

TOWN OF DIDSBURY
BYLAW 2021-08

INTERMUNICIPAL DEVELOPMENT PLAN BETWEEN TOWN OF DIDSBURY AND MOUNTAIN VIEW COUNTY

A BYLAW OF THE TOWN OF DIDSBURY IN THE PROVINCE OF ALBERTA TO ADOPT THE INTERMUNICIPAL DEVELOPMENT PLAN BETWEEN THE TOWN OF DIDSBURY AND MOUNTAIN VIEW COUNTY.

SECTION 1 – SHORT TITLE

1.01 This Bylaw may be cited as the Town of Didsbury Intermunicipal Development Plan.

SECTION 2 - AUTHORITY

2.01 Section 631(1) of the *Municipal Government Act*, Chapter M-26 Statutes of Alberta 2000, and amendments, provides that two or more Councils of municipalities that have common boundaries must, by each passing a Bylaw, adopt an Intermunicipal Development Plan.

2.02 Notice of the proposed Bylaw and Public Hearing was given pursuant to Section 606(2) of the *Municipal Government Act*.

2.03 A Public Hearing was scheduled and held on July 14, 2021 at or after 1:00 p.m. pursuant to Section 692 of the *Municipal Government Act*.

SECTION 3 - ENACTMENT

3.01 Schedule "A" which forms part of this Bylaw shall constitute the provisions of the Intermunicipal Development Plan between Mountain View County and the Town of Didsbury as may be amended from time to time.

SECTION 4 - REPEAL OF BYLAW

4.01 Bylaw No. 2007-23 is hereby repealed.

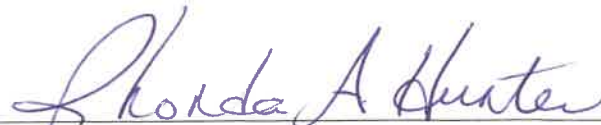
SECTION 5 - EFFECTIVE DATE

5.01 This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*.

Read a first time on this 22 day of June 2021

Read a second time on this 14 day of July 2021

Read a third time on this 24 day of August 2021



Mayor Rhonda Hunter



Chief Administrative Officer Ethan Gorner

Schedule "A"

MOUNTAIN VIEW COUNTY-DIDSBURY

Intermunicipal Development Plan



Mountain View
COUNTY



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1.0 Introduction

Background

Mountain View County (the County) and the Town of Didsbury (the Town) adopted an Intermunicipal Development Plan in 2007. Since 2007 much has changed with not only the local context, but also provincial planning legislation, defining new requirements for intermunicipal planning under the Municipal Government Act (MGA). This Intermunicipal Development Plan (the Plan) has been developed as a collaborative effort between the County and Town, establishing parameters for the mutually beneficial development of lands and coordination of infrastructure and service delivery in and around the Town.

Land use decisions made by the Town and County affect and influence each other. A lack of collaboration can lead to decisions that introduce potential conflict between urban and rural activities and minimize coordination of infrastructure and service delivery. A strong Intermunicipal Development Plan establishes positive relationships that are bolstered through consistent and open communication, providing opportunities to achieve mutually beneficial goals that improve the quality of life for citizens of the entire area.

Purpose

The purpose of the Plan is to collectively enable appropriate development and support the unique characteristics of both partners. This represents a cooperative framework for addressing matters of joint interest to the Town and County through a comprehensive plan and process that minimizes potential conflict between the partners.

The Plan is a formal, statutory plan and focused on land use and development decisions in the Plan Area. The Plan is a high-level planning document that guides future growth and development and is focused on setting clear expectations and agreements around:

- How development will proceed in the Plan Area
- How the partners will continue to work together
- How infrastructure requirements accommodate development in the Plan Area

Legislative Context

The Plan meets the legislative requirements as spelled out in the MGA, which provides the legislative framework for all Intermunicipal Development Plans in Alberta. The Plan complies with the following requirements outlined in the MGA:

- Future land uses within the area
- The manner of and the proposals for future development in the area
- The provision of transportation systems for the area
- Coordination of relevant intermunicipal programs and services related to the physical, social, and economic development of the area
- Accommodate environmental matters within the area
- A procedure to resolve any conflict between the partners

- A procedure to amend or repeal the plan
- Provisions relating to administration of the plan

The MGA also requires that any Intermunicipal Development Plan be consistent with any approved regional plan. The Plan Area is located within the Red Deer Regional Plan area, which is not yet complete. When the Regional Plan is adopted, the IDP will be reviewed to ensure consistency. Where any policy conflicts exist, this Plan will be amended.

