

BYLAW NO. 2018-643

BEING A BYLAW OF THE TOWN OF DAYSLAND, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ADOPTING THE TOWN OF DAYSLAND/FLAGSTAFF COUNTY INTERMUNICIPAL DEVELOPMENT PLAN.

Whereas Section 632(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 Intermunicipal Development Plan; and

Whereas Council deems it desirable to adopt an Intermunicipal Development Plan with the Town of Daysland; 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 joint Public Hearing into the proposed Bylaw was scheduled for and held on October 22, 2018 commencing at 7:00 p.m., at the Town of Daysland Community Hall;

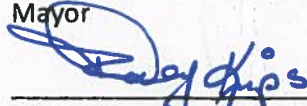
Now Therefore The Municipal Council of the Town of Daysland duly assembled enacts as follows:

THAT THE TOWN OF DAYSLAND / FLAGSTAFF COUNTY INTERMUNICIPAL DEVELOPMENT PLAN, AS ATTACHED AND FORMING PART OF THIS BYLAW BE ADOPTED.

This Bylaw comes into force on the day it is finally passed.

READ a first time this 1st day of October, 2018.

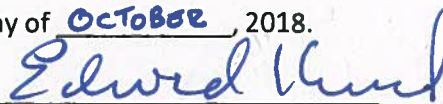


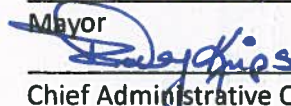
Mayor


Chief Administrative Officer

READ a second time this 22nd day of OCTOBER, 2018.

READ a third time and finally passes this 22nd day of OCTOBER, 2018.



Mayor


Chief Administrative Officer



**TOWN OF DAYSLAND & FLAGSTAFF COUNTY
*INTERMUNICIPAL DEVELOPMENT PLAN***

TOWN OF DAYSLAND BYLAW: 2018-643

FLAGSTAFF COUNTY BYLAW: 13/18

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1.3 | GOALS OF THE IDP

- 1 | The goals of the Town of Daysland & Flagstaff County Intermunicipal Development Plan are 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; and
 - e. Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of both municipalities.
- 2 | The IDP and the various cost sharing agreements together form the basis of cooperative effort between the Town and the County to work together to serve the needs of their communities.

1.4 | ENACTMENT

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

1.5 | DURATION

- 1 | The Town of Daysland & Flagstaff County Intermunicipal Development Plan shall be reviewed every five years from the date on which the Intermunicipal Development Plan comes into effect to ensure that it is still current and meets the needs of the Town and County.
- 2 | The Town of Daysland & Flagstaff County Intermunicipal Development Plan will establish, in general terms, the general land use patterns, together with the conditions upon which the provision of municipal piped services may occur within the IDP plan area as well as mutually agreed to policy direction for the next 20 years.
- 3 | While the Town of Daysland & Flagstaff County Intermunicipal Development Plan is meant to be a long range planning document, it is intended that regular monitoring, review and periodic amendments may be required for policies within the Intermunicipal Development Plan to remain current with changing trends, regional growth, and regional planning documents. As such, the Town of Daysland & Flagstaff County Intermunicipal Development Plan also established a process for amendment.
- 4 | The IDP sets forth a process for amendment and repeal of this document when it is in the mutual interests of the Town and County 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 Town of Daysland as shown on **Map 1 – Plan Area Boundaries**. Property owners within the IDP area, adjacent property owners, residents of the Town, and other interested parties have been consulted during the IDP planning process.
- 2 | The IDP area encompasses lands identified as the Referral Area as defined in **Section 1.10** of this Plan.



- 3 | Recognize the need for urban expansion of the Town 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 | Develop land use policies to provide for and in support of economic development that will benefit the two municipalities economically and socially.
- 6 | Develop 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 | Effectively coordinate transportation systems and protection of required land for future road and trail network developments.
- 8 | Develop land use policies to ensure that future sites for schools and recreation areas are protected.
- 9 | Identify and protect 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, R.S.A. 2000, c. M-26*, as amended, 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 with affected landowners and other stakeholders within the IDP boundaries. Comment sheets and a survey were provided to encourage feedback.
 - d. A Public Hearing held before Town of Daysland and Flagstaff County 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, R.S.A. 2000, c. M-26*, as amended.
 - b. **"development"** means an activity taking place on a parcel as defined pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended.
 - c. **"confined feeding operation"** is an agricultural operation as defined within the *Agricultural Operations Practices Act, R.S.A. 2000, c. A-7*, as amended.
 - 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 five or more country residential parcels on a quarter section.



