

**Kneehill County
Bylaw No. 1743**

**BYLAW No. 1743 OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA,
BEING A BYLAW TO ADOPT THE VILLAGE OF CARBON / KNEEHILL 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 must, by each passing a Bylaw, adopt an Inter-municipal Development Plan;

AND WHEREAS, Council deems it desirable to adopt an Inter-municipal Development Plan with the VILLAGE OF CARBON;

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

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

AND WHEREAS, a Public Hearing into the proposed Bylaw was scheduled for and held on May 23, 2017 commencing at 10:00 a.m. at the Kneehill County Office;

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

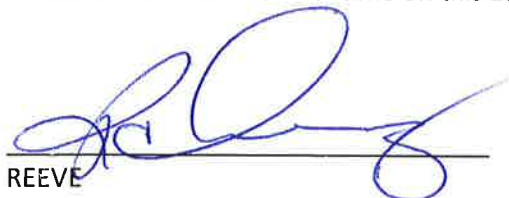
THAT THE VILLAGE OF CARBON / KNEEHILL COUNTY INTER-MUNICIPAL DEVELOPMENT PLAN, AS ATTACHED AND FORMING PART OF THIS BYLAW BE ADOPTED.

READ a first time on this 25th day of April, 2017.

PUBLIC HEARING was held on this 23rd day of May, 2017.

READ a second time on this 15th day of August, 2017.

READ a third time and final time on this 15th day of August, 2017.



REEVE



CHIEF ADMINISTRATIVE OFFICER

VILLAGE OF CARBON
BYLAW #2017-794

BYLAW #2017-794 OF THE VILLAGE OF CARBON, IN THE PROVINCE OF ALBERTA, BEING A BYLAW TO ADOPT THE VILLAGE OF CARBON/ KNEEHILL 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 must, by each passing a Bylaw, adopt an Inter-Municipal Development Plan;

AND WHEREAS, Council deems it desirable to adopt an Inter-Municipal Development Plan with KNEEHILL COUNTY;

AND WHEREAS, Council recognizes that the lands contained within the Inter-Municipal Development Plan will remain under the jurisdiction of each respective municipality, and that the Inter-Municipal Development Plan provides a basis for cooperation and communication on matters of mutual interest;

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

AND WHEREAS, a Public Hearing into the proposed Bylaw was scheduled for and held on June 12th, 2017 commencing at 7:00PM at the Village of Carbon Office;

NOW THEREFORE, the Municipal Council of the Village of Carbon duly assembled enacts as follows:

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

READ a first time in Open Council this 1st day of May 2017.

READ a second time in Open Council this 24th day of July 2017

READ a third time in Open Council and finally passed this 24th day of July 2017



Guss Nash
Mayor



Margaret McClarty
Chief Administrative Officer

INTER-MUNICIPAL DEVELOPMENT PLAN



Kneehill County

and



Village of Carbon

INTRODUCTION

Kneehill County and the Village of Carbon recognize that inter-municipal planning is an effort between two or more municipalities to make long term land use planning decisions. The preparation of an Inter-municipal Development Plan (IDP) will work towards avoiding future land use conflicts, and approach certain identified areas with a regional perspective. By implementing a plan that contains both policies for future uses as well as agreed dispute mechanisms, urban and rural municipalities can reach agreement without negative impacts on either municipality. From the perspective of both municipalities, enhanced management of the land within the IDP Area, identified on the map as zones 1, 2 and 3, will prove advantageous for the long-term interests of the municipalities and their residents.

MUTUAL OBJECTIVES

The two municipalities agree:

- To develop an IDP framework for how the County and the Village will collaborate together in order to plan and develop lands contained within the IDP Area.
- To promote open communication between the municipalities, the public, and interested stakeholders, and provide meaningful involvement and consultation.
- To respect each other’s jurisdictional autonomy and integrity.
- To provide a framework for the provision of services and infrastructure required for the IDP Area that demonstrates an equitable, efficient and proactive approach.
- To utilize the IDP as a guide to collaboratively plan for lands within the IDP Area that will promote opportunities for residential, commercial, industrial and economic development while minimizing land use and environmental impacts.