The MGA identifies the Intermunicipal Development Plan as the highest order of municipal statutory plan and all other municipal plans affecting lands within the defined Plan Area shall be consistent with the policy direction contained in the Plan. The Plan has been created to guide all future planning initiatives, which will follow policy direction within this document.

Interpretation of the Plan

The Plan has a forty (40) year timeframe and reflects the current perspective on development conditions, which acknowledges there is sufficient opportunity to accommodate growth and development within the current boundary for the next twenty (20) years and the lands within the Fringe Area can accommodate projected growth requirements for an additional twenty (20) years. It is a living document that will be updated and adjusted over time to ensure it retains its relevance and remains reflective of the Plan Area.

The Plan is divided into multiple sections to simplify its use, but the Plan needs to be considered as a comprehensive whole to fully understand its application on the Plan Area. Any interpretation of the Plan must acknowledge its long-term nature and implementing the policy direction requires open communication between the partners.

The maps contained within the Plan are intended to provide support and aid the interpretation of the policies. Boundaries and locations denoted by symbols, as illustrated in **Figure 2**, are approximate and are not intended to define exact locations.

2.0 Strategic Direction

The Plan represents an agreement between the Town and County for lands within the Plan Area over the next 40 years and an opportunity to coordinate shared objectives for future development around the following principles that will serve to harmonize expectations between the partners.

Principles

1. Strengthening intermunicipal relationships with a commitment to working collaboratively through effective and ongoing coordination, and communication.
2. Respecting the autonomy of each other's decisions.
3. Acknowledging the importance of agricultural viability through promoting agricultural activity in the County.
4. Encouraging ongoing dialogue to understand the unique needs and aspirations of both municipalities and reduce potential conflicts.
5. Promoting orderly development patterns and the coordination of infrastructure requirements within the Plan Area, reinforcing the importance of locating developments requiring municipal water and wastewater servicing within the Town.
6. Respecting the diverse growth and development needs of each municipality, emphasizing the following:
 - a. Pursuing annexation only when there is a demonstrated need for boundary expansion based on mutually agreed upon growth projections and developable land supply within the current boundary.
 - b. Respecting the town's future expansion potential, prohibiting multi-lot subdivisions of those lands adjacent to the Town Boundary that exceed those limits included within this Plan.
7. Supporting economic development that strengthens the region.

Key objectives

1. Meet the requirements of the MGA.
2. Preservation and protection of Environmentally Significant Areas.
3. Provide local context for land use decisions.
4. Enable both parties to jointly consider the effects that any development in one municipality might have on the other.
5. Promote effectiveness, efficiency, and transparency in coordinating intermunicipal services, facilities, and infrastructure.

3.0 Plan Area

Establishing an effective Intermunicipal Development Plan requires defining a geographic area that reflects both the individual and mutual interests of the partners. The Plan Area is defined in **Figure 1** as:

- Fringe Area
 - The Fringe Area are those lands in the County that shall be set aside to accommodate the future growth of the Town over the next forty (40) years. These lands may be annexed into the Town to accommodate the need for residential, commercial, and industrial lands as the need emerges and can be justified based on the criteria highlighted in Section 4.0: Annexation policies.
- Referral Area
 - The Referral Area includes lands in the County that are not intended to accommodate the future Town expansion through annexation over the course of the forty (40)-year plan horizon. Planning applications in these areas shall be referred to the Town as defined in the IDP policies.
 - The Referral Area as identified in **Figure 1** includes lands that are defined as an Economic Node. An Economic Node is an area that is more suitable for commercial and industrial developments.

As part of the process to prepare the Plan, a review of the IDP Study Area was undertaken to identify land use, as well as physical and environmental features that represent constraints on future development opportunities, illustrated in **Figure 2**, which include:

1. Environmentally sensitive areas (i.e. wetlands, steep slopes, etc.) that limit development potential of the land.
2. Oil and gas facilities and pipelines, and their associated setbacks, that must be considered as part of any development application.
3. Development setbacks that are associated with existing sewage lagoon facilities that limit the type and intensity of development.

