

**TEMPLATE FOR AN
INTER-MUNICIPAL DEVELOPMENT PLAN**

BETWEEN:

MOUNTAIN VIEW COUNTY, a municipality
Incorporated under the laws of Alberta
(Hereinafter referred to as “County”)

And

TOWN OF _____, a municipality
Incorporated under the laws of Alberta
(Hereinafter referred to as “Town”)

A. Introduction

- 1) The Town and the County have agreed to prepare and adopt by bylaw an Intermunicipal Development Plan (IDP)
- 2) The Town and the County recognize that all municipalities are equals and have the right to growth and development.
- 3) The purpose of the IDP is to:
 - a) Ensure orderly development, while protecting the area surrounding the Town 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
 - e) Ensure that municipalities are developed in a manner that is equitable and fair to the residents of the municipalities

This is a template for an agreement between the Town/Village and Mountain View County to complete an Intermunicipal Development Plan. The basic policies are provided to be used as a guide in preparing the final plan. The final Plan will include a map of the area surrounding the Town/Village, which will identify the fringe and referral areas.

In accordance with the Municipal Government Act the parties to this agreement will have to complete the public consultation process and adopt the appropriate bylaws required to implement the IDP. In addition the municipalities will have to ensure that the appropriate amendments are made to their Municipal Development Plans and Land Use Bylaws.

This agreement is the beginning of the process and will form the basis for the development of the Intermunicipal Development Plan.

- 4) The Town and the County have agreed to enter into a Memorandum of Agreement (MOA) relating to the sharing of costs for the provision of services by the Town to the residents of the County and for the sharing of revenue in exchange for the extension of water and wastewater services by the Town to the County.
- 5) The IDP and the MOA together form the basis of cooperative effort between the Town and the County to work together to serve the needs of their communities.

B. Goals

- 1) Identification of Urban Fringe. The area surrounding the Town that will be protected for the future growth of the Town
- 2) Identification of Referral Area. The area in the County to be protected for the long term growth of the Town, while ensuring permitted uses may be developed. The area in the Town where new developments will be completed to minimize the impact on existing developments in the County.
- 3) Identification of areas for the development of Industrial Parks within the urban fringe and the referral area, including the development standards, Area Structure Plan principles
- 4) Development of land use policies to provide for and in support of economic development that will benefit the region both economically and socially
- 5) Development of a Plan for the provision of utility corridors to provide for future growth and development of the region, and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the region
- 6) Effective coordination of transportation systems and protection of required land for future road and trail network developments,
- 7) Development of land use policies to ensure that future sites for schools and recreation areas are protected,
- 8) Identification and protection of physical features and environmentally sensitive areas.
- 9) Effective referral mechanisms and dispute resolution mechanisms
- 10) Plan administration and implementation
- 11) Annexation policies, to ensure land is available to enable the Town to grow in an orderly manner.

