assessment for any subdivision within 0.8 kilometres of Highway 53 and Highway 856.

2.5 | ENVIRONMENTAL PROTECTION AND OPEN SPACE

GOAL The municipalities will continue to protect and enhance the existing open spaces surrounding the Village.

- 1 | Environmentally sensitive lands have been identified within **Map 2 – Future Land Use Concept**.
- 2 | Land suitable for Environmental Reserve (ER), in accordance with the provisions of the Municipal Government Act may be identified at the subdivision application stage and be dedicated as an Environmental Reserve parcel, and Environmental Reserve Easement or a Conservation Easement.
- 3 | The County, when approving subdivisions within the Short Term Annexation Area and Urban Expansion Area, shall take Municipal Reserves in accordance with the Municipal Government Act. Such reserves shall be deferred to the balance of the parcel unless otherwise agreed to by the Village.
- 4 | Through the Flagstaff County Land Use Bylaw, appropriate development setbacks from water bodies and watercourses shall be enforced.
- 5 | Both municipalities shall recognize and enhance the wide diversity of open space opportunities and seek to identify future partnerships.



2.6 | INFRASTRUCTURE CORRIDORS

GOAL The municipalities will work together to ensure that utility corridors are planned, constructed, and maintained.

- 1 | The Village and County acknowledge that the future development within the plan area is dependent on access to water and wastewater services, and the Village and County agree to work together to ensure the corridors for these services are protected.

2.7 | OIL AND GAS INFRASTRUCTURE

GOAL The municipalities will work with the oil and gas industry to ensure that resource infrastructure does not negatively impact future development within the IDP area.

- 1 | Oil and gas infrastructure have been identified within **Map 2 – Future Land Use Concept**.
- 2 | The Village and County also acknowledge that the development of the oil and gas industry has played an integral part in the development of the region. The Village and County will work with the oil and gas industry to ensure that the orderly development of the Plan area is not unduly restricted by the development of oil and gas infrastructure, including pipelines.
- 3 | The County will refer all resource related referrals to the Village on lands identified within the Short Term Annexation Area and Urban Expansion Area.

2.8 | ECONOMIC DEVELOPMENT

GOAL To promote, develop and enhance infrastructure in order to increase business activity in the region.

- 1 | The municipalities have agreed to work together to promote and support economic development that is good for both municipalities. Land use policies will be developed that will support and encourage a cooperative effort in support of economic development.



3 | PLAN ADMINISTRATION AND IMPLEMENTATION

3.1 | ADOPTION PROCESS

- 1 | The Intermunicipal Development Plan shall be adopted by bylaw by the Village and the County in accordance with the Municipal Government Act.
- 2 | The Village's adopting bylaw will specify that although the Village adopts the policies and objectives of the plan, the Village has no legal jurisdiction for lands in the Plan area which are outside of the boundaries of the Village.
- 3 | Any amendments to the Municipal Development Plans and Land Use Bylaws of the Village and County required to implement the policies of the Intermunicipal Development Plan should occur simultaneously with the adoption of the plan.

3.2 | APPROVING AUTHORITIES

- 1 | All the statutory plans impacting the Plan area shall be made consistent with this Plan.
- 2 | The County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto.

3.3 | PLAN AMENDMENTS

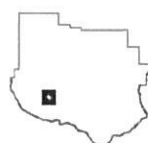
- 1 | An amendment to this Plan may be proposed by either municipality. An amendment to the Plan proposed by a landowner shall be made to the municipality in which the subject land is located.
- 2 | An amendment to this Plan has no effect unless adopted by both municipalities by bylaw in accordance with the Municipal Government Act.

3.4 | ESTABLISHMENT OF THE INTERMUNICIPAL PLANNING COMMITTEE

- 1 | The Intermunicipal Planning Committee will be established upon third reading of the Bylaw adopting the Flagstaff County and the Village of Forestburg Intermunicipal Development Plan.
- 2 | 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.
- 3 | The Intermunicipal Planning Committee will be comprised of:
 - a. two members of the Council of the Village of Forestburg;
 - b. two members of the Council of Flagstaff County;
 - c. one staff member of the Village of Forestburg; and
 - d. one staff member of Flagstaff County

The Councils of each municipality may appoint alternative members, should any member not be able to attend an IMC meeting.