4.0 Land Use and Growth Management

Municipalities are tasked with the responsibility to determine future land use patterns for their jurisdictions under the MGA. Both the Town and County have adopted Municipal Development Plans (MDP) that identify future land uses and policies to guide development of their respective lands. Each municipality has a Land Use Bylaw (LUB) that is used to implement the policy direction through land use and development regulations.

Policies

The following general policies apply to the Fringe Area and Referral Area, as identified in **Figure 1**.

Agriculture

1. Respect the “right to farm” of agricultural operators to pursue activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.
2. No new or expanded confined feeding operation shall be supported within the Fringe Area or the Referral Area as identified in **Figure 1**.
3. Land use policies in the IDP minimize conflict of future growth needs of the Town and agricultural uses are safeguarded from premature development.

Environment

1. Development proposed on lands identified as Environmentally Significant Areas shall require the appropriate level of environmental site assessment, biophysical analysis, and mitigation strategy in accordance with the County’s MDP, Policies and Procedures and Land Use Bylaw.
2. Development shall include the appropriate management of storm water runoff and drainage so that adjacent lands are not negatively impacted by changes in drainage volumes and patterns.
3. The Rosebud River is an important feature of the Didsbury area. The river and its tributaries create a natural greenspace corridor that should be preserved and enhanced for the enjoyment of the region. Through cooperation of the Town and the County, intermunicipal greenspaces and trail linkages may be created.
4. The topography, represented by the identified Environmentally Significant Areas in **Figure 2**, poses potential development constraints within the Town. Any future annexation proposal shall evaluate the suitability of these lands to determine the amount of “sufficient developable lands” capable of facilitating twenty (20) years of projected growth, as required under the “MGB Principles of Annexation” referenced in Annexation: Policy 7 of the Plan.

Infrastructure

1. The Town and County shall share information to ensure a safe and efficient transportation network can be developed and maintained to service the residents and businesses.
2. When subdivisions are approved, all right-of-way requirements will be secured to ensure that long-term transportation and utility plans can be implemented when warranted.

3. The Town and County acknowledge that the growth and expansion of the Town is dependent on the extension of water and wastewater services to development within the Town, and both municipalities agree to work together to ensure the corridors for these services are protected.
4. All future development in the County shall be required to have on-site water and wastewater servicing, except where connection to town services may be warranted under the following conditions:
 - a. The County and the Town mutually agree that the proposed development is a better fit in the County because of the land consumption needs; and
 - b. The County and the Town mutually agree to a written sub-agreement under the Intermunicipal Collaboration Framework; and
 - c. The subject of the agreement meets the requirements of the Mountain View Regional Water Services Commission and Alberta Environment and Parks.
5. Notwithstanding the other policies only applies to Fringe Area and Referral Area, all future development in the Town shall be required to have municipal water and wastewater servicing, except under the following conditions:
 - a. The Town demonstrates that providing water and/or wastewater servicing to the proposed lands is not feasible from a financial or operations and maintenance perspective; and
 - b. The County mutually agrees that the location of the unserviced development within the Town meets the principles of the IDP and the development's servicing strategy is part of an approved Area Structure Plan.
6. The Town and County acknowledge that the development of the oil and gas industry has played an integral part in the development of the region. Both municipalities shall endeavour to 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.
7. Notice of major infrastructure servicing proposed by one municipality shall be provided to the other.

Economic Development

1. Through the respective MDPs, the Town and County shall ensure that their combined land use patterns provide a suitable inventory of lands for commercial and industrial development. This includes a range of choice for potential activities relative to variable parcel sizes, access and visibility along major travel corridors, available municipal services, and levels of servicing.
2. Both municipalities shall work towards diversification of local economic sectors to increase employment opportunities and increase the size of the non-agricultural and non-residential assessment base.
3. The Town and County Administrations may bring forward to ICC development proposals located in the Town, Fringe Area or the Referral Area that benefit both municipalities that is not contemplated in the Plan's Land Use Policies and which may require a collaborative approach to servicing the subject properties due to unique circumstances that may include one or more of the following:

- a. servicing requirements of proposed developments;
 - b. servicing inefficiencies realized within the Town due to past annexation decisions or other planning decisions; or
 - c. proposals that would realize greater cost efficiencies through a collaboration.
4. The quarter sections on either side of Highway 2A and Highway 582 identified as an Economic Node within the Referral Area shall have special consideration for visual appearance. The County shall apply the County Land Use Bylaw and Business, Commercial and Industrial Guidelines when considering new development permit applications.