<p>C. URBAN FRINGE (Map 1)</p> <ol style="list-style-type: none"> 1) The urban fringe will be those lands within the County as identified in Map 1. All subdivisions, and discretionary developments within the fringe that normally require the approval of the County Municipal Planning Commission, will be referred to a Intermunicipal Municipal Planning Commission. 2) The urban fringe will, where growth patterns remain as anticipated, be the priority area for future annexations by the Town. 3) No new or expanded confined feeding operations will be permitted within the urban fringe 4) The planning process in the urban fringe will be a cooperative effort between the Town and the County. Developers will be required to work with the Town and County planning departments to ensure that the development is compatible with the future growth patterns of the Town. 5) An area structure plan will be required for any multi-lot subdivisions of three or more parcels in the urban fringe. The area structure plan will be referred to the Town for input and the County shall consider the input from the Town prior to approval. 	<p><i>The urban fringe map will identify the areas in the County that are proposed for the growth of the Town/Village and will include the propose land use for these area.</i></p> <p><i>Map “1” to be agreed to and attached to plan, to include that area in the fringe required for the Town to grow over the following 20 years</i></p>
<p>D. REFERRAL AREA</p> <ol style="list-style-type: none"> 1) The referral area will be defined as all lands within the County and Town as outlined on Map 1 <ol style="list-style-type: none"> a) to protect future long term growth areas for the eventual growth of the Town, while still permitting compatible development to occur. b) those areas in the County proposed to be connected to water and wastewater services provided by the Town. c) The area within the Town that may impact on existing developments adjacent to the Town boundary 2) All discretionary development applications, subdivision applications, Land Use Bylaw amendments and Area Structure Plans within the referral area will be referred to the other municipality for comment. 3) Development standards will be applied by the County that will ensure that orderly redevelopment of the referral area can occur. 	<p><i>The referral area is the area outside of the fringe, which could potentially be included in the town/village in 20 years plus. The County wants to ensure that any development within this area will not unduly restrict the future development of the Town/Village. Rather, the development will be planned to ensure that the eventual expansion of the Town/Village will be able to move into this area with the potential for infill to occur.</i></p> <p><i>Also, the Town/Village will include an appropriate referral area, where any changes in the land use or major developments will be referred to the County for comment.</i></p>

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<p>4) All new industrial and commercial developments and residential developments of more than 3 lots within the referral area will be designed for water and wastewater infrastructure at the same standard as the Town, for the eventual connection to Town water and wastewater services which would be at the property owner’s cost.</p> <p>5) No new or expanded confined feeding operations will be permitted within the referral area.</p> <p>6) The County will apply to the Town for connection to water and wastewater services for new developments within the referral area that require these services.</p>	
<p>E. INTERMUNICIPAL MUNICIPAL PLANNING COMMISSION</p> <p>1) All developments within the fringe area, that would normally require the approval of the County Municipal Planning Commission will be referred to a Intermunicipal Municipal Planning Commission for consideration, including:</p> <ul style="list-style-type: none"> a) subdivision approval, b) discretionary uses <p>2) The Intermunicipal Municipal Planning Commission will consist of two representatives from each municipality, who will be appointed by the Municipal Councils</p> <p>3) The Intermunicipal Municipal Planning Commission will have all of the powers of a Municipal Planning Commission as it relates to the land included in the fringe area</p> <p>4) The Intermunicipal Municipal Planning Commission will also meet to discuss issues of mutual concern that relate to the Intermunicipal Development Plan. All area structure plans and land use bylaw amendments will be referred to the Intermunicipal Municipal Planning Commission for their review and comment.</p> <p>5) The County agrees to adopt a bylaw to create the Intermunicipal Municipal Planning Commission for the urban fringe area and to delegate necessary approval authorities.</p>	<p><i>An Intermunicipal Municipal Planning Commission will be created, by bylaw, to consider the planning issues in the Fringe Area that would normally be considered by the County Municipal Planning Commission. This will include subdivision approval and discretionary uses, but will not include permitted uses, such as a new house, garage, etc. that can normally be approved by the County Development Officer under the Land Use Bylaw.</i></p> <p><i>County Council will still be responsible for any bylaw matters, such as area structure plans or bylaw amendments, but all planning issues in the fringe will be referred to the Intermunicipal MPC for their comment.</i></p>
<p>F. INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD</p> <p>1) The Town and County agree to form a Intermunicipal Subdivision and Development Appeal Board that will deal with all subdivision and development appeals within the urban fringe area identified in the Inter-municipal Development Plan.</p> <p>2) The terms of reference and membership will be agreed to by both Councils and both Councils will adopt the appropriate bylaw authorising the Intermunicipal Subdivision and Development Appeal Board. The Board will be comprised of two members appointed by each Council.</p>	<p><i>A Intermunicipal SDAB will be formed to deal with all appeals in the fringe</i></p>