- 4 | The Intermunicipal Planning Committee shall establish its own rules of procedure, including its own schedule of meetings.
- 5 | The Intermunicipal Planning Committee shall communicate with all members via email **on an annual basis** to determine if a meeting of the Committee is requested by a member to discuss issues concerning the implementation of the Intermunicipal Development Plan. If no request for a



meeting is made, then a meeting of the Intermunicipal Planning Committee will be considered unnecessary.

- 6 | The Intermunicipal Planning Committee shall not deal exclusively with development matters within the Flagstaff County and the Village of Forestburg Intermunicipal Development Plan area. Rather, it will deal with all matters referred to it in the manner described in **Section 3.4.7**.
- 7 | The Intermunicipal Planning Committee has the following functions:
 - a. to clarify the intent and interpretation of the Intermunicipal Development Plan;
 - b. to develop specific strategies related to the provision of infrastructure, service provision, cost sharing, etc. for proposed subdivision and development in the Flagstaff County and the Village of Forestburg Intermunicipal Development Plan area that reflect the policies and guidelines set out in the Intermunicipal Development Plan;
 - c. to review and comment on applications to amend the Flagstaff County and the Village of Forestburg Intermunicipal Development Plan;
 - d. to review and comment on development matters referred to it in accordance with this Intermunicipal Development Plan; and
 - e. to undertake such other matters as it deems reasonable and as are referred to it by either Council or municipal administration.
- 8 | The Village and County agree:
 - a. the County's Subdivision Authority and Development Authority will notify Village administration of all subdivision applications and development permit applications for discretionary uses received within the Referral Area identified on Map 1 – Plan Area Boundaries; and
 - b. the County's Subdivision Authority and Development Authority will notify Village administration of applications for all subdivision applications and all development permit applications received within the short term annexation area identified on Map 1 – Plan Area Boundaries;
 - c. the Village's Subdivision Authority and Development Authority will notify County administration of all subdivision applications and development permit applications for discretionary uses within the Village.
- 9 | Each municipality's Subdivision Authority and Development Authority shall ensure that their decisions are consistent with the Flagstaff County and the Village of Forestburg Inter-municipal Development Plan.
- 10 | Depending on the nature of the proposed application for subdivision or development, the Intermunicipal Planning Committee may provide recommendations related to the proposed application.
- 11 | Where a referral is required, the referring municipality shall provide complete information concerning the matter to the other municipality's administration. 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 within the timeframe indicated on the referral letter.
 - a. If there is any concern, the two (2) administrations shall discuss the issue and attempt to resolve the matter.



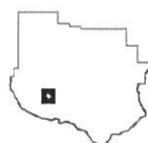
- b. If the administrations resolve the concern, the responding municipality will formally notify the applicant municipality and the Intermunicipal Planning Committee, and the applicant municipality will take the appropriate actions to consider approving the matter.
 - c. In the event that the issue is not resolved at the administrative level, the applicant municipality's administration shall refer the matter to the Intermunicipal Planning Committee.
- 12 | Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and Village will present their positions on the matter to the Committee.
- 13 | After consideration of a matter, the Intermunicipal Planning Committee may:
 - a. Provide suggestions to both administrations with respect to revisions to the matter that should be considered to make it more acceptable to both Municipalities,
 - b. 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,
 - c. Conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils,
 - d. If agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position,
 - e. If a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils, or
 - f. Undertake any other action it deems reasonable.

3.5 | PLAN REVIEW

- 1 | Annually, the CAOs of the Village and the County shall undertake a joint review of this Plan and in collaboration with planning and development staff determine the advisability of any amendments to the Plan. If an amendment is deemed necessary by both municipalities then the results of the review shall be presented to both Councils; either jointly or separately; within one month of the anniversary of the adoption of this plan. The Councils shall determine if any amendments are to be proceeded with and direct municipal administration of commence a public plan amendment process. If both Councils do not agree that a particular amendment shall proceed then neither municipality shall proceed with that amendment.
- 2 | In addition to the annual review process, the municipalities may agree to amend this Plan at any other time as may be required.

3.6 | PLAN TERMINATION/REPEAL

- 1 | After ten years from the date of the final approval of the Intermunicipal Development Plan, either municipality may initiate the process to terminate/repeal the plan.
- 2 | The following procedure to repeal the Plan shall be followed:
 - a. The Village or County may give the other municipality written notice of its intention to repeal the plan.
 - b. Within thirty days of the written notice, an Intermunicipal Planning Committee meeting shall be convened.
 - c. Following the Intermunicipal Planning Committee meeting, the municipality initiating the repeal procedure may either withdraw its intention to repeal the Plan by giving written



notice to the other municipality or proceed to consider a bylaw in accordance with the Municipal Government Act to repeal the plan.