Land Use

The following land use policies apply to the IDP Fringe Area and the IDP Referral Area as identified in **Figure 1**. These policies identify future land use, subdivision and development opportunities and do not require landowners to develop.

Fringe Area Policies

1. The Fringe Area shall be the priority area for future annexations by the Town. It is expected that the lands within the Fringe Area will be annexed to the Town in blocks (one or more quarter sections at a time) based on justified need for additional residential, commercial and industrial lands in accordance with the Annexation Policies of the IDP. The timing and identification of portions of the Fringe Area for future annexations shall be determined through consultations between the Town and County.
2. To preserve large blocks of land for efficient, economical design as part of a future urban area and to avoid impeding the ability of the Town to grow, subdivision and development in the Fringe Area shall be limited.
3. Changes in land use designation and/or subdivision of lands identified as Fringe Area on **Figure 1** shall only be considered to facilitate a “first parcel out” from a quarter section, resulting in a maximum number of two (2) titles per quarter-section.

Referral Area Policies

1. The lands in the County that are identified as Referral Area on **Figure 1** are not intended to accommodate Town growth within the 40-year time frame of the IDP but are of interest due to the impact that development on these lands may have on the Town.
2. Planning matters such as proposed changes in land use and subdivision within the Referral Area shall be referred to enable coordination of planning and servicing decisions.
3. Minimizing the amount of land taken out of agricultural production shall be the primary focus in the Referral Area.
4. Changes in land use designation and/or subdivision of lands identified as Referral Area on **Figure 1** shall only be considered to facilitate low-density development that shall not exceed a maximum number of four (4) titles per quarter-section and shall comply with the applicable policies of the County’s MDP, as amended from time to time.

5. Changes in land use designation and/or subdivision of lands identified as Economic Node within the Referral Area, shall only be considered where supported by an approved Concept Plan or ASP.

Annexation

When this Plan is approved, the Town has a land supply within its boundary to accommodate a minimum of twenty years of growth. The Plan acknowledges that growth rates and development pressures for both the Town and County will vary over time, but it is important to provide direction for any planned transition of lands within the Plan Area from one jurisdiction to another.

1. The County recognizes and agrees that annexation of lands from the County by the Town to provide additional land for Town growth shall be needed from time to time.
2. The Town recognizes that future annexation applications shall be guided by the need to expand current boundaries based on a diminishing supply of developable land.
3. Either municipality may put forward an annexation proposal.
4. Where annexation is proposed by either municipality, efforts shall be made to ensure that affected landowners, meaning those whose land is proposed to be transferred to the Town or the County's jurisdiction, are notified prior to the public.
5. Annexation proposals shall be reviewed by the ICC prior to submission of a Notice of Intent to the respective Councils and the Municipal Government Board.
6. The Town and County shall endeavour to reach an intermunicipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.
7. In evaluating the appropriateness of an annexation proposal, the Town and County agree that the Principles of Annexation, established by the Municipal Government Board - Board Order No. MGB 123/06 (as modified), shall be considered and documented in a supporting report.

5.0 Plan Administration and Implementation

Effective implementation is dependent on ongoing and proactive communication and strong relationships. This section provides clarity on the agreed upon processes, roles, and timelines for collaboration.

Policies

Intermunicipal Cooperation Committee

1. The Intermunicipal Cooperation Committee (ICC) formed under the Town of Didsbury and Mountain View County Intermunicipal Collaboration Framework Master Agreement shall be the primary forum for discussing matters relating to the IDP and shall conduct their meetings and decision making based on protocols and processes outlined in the Master Agreement.
2. The mandate of the ICC with respect to the IDP shall include discussion and consideration of the following:
 - a. Making recommendations to both Councils on intermunicipal matters related to land use planning that are referenced to the ICC by either municipality.
 - b. Monitoring the progress of the IDP.
 - c. Reviewing any proposed annexations.
 - d. Reviewing any proposed amendments to the IDP.
 - e. If necessary, assisting with the resolution of disputes in accordance with the IDP policies.