G. LAND USE POLICIES

- 1) Mountain View County agrees that all development within the urban fringe will be planned to minimize the impact on the growth of the Town
- 2) Mountain View County agrees that all development in the urban fringe and referral areas will be planned with an urban overlay.
- 3) The Town agrees that development in the Town’s referral area will be planned to minimize the impact on adjoining County land uses.
- 4) In considering developments in the urban fringe, the Intermunicipal Municipal Planning Commission will ensure the proposed developments conform with the intent of the future land use map (Map 2).
- 5) In considering developments in the referral area, the County Municipal Planning Commission will ensure the proposed developments conform with the intent of the future land use map (Map 2).
- 6) The Intermunicipal Municipal Planning Commission will consider the impact developments will have on the appearance of the entrance corridors to the Town.
- 7) The Intermunicipal Municipal Planning Commission will review all developments to ensure environmentally sensitive areas are protected.

These points are presented as a guide for the development of land use policies in the fringe that will protect this area for the future development of the Town/Village.

H. WATER AND WASTEWATER SERVICES

- 1) Mountain View County agrees to require all new developments in the urban fringe to be developed with water and wastewater services to the same standards as the Town.
- 2) The Town agrees that all development within the urban fringe will be permitted to connect to the Town’s water and wastewater services based on the conditions of the Memorandum of Agreement, and subject to the Memorandum of Agreement being executed.
- 3) For developments located within the urban fringe or referral area requiring or proposed to require water and wastewater services from the Town, 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 Town’s approval.
- 4) The Town, subject to available capacity, payment of the user fees and Alberta Environment approval, agrees to continue to accept, from County residents and developments, wastewater from holding tanks that complies with the standards set by the Town.

Details of the conditions related to the provision of water and wastewater services are provided in the Memorandum of Agreement. The County is prepared to commit that all new developments(3 lots or more for residential) in the fringe will be serviced by water and wastewater.

The County wants to ensure that County ratepayers who require access to the Town’s sanitary lagoon will continue to be able to have their wastewater delivered to the Town’s wastewater treatment facility, subject to available capacity and Alberta Environment approval.

I. TRANSPORTATION SYSTEMS

The Town and County will work together to ensure a safe and efficient transportation network is developed and maintained to service the residents and businesses in the region.

Both the County and the Town/Village want to ensure that growth of the region will not be restricted by land use decisions that are made in the fringe. Formal policies will be developed to ensure transportation corridors are protected.

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- 1) The Town and County will cooperate on the development of all future Transportation Master Plans
- 2) When subdivisions are approved in the Plan area, all right-of-way requirements will be secured to ensure that long-term transportation and road plans can be implemented when warranted.
- 3) As a condition of development in the urban fringe, all internal roads shall be paved to the Town standards
- 4) As a condition of development in the referral area, the County may require that the internal roads are paved to Town standards.
- 5) The Intermunicipal Committee formed under the MOA will be the forum used to discuss issues relating to transportation that effect both municipalities.

J. UTILITY CORRIDORS

- 1) The Town and County acknowledge that the future development of the region is dependent on access to water and wastewater services, and the Town and County agree to work together to ensure the corridors for these services are protected.
- 2) The Town 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 Town 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 Intermunicipal Committee formed under the MOA will be the forum used to discuss issues relating to utility corridors. The County and the Town will work together to develop an agreement to implement a land use policy that will ensure municipal utility corridors are protected and gas and oil utility pipeline developments and power lines do not place undue restrictions on future development.

K. ECONOMIC DEVELOPMENT

- 1) The municipalities with the Mountain View region have agreed to work together to promote and support economic development that is good for the region as a whole. Land use policies will be developed that will support and encourage a cooperative effort in support of economic development.

Both the County and the Town/Village want to ensure that growth of the region will not be restricted by land use decisions that are made in the fringe. Formal policies will be developed to ensure utility corridors are protected.

A separate agreement between all of the partners will be developed to address a regional economic development initiative.