PURPOSE AND GUIDING PRINCIPLES

This IDP has been prepared in accordance with the Municipal Government Act which encourages cooperation and coordination between neighbouring municipalities with regard to planning matters in the vicinity of their joint boundaries. The IDP creates a shared vision for future growth by establishing a long-term strategy balancing the interests of both municipalities. This IDP intends to promote ongoing coordination, collaboration and cooperation between the two municipalities by providing a framework to discuss planning matters that affect and influence one another.

For the purposes of this process, the County and the Village agree to respect the following guiding principles:

- Mutual respect and equity.
- Cooperation, collaboration, communication and trust.
- Coordinated, consistent and timely response.

- Respect for environment and natural capital.
- Public engagement and consultation.
- Economic growth and development.

PLAN AREA

1. Joint Inter-municipal Development Plan Area

- This area is illustrated as Zone #1. These lands would best accommodate future residential development.

2. Urban Fringe or Interface Area

- These are identified as Zone #2, and are areas where different land uses meet and interact. These lands serve as a guide in locating future commercial and industrial development due to the proximity to highway access.

3. Future Land Use Concept

- This area is illustrated as Zone #3, and establishes the general locations for any future land uses, however development constraints exist in these areas due to topographical features of the lands.

The County and Village agree that a collaborative approach to planning and coordinated development is necessary within the IDP area. Both municipalities shall respect the Joint IDP Area as illustrated as Zone #1. Development proposals will be evaluated against each municipality's respective Municipal Development Plans, as well as statutory and non-statutory plans.

Both municipalities shall act as good neighbours with respect to Urban Fringe or Interface Areas as illustrated as Zone #2. Each will ensure future land use designations and interface boundaries are compatible and consistent with both jurisdictions' goals and aspirations.

Kneehill County will notify the Village of any proposals, applications, studies, or future plans for areas as illustrated as Zone #3, and provide informative communication and invitations to respond.

POLICIES

Managing Growth – IDP policies must be flexible enough to permit all reasonable developments in a contiguous manner. The IDP has a goal to facilitate orderly, efficient and environmentally sound development compatible with the character and physical setting of the IDP Area while minimizing conflicts between agricultural and urban land uses.

- Future development shall be planned in accordance with the zones identified in the IDP Area map. Land uses within the current Village boundary shall be guided by the Municipal Development Plan and minor amendments to the MDP shall not require an amendment to the IDP.

- The Village and County shall endeavour to implement cost-sharing arrangements supporting an equitable distribution of costs associated with increased growth and development in the Joint IDP Area (Zone #1).
- Both municipalities shall provide a variety of development opportunities within their jurisdiction.
- Future development in proximity to Highway 836 or Highway 575 shall be planned in consultation with Alberta Transportation.

Plan Area Environment – The natural environment surrounding the Village does not respect municipal boundaries. Water courses, hills, soil conditions and vegetation intermingle across urban and rural boundaries as well as the Plan boundary.

- Both municipalities shall recognize the value of the natural environment and its contribution to quality of life.
- Proposed development in areas that are prone to erosion, landslides, or any other natural hazards, as well as proposed development in proximity to steep or unstable slopes will be subject to requirements as identified Land Use Bylaws to the satisfaction of the approving authority.
- Applicants of a re-designation, subdivision or development shall be required to obtain confirmation of the 1:100 year flood level on the affected lands. Applicants may also be required to provide an environmental review prepared by a qualified professional where an environmentally sensitive feature is present on the affected lands as identified by the Province of Alberta.

Transportation Systems – The Village and the County recognize the importance of establishing and creating a continuous network of roads within the plan area in order to efficiently manage future growth.