Plan Adoption and Authority

1. The Plan shall be adopted by bylaw by the Town and County in accordance with the MGA.
2. As noted in the legislative context, the IDP shall take precedence over all other statutory plans and policies, including the MDP and LUB, and both the Town and County shall ensure that their respective statutory plans comply with the principles set out in this Plan.
3. The Town and County shall each bear responsibility for the administration and decisions on all statutory plans and LUB amendments falling within their own jurisdiction. Each municipality shall act as the Approving Authority within their own municipal boundaries.

Plan Review and Amendment

1. The ICC shall authorize Administration to proceed with a review on ten (10)-year intervals, or on an as-needed basis as mutually determined by both Councils.
2. An amendment to the IDP may be proposed by either municipality. Any proposed amendment should first be presented to the Administration of the other municipality to facilitate review. If the receiving municipality determine there is merit, the proposed amendment shall be forwarded for discussion at an ICC meeting. All such proposed amendments shall not take affect unless adopted by both the Town and County through bylaw.

3. Upon adoption of the Red Deer Regional Plan, the ICC will review any potential impacts and discuss amendments necessary for compliance.
4. Following the conclusion of any annexation process or change in municipal boundaries, the IDP map and text impacted by the change in municipal boundaries shall be amended.

Procedure to Repeal

1. If either municipality deems the current IDP is no longer workable or not in their interests, the municipality may initiate the process to repeal the current IDP.
2. The following procedure to repeal the current IDP shall be applied:
 - a. The municipality wishing to repeal the current IDP shall give the other municipality written notice of its intention to repeal its bylaw adopting the current IDP.
 - b. Within thirty (30) days of the date of written notice being forwarded to the other municipality, an ICC meeting shall be convened at which meeting the municipality initiating the repeal process shall provide its reasons for doing so.
 - c. Following the ICC meeting, the municipality initiating the repeal process may either withdraw its intention to repeal the current IDP by giving written notice to the other municipality or the two municipalities may agree to proceed with an option as identified by the Municipal Government Act.

6.0 Referrals and Circulation Process

The mutual referral of planning and development applications, policy plans, and other relevant studies is essential to the proper administration of this Plan and for effective coordination of planning across municipal boundaries. This requires establishing a process for the referral of plans, amendments, and applications within the Plan Area.

Policies

1. Notwithstanding that the policies of the IDP only apply to the lands contained within the IDP Area, the Town agrees to refer planning matters to the County when lands are adjacent to the County boundary or as required in the Town's Land Use Bylaw or when development is considered under Infrastructure policy 5a and 5b. The matters to be referred shall include:
 - a. Subdivision applications when not located within an area structure plan.
 - b. Land use bylaw amendments and redesignations.
 - c. New area structure plans or amendments to an existing area structure plan.
 - d. New area redevelopment plans or amendments to an existing area redevelopment plan.
 - e. Amendments to the Town's Municipal Development Plan.
 - f. Discretionary use development permit when not within an existing area structure plan or redevelopment plan
2. The County agrees to refer planning matters that apply to lands within the IDP Area as shown on **Figure 1** to the Town. The matters to be referred shall include:
 - a. Subdivision applications.
 - b. New area structure plans or amendments to an existing area structure plan.
 - c. New area redevelopment plans or amendments to an existing area redevelopment plan.
 - d. New Concept Plans or amendments to an existing Concept Plan.
 - e. Amendments to the County's Municipal Development Plan where the lands subject to the amendment is within the Fringe Area or Referral Area as shown on **Figure 1**.
 - f. Discretionary use development permits within the Fringe Area or Referral Area as shown on **Figure 1**.
3. Circulations shall be sent to each Administration with the expectation that comments shall be provided from an administrative perspective. Each municipality shall offer comments from the perspective of specific implications that have a high likelihood of affecting their own planning efforts around land uses, development, and infrastructure and compliance with the IDP policies. General observations and advice on issues that have no bearing on the planning efforts of the commenting municipality shall be avoided.
4. The Administration receiving the circulation shall be given at least 21 calendar days to submit their comments and shall make their comments in writing within the 21-calendar day period, except for discretionary use development permits that shall be circulated at least 14 calendar

days. The CAO of the municipality sending the referral may agree to an extension of the review period and where an extension is provided it shall be communicated in writing.