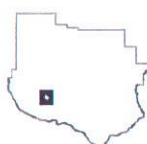
- d. Once one municipality has passed a bylaw to repeal the Plan the other municipality shall also proceed to pass a bylaw repealing the plan.
- e. In the event the Plan is repealed, the Village and County shall amend their Municipal Development Plans respectively to address the intermunicipal issues in accordance with the Municipal Government Act. Should these required amendments not satisfy the neighbouring municipality the matter may be appealed to the Municipal Government Board.
- f. Should the Plan be repealed all other agreements relating to developments in the Plan Area will continue to be in force, unless otherwise stipulated in the agreements.

3.7 | ANNEXATION

- 1 | The County recognizes and agrees that the Village will need additional land to grow and will support annexations that will provide for 20 years of projected growth within the boundaries of the Village and which require municipal utility services from the Village.
- 2 | The annexation process may be initiated by the Village through the preparation of a Growth Study and in accordance with the Municipal Government Act. The Village and County will endeavour to reach an intermunicipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

3.8 | DISPUTE RESOLUTION

- 1 | The Village and County agree that disputes relating to the Intermunicipal Development Plan shall be restricted to the following:
 - a. Lack of agreement on proposed amendments to the plan;
 - b. Lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the Plan area; or
 - c. Lack of agreement on an interpretation of this plan.
- 2 | Lack of agreement pursuant to **Section 3.8(1)(a) and/or (b)** of this plan is defined as a statutory plan, land use bylaw or amendment to either which is given first reading by a Council which the other Council deems to be inconsistent with the policies of this Plan or detrimental to their planning interests as a municipality.
- 3 | A dispute shall be limited to the decisions on the matters listed in **Section 3.8(1)**. Any other appeal shall be made to the appropriate approving authority or appeal board that deals with that issue.
- 4 | The dispute resolution process may only be initiated by Village or County Councils.
- 5 | Identification of a dispute and the desire to go through the dispute resolution process may occur at any time regarding a **Section 3.8(1)(c)** dispute matter and may only occur within 30 calendar days of a decision made pursuant to **Section 3.8(2)**. Once either municipality has received written notice of a dispute, the dispute resolution process must be started within 15 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
- 6 | In the event the dispute resolution process is initiated by the municipality having authority over the matter shall not give any further approval in any way until the dispute has been resolved or the mediation process has been concluded.



- 7 | In the event mediation does not resolve the dispute, the Municipality may proceed to adopt the bylaw and in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.

3.9 | DISPUTE RESOLUTION PROCESS

- 1 | Stage 1 Administrative Review - The Chief Administrative Officers of both municipalities will meet in an attempt to resolve the issue first. Failing resolution, the dispute will then be referred to the Intermunicipal Planning Committee. In the event a resolution is not achieved by the 30th day following the first meeting of the Chief Administrative Officer of both Municipalities, either municipality may refer the dispute to the Intermunicipal Planning Committee.
- 2 | Stage 2 Intermunicipal Planning Committee Review - The Committee will convene to consider and attempt to resolve the dispute. Failing resolution, the dispute will then be referred to mediation. In the event a resolution is not achieved by the 30th day following the first meeting of the Intermunicipal Planning Committee, either municipality may refer the dispute to a mediator.
- 3 | Stage 3 Mediation - The services of an independent mediator will be retained, with the mediator to present a written recommendation to both Councils. The costs of mediation shall be shared equally between the Village and County.
- 4 | Stage 4 Municipal Government Board - In the event the mediation process does not resolve the dispute, the Municipality may proceed to adopt the bylaw and in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.

3.10 | CORRESPONDENCE

- 1 | Written notice under this Plan shall be addressed as follows:

- a. In the case of Flagstaff County to:

Flagstaff County - c/o Chief Administrative Officer

P.O. Box 358, Sedgewick, AB T0B 4C0

- b. In the case of the Village of Forestburg to:

Village of Forestburg - c/o Chief Administrative Officer

P.O. Box 210, Forestburg, AB T0B 1N0

IN WITNESS WHEREOF the parties have affixed their corporate seals as attested by the duly authorized signing officers of the parties as of the first day above written.