L. PLAN ADMINISTRATION AND IMPLEMENTATION

Adoption Process

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

Approving Authorities

- 1) In the hierarchy of statutory plans, the Intermunicipal Development Plan shall take precedence over the other municipal statutory plans and documents.
- 2) The Town shall be responsible for the administration and decisions on all statutory plans, land use bylaw amendments thereto, and subdivision applications falling within the Plan area within the boundaries of the Town.
- 3) The County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto, except for those powers delegated to the Intermunicipal Planning Commission created under this plan.

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.

Plan Review

- 1) The Plan will be formally reviewed by the Intermunicipal Municipal Planning Commission once every three years, beginning in _____, in order to confirm or amend any particular policy contained herein. The Commission will prepare recommendations for consideration by the municipal councils.

The Town/Village will have to adopt the required bylaws to implement the IDP and will also have to make the appropriate amendments to their Land Use Bylaws.

Provision is made for the Intermunicipal MPC to formally review the Plan every three years and to identify any issues that need to be addressed and make recommendations to the municipal councils. Any amendments to the Plan must be adopted by bylaw by the municipal councils and follow the public consultation process in accordance with the MGA.

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 the repeal the Plan shall be followed:
 - a) The Town 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 Committee meeting shall be convened.
 - c) Following the Intermunicipal 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.
- 3) In the event the Plan is repealed, the Town and County shall amend their Municipal Development Plan 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.
- 4) Should the Plan be repealed all other agreements relating to developments in the fringe will continue to be in force, unless otherwise stipulated in the agreements.

M. ANNEXATION

- 1) The County recognizes and agrees that the Town will need additional land to grow and will support annexations that will provide for 20 years of projected growth within the boundaries of the Town,
- 2) The County also recognizes that due to some previous planning decisions that the Town could incur additional costs to service areas within the fringe and will work with the Town to support the annexation and to defray the cost of leap frogging these developments, and
- 3) The annexation process may be initiated by the Town in accordance with the Municipal Government Act.
- 4) The Town and County will endeavour to reach an intermunicipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

The MGA requires that an IDP include provisions for termination/repeal. Based on the draft MOA, an initial term of 10 years has been included, before any partner can terminate the IDP.

The County is prepared to work with the Town/Village to ensure adequate land is contained within the urban municipality to provide for 20 years of growth. The County will also work with the Town to support their annexation requirements.

N. DISPUTE RESOLUTION

1) The Town 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.
- c) Lack of agreement on an interpretation of this plan

2) A dispute 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 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 Town or County Councils.

5) Identification of a dispute and the desire to go through the dispute resolution process shall occur within 30 calendar days of a decision made pursuant to 2) and 3). 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 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.

Dispute Resolution Process

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,

Stage 2 – Intermunicipal Committee Review – the Committee created under the MOA will convene to consider and attempt to resolve the dispute. Failing resolution, the dispute will then be referred to,

Under the Municipal Government Act the inclusion of a dispute resolution mechanism in the IDP is a mandatory requirement. Disputes regarding the IDP can only be initiated for issues relating to the IDP and statutory plans related to the implementation of policies within the IDP. Other planning related disputes, such as subdivision or development appeals must be made to the Intermunicipal SDAB. Issues related to the MOA will be dealt with in accordance with the appeal process under the MOA.

The first effort will be to attempt to resolve the dispute at the local level. In the event this is not possible, mediation will be the first level and failing that under the MGA, the parties may elect to appeal to the Municipal Government Board. Note this is a “may” as both parties may agree to disagree on an issue and feel that arbitration is not necessary.

Stage 3 – Mediation – the services of an independent mediator will be retained, with the mediator to present a written recommendation to both Councils.
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.

O. CORRESPONDENCE

1) Written notice under this Agreement shall be addressed as follows:

a. In the case of Mountain View to:

Mountain View County
c/o **Chief Administrative Officer**

b. In the case of _____ to:

Town of _____
c/o **Chief Administrative Officer**

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.

MOUNTAIN VIEW COUNTY

TOWN OF _____

Reeve

Mayor

Chief Administrative Officer

Chief Administrative Officer