5. When issues are raised through the referral and circulation process, they shall be addressed using the process steps described below. While these steps are underway, the municipality having jurisdiction over the matter shall not proceed with making a decision.

Step 1:

Once an issue is identified, the Administration of the municipality having jurisdiction shall provide the other municipality's Administration with all available information concerning the matter.

Step 2:

The Administration of the commenting municipality shall evaluate the matter and provide written comments to the other municipality.

Step 3:

Every attempt shall be made to discuss the issue with the intent of arriving at a mutually acceptable resolution.

Step 4:

If an agreement or understanding on how to approach the issue is reached, the Administration of the commenting municipality shall indicate same to the Administration of the other municipality in writing. If no agreement can be reached, the matter shall be referred to each Council to determine if the dispute resolution process is to be used. This step shall not apply to referrals of subdivision applications and discretionary use development permits.

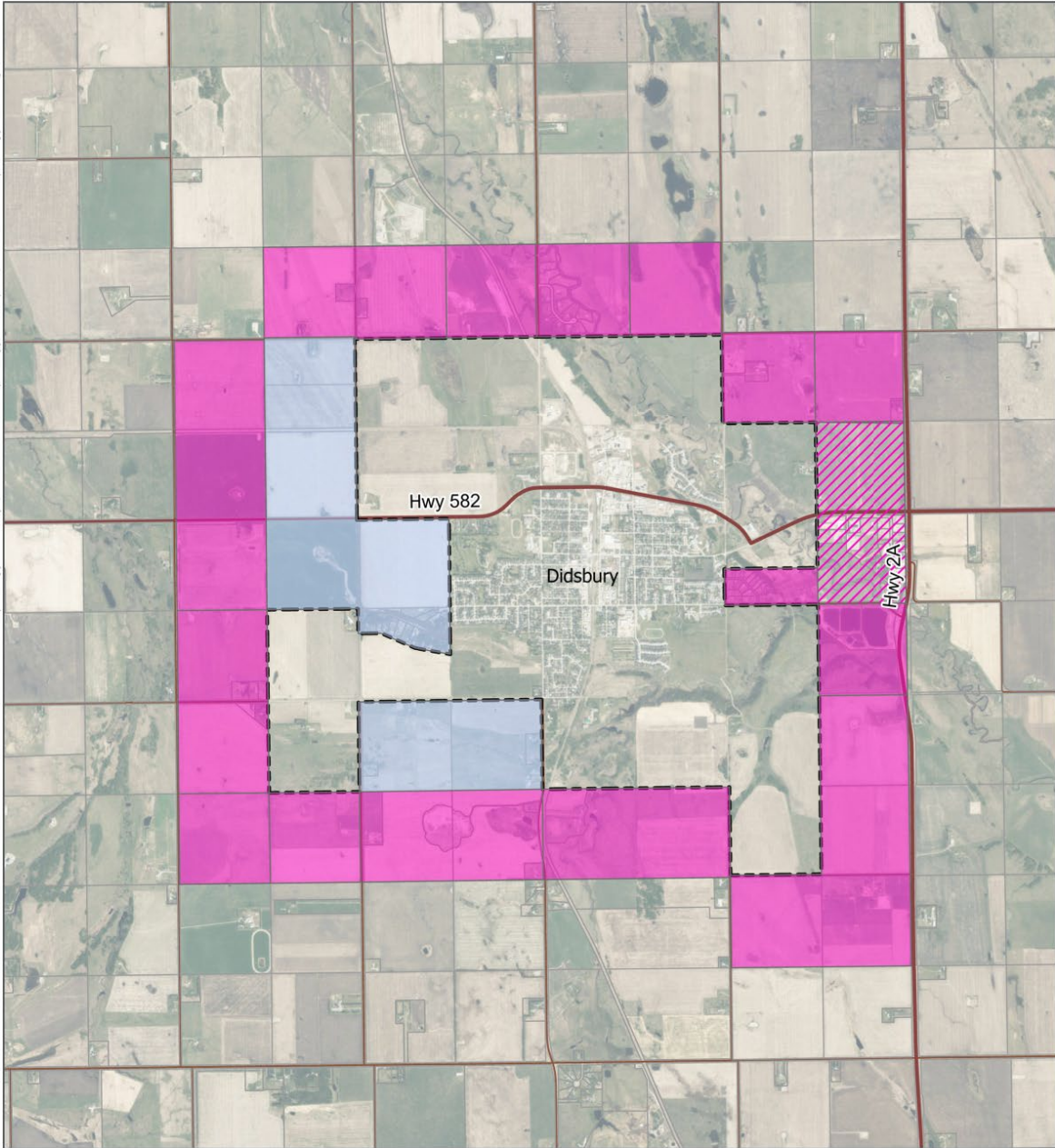
7.0 Dispute Resolution


Both Partners acknowledge the preference to avoid and minimize disputes, however despite the best efforts of both municipalities, it is understood that disagreements may arise.

Policies

1. The Town and County agree that disputes relating to matters covered by the IDP shall be restricted to the following:
 - a. Lack of agreement on any proposed amendment to the IDP.
 - b. lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the IDP Area.
 - c. Lack of agreement on an interpretation of the IDP.
2. Lack of agreement on the matters listed above is restricted to a statutory plan, land use bylaw or amendment to either where first reading of a bylaw is given by one Council and which the other Council deems to be inconsistent with the policies of this IDP or detrimental to their planning interests as a municipality.
3. A dispute on a matter not listed above may be referred to the appropriate authority or appeal board that deals with that issue.
4. The dispute resolution process of the IDP may only be initiated by Town Council or County Council.
5. Dispute Resolution will align with Step 1 (Negotiation) and Step 2 (Mediation) of the Intermunicipal Collaboration Framework Master Agreement held between the two parties. If mediation does not resolve the dispute, the Municipality may proceed with the Bylaw adoption process allowing the other Municipality to appeal to the Municipal Government Board at their discretion.
6. The municipality initiating a dispute may withdraw their objections at any time. The municipality initiating the dispute shall provide written confirmation that the dispute is withdrawn to the other municipality.
7. Both municipalities agree that time shall be of the essence when working through the dispute resolution process.