FLAGSTAFF COUNTY

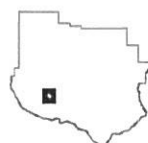
VILLAGE OF FORESTBURG

Reeve

Mayor

Chief Administrative Officer

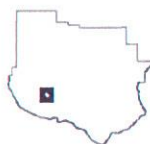
Chief Administrative Officer

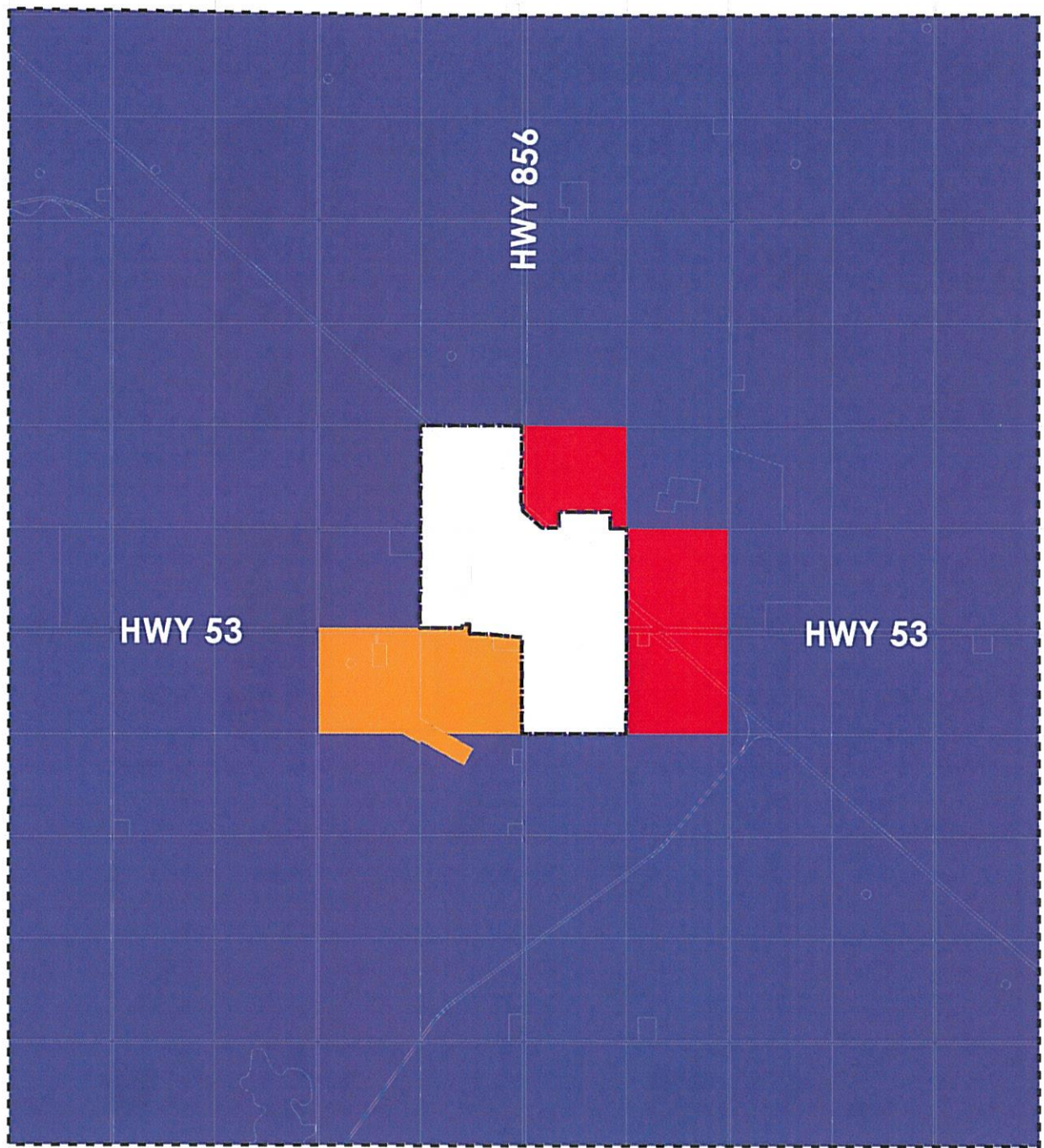