- Subdivision and development proposals located in the IDP Area must address linkages between the two municipalities to accommodate layout, setbacks, road uses to ensure orderly and efficient transition to urban densities.
- Subdivision and development decisions within the IDP Area will have regard to future road networks.
- Accounting for the location of existing development, topography and other site specific considerations, there may be circumstances where road alignments will need to be altered in responding to the needs of subdivision or development.

Economic and Joint Development – Planning future growth may raise opportunities in the IDP Area for mutually beneficial economic development and joint development opportunities, and these may arise in the form of shared servicing upgrades or community based facilities.

- Both municipalities shall work together to ensure a strong and stable diversified local and regional economy.

- The Village and County shall ensure the IDP provides a suitable inventory of lands for commercial and industrial development.
- The Village and County shall work together to explore areas of mutual interest where agreements can be considered to ensure that development opportunities will be to the benefit of both municipalities.

Agricultural Uses – Agricultural uses represent the largest land use category of the IDP. The IDP strives to maintain the importance of agriculture by directing future growth in a compact, contiguous manner than minimizes intrusions into agriculture operations. This will ensure agricultural operations continue to operate and remain a significant contributor to the local economy.

- Existing agriculture areas shall continue to be used for agricultural activities as provided for in the County's Municipal Development Plan and Land Use Bylaw, unless a landowner proposes to convert agricultural lands to another opportunity provided for in the IDP.
- When making decisions regarding development on or adjacent to agricultural lands, both municipalities shall give consideration for agricultural operators to pursue normal activities without interference or restriction based on their impact on adjacent uses.

Residential Uses (Zone #1) – These areas are best suited for future residential developments, and are sited to reduce conflicts between residential and non-residential land uses. A balanced range of housing opportunities compatible with market preferences will be encouraged considering the needs of existing and proposed adjacent land uses. To ensure that the areas are preserved for future urban growth, and future integration in to the urban fabric is not compromised, the following development conditions shall apply, unless otherwise agreed to by the County and Village:

- An urban residential development proposal may be accompanied by an application for annexation to the Village.
- A prerequisite to a subdivision or development will be the preparation of an Outline Plan or Area Structure Plan to the Village and County's satisfaction to ensure that issues relating to future land use, servicing transitional treatments and phasing are addressed in a manner that ensures compatibility with existing or proposed development.
- Should the proposed subdivision or development occupy only a portion of the quarter section, the Area Structure Plan shall describe what is proposed for the ultimate build-out of the lands and how the proposed development will be integrated into the Village upon annexation.
- Water and sanitary sewer may be extended from the Village. Development levies or equivalent contributions shall be collected from the benefiting developments so that the cost of these extensions does not directly impact existing residents of the Village or County.
- Best management practices for storm water management shall be required in accordance with Alberta Environment regulations.
- Other infrastructure standards shall be negotiated with the Village to ensure that adequate standard for urban residential development are met.
- Any residential development proposed adjacent to a watercourse or wetland or hazard lands may require a geotechnical study and environmental review to confirm the site is suitable for the

intended use and describe the potential impacts of the development and the extent to which these impacts may be mitigated.

Commercial and Industrial Uses (Zone #2) – These areas are best suited for commercial and industrial development, and would provide a stronger level of certainty for prospective developers. Promoting a well-planned commercial and industrial development will support the creation of a strong diversified economy, expanding the availability of employment opportunities and contributing to a balanced municipal assessment base.

- Both municipalities shall work together to maximize the advantages of commercial industrial opportunities potentially offered by visibility from Highways 575 and 836.
- A prerequisite to subdivision and development will be the preparation of an Outline Plan or Area Structure Plan to the Village and County's satisfaction to ensure that issues relating to future land use, servicing transitional treatments and phasing are addressed in a manner that ensures compatibility with existing or proposed development within the Village.
- Water and sanitary sewer may be extended from the Village. Development levies or equivalent contributions shall be collected from the benefiting developments so that the cost of these extensions does not directly impact existing residents of the Village or County.
- Best management practices for storm water management shall be required in accordance with Alberta Environment regulations.
- Buffers or similar mechanisms to mitigate potential conflict between commercial/industrial, agricultural and other uses shall be used where needed.
- Any commercial/industrial development proposed adjacent to a watercourse or wetland or hazard lands may require a geotechnical study and environmental review to confirm the site is suitable for the intended use and describe the potential impacts of the development and the extent to which these impacts may be mitigated.