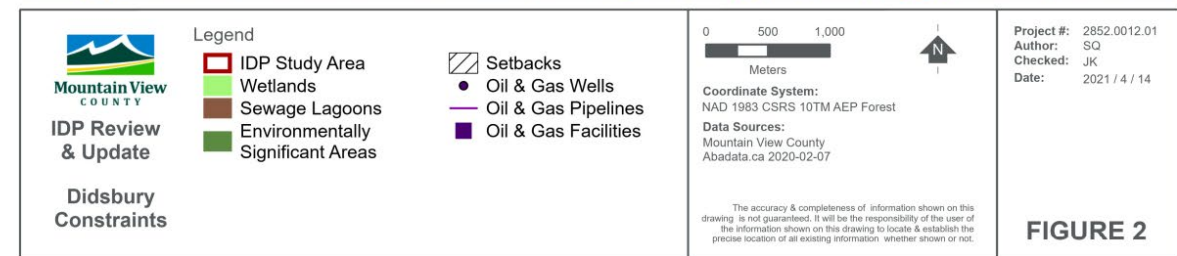
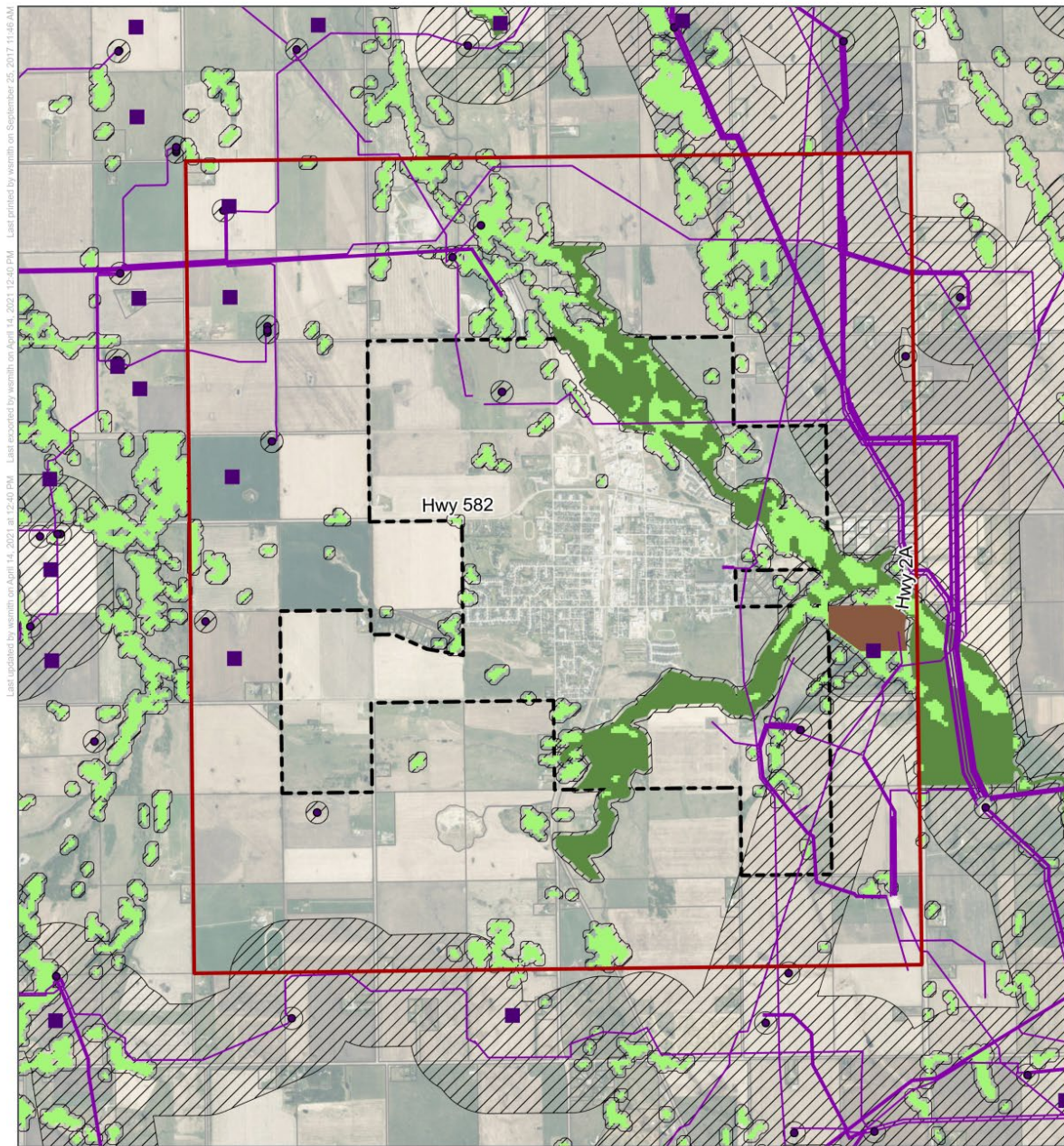
Last updated by jwilson on May 6, 2021 at 8:32 AM. Last exported by jwilson on April 30, 2021 at 9:25 AM. Last printed by jwilson on May 6, 2021 at 8:32 AM.



 <p>Mountain View COUNTY</p> <p>IDP Review & Update</p> <p>Didsbury IDP Area</p>	<p>Legend</p> <ul style="list-style-type: none"> Fringe IDP Area Referral IDP Area Economic Node (Within Referral Area) 	<p>0 500 1,000</p> <p style="text-align: center;">Meters</p> <p style="text-align: center;">  N </p> <p>Coordinate System: NAD 1983 CSRS 10TM AEP Forest</p> <p>Data Sources: Mountain View County Abadata.ca 2020-02-07</p> <p style="font-size: 8px;">The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information, whether shown or not.</p>	<p>Project #: 2852.0012.01</p> <p>Author: SQ</p> <p>Checked: JK</p> <p>Date: 2021 / 5 / 6</p> <p style="text-align: right; font-weight: bold; font-size: 14px;">FIGURE 1</p>
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Figure 1: IDP Plan Area



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Figure 2: IDP Constraints