4 | MAPS

MAP 1 – PLAN AREA BOUNDARIES

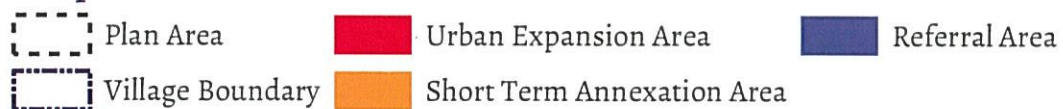
MAP 2 – FUTURE LAND USE CONCEPT



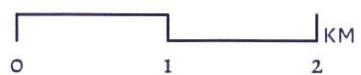


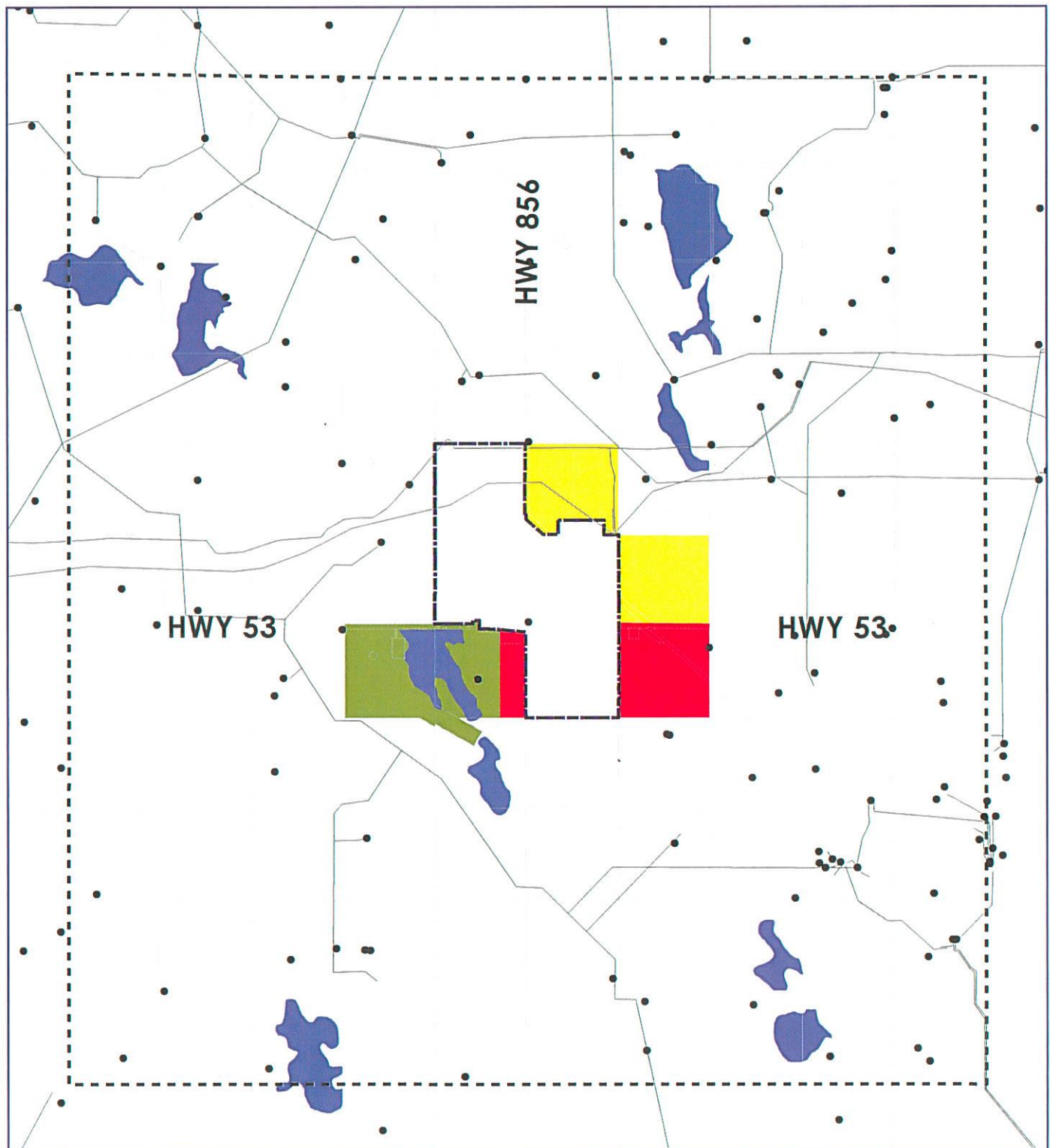
Flagstaff County & Village of Forestburg IDP