Inter-municipal Planning Commission

- An Inter-municipal Planning Commission consisting of two representatives from each municipality who will be appointed by the Municipal Councils, will be established to provide Municipal Planning Commission functions within the Joint IDP Area (Zone #1). An agreement will be adopted by each municipality outlining the terms of reference of the Inter-Municipal Planning Commission, as an attachment to a bylaw establishing the Commission.
- All subdivision and discretionary use development permit applications within the Joint IDP Area (Zone #1) that would normally require the approval of the County or Village subdivision and development authority will be referred to this Inter-municipal Planning Commission.
- The Inter-municipal Planning Commission will have all the powers of the County and Village's subdivision and/or development authority as it relates to the land included in the Joint IDP Area (Zone #1).
- The Inter-municipal Planning Commission will also meet to discuss issues of mutual concern that relate to the Urban Fringe or Interface Area as well as the Future Land Use Concept areas.

Inter-municipal Planning Commission Subdivision and Development

- The County and Village shall adopt through bylaw an Inter-municipal Subdivision and Development Appeal Board that will deal with all subdivision and development appeals within the Joint IDP Area.
- The functions, duties, the membership, and the procedural conduct will be agreed to by both Councils and set out in the bylaw.

Plan Review

- The IDP will be formally reviewed by an Inter-municipal Planning Committee once every three years, beginning in 2019 in order to confirm or recommend amendments of any particular policy contained herein. The committee will prepare recommendations for consideration by the Municipal Councils. The Committee will be comprised of those members appointed to the Inter-municipal Planning Commission as well as the CAOs from each municipality.

Annexation

- 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.
- The annexation process may be initiated by the Village in accordance with the requirements of the Municipal Government Act.
- The Village and County will endeavour to reach an Inter-municipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

Dispute Resolution - The Village and County agree that disputes relating to the IDP shall be restricted to the following:

- Lack of agreement on proposed amendments to the plan
- Lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the Inter-municipal Development Plan Area
- Lack of agreement on an interpretation of this plan


Dispute Resolution Process

- The dispute resolution process may only be initiated by the Village or County Councils.
- Identification of a dispute and the desire to go through the dispute resolution process may occur at any time regarding a dispute matter and may only occur within 30 calendar days of a decision made pursuant to the above noted areas that may be disputed. 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.

- In the event the dispute resolution process is initiated, 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.
- The process shall be as follows:
 - 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 Inter-municipal Planning Committee.
 - Inter-municipal Planning Committee Review – the Committee will convene to consider and attempt to resolve the dispute. In the event a resolution is not achieved by the 30th day following the first meeting of the Inter-municipal Planning Committee, either municipality may refer the dispute to mediation.
 - 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.
 - Municipal Government Board – In the event the mediation process does not resolve the dispute, the initiating 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.

IN WITNESS WHEREOF, the Municipalities have executed this Intermunicipal Development Plan as evidenced as by the duly authorized signatures below:


VILLAGE OF CARBON

Per:  _____
Mayor

Per:  _____
Chief Administrative Officer

KNEEHILL COUNTY

Per:  _____
Reeve

Per:  _____
Chief Administrative Officer



VILLAGE OF CARBON & KNEEHILL COUNTY
INTERMUNICIPAL DEVELOPMENT PLAN AREA
FIGURE 1-1

Drawn: Mike Leasak, GSEI DATE: 2017-07-05 Scale: 1:250,000 NAD83 UTM Zone 12

Document Name: map_IDP_Carbon.qxd
 Path: S:\GIS\ICD\ICD\Cowm\IDP\Transportation\Fuel\Map\Printout\Map_Carbon.qxd
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