Map 1 - Plan Area Boundaries



Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N



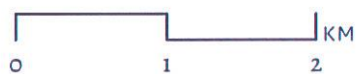


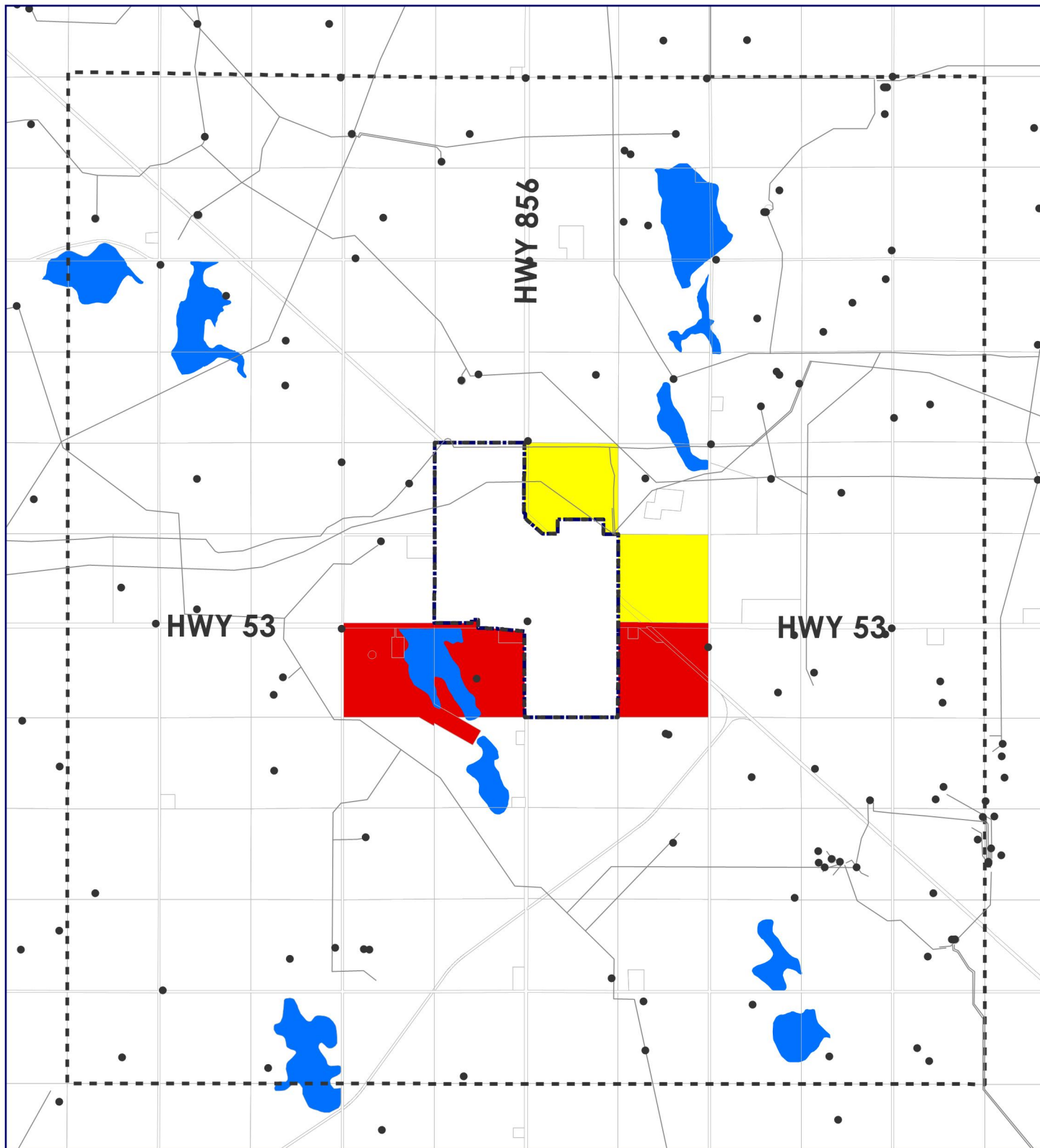
Flagstaff County & Village of Forestburg IDP

Map 2 - Future Land Use Concept



Digital Information: Geogras and Altalis
Projection: UTM NAD 83 12N





Flagstaff County & Village of Forestburg IDP

Map 2 - Future Land Use Concept



Digital Information: Geogratia and Altalis
Projection: UTM NAD 83 12N