2 | PLAN POLICIES

2.1 | PLAN AREA

GOAL To protect the lands identified as the 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 Town.

- 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 proposed Area Structure Plans within the plan area to the Town for comment.
 - c. Any disputes shall be dealt with through the procedures outlined within **Sections 3.4, 3.7 and 3.8** of this IDP.
- 2 | Urban Expansion Area Policies:
 - a. The Urban Expansion Area will consist of lands identified as the "Urban Expansion Area" on **Map 1 – Plan Area Boundaries**.
 - b. Area Structure Plans (ASPs) within the Urban Expansion Area may be required where:
 - i. The subject lands are within 1.6 kilometres of Highway 13 or Highway 855; or
 - ii. 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
 - iii. The subdivision of the subject lands will result in the creation of a parcel or parcels for commercial and industrial purposes.
 - iv. Farmstead and fragmented parcel subdivisions shall be permitted within the Urban Expansion Area pursuant to Flagstaff County's Municipal Development Plan and Land Use Bylaw.
 - v. 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 IDP.
 - vi. The County shall refer all development permits for a Discretionary Use and subdivision applications within the Urban Expansion Area to the Town of Daysland for comment.
 - vii. The planning process in the Urban Expansion Area will be a cooperative effort between the Town and the County. Developers will be required to work with the Town and County's planning departments to ensure that the development is compatible with the future growth patterns of the Town.
- 3 | Referral Area Policies:
 - a. In accordance with the Flagstaff County Municipal Development Plan all subdivision applications and discretionary use development permit applications within the Intermunicipal Development Plan area will be forwarded to the Town of Daysland for review and comment.



- iii. 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 Town boundaries shall not connect to the Town's infrastructure system until such time that the land is annexed, unless otherwise agreed to by the Town and County.
 - b. Developments on vacant parcels of land may be permitted which are served via cistern, wells, and hauling (for water) and pump out/holding tanks (hauling to the Daysland Wastewater Lagoon), and septic fields (for wastewater), until such time as the lands are annexed and water and wastewater transmission lines are extended to the area, and subject to:
 - i. the developer entering into a deferred servicing agreement with the County, which shall be registered by caveat on title; and
 - ii. wastewater being hauled to the Daysland Wastewater Lagoon.
 - c. For developments requiring or proposing to require municipal water and wastewater services in the Urban Expansion Area, the Town 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 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.
 - e. The Town, 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 Town.
- 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 Town 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.

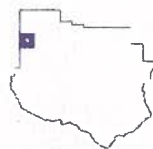
- 1 | The Town and County will work together and with Alberta Transportation to ensure a safe and efficient transportation network is developed and maintained to service the residents and businesses within the IDP Area.
- 2 | When subdivisions are approved in the IDP Referral Area, all right-of-way requirements 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.



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.



- 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 Town of Daysland & Flagstaff County 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 Town of Daysland and Flagstaff County 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 Town of Daysland & Flagstaff County 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 Administration.
- 8 | The Town and County agree that:
- a. the County's Subdivision Authority and Development Authority will notify Town Administration of all subdivision applications and development permit applications for discretionary uses received within the Referral Area and Urban Expansion Area identified on **Map 1 – Plan Area Boundaries**; and
 - b. the Town's Subdivision Authority and Development Authority will notify County administration of all subdivision applications and development permit applications for discretionary uses within the Town.
- 9 | Each municipality's Subdivision Authority and Development Authority shall ensure that their decisions are consistent with the Town of Daysland & Flagstaff County Intermunicipal 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.



- 2 | Lack of agreement pursuant to **Section 3.7(1)(a) and/or (b)** of this IDP 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 IDP or detrimental to their planning interests as a municipality.
- 3 | A dispute shall be limited to the decisions on the matters listed in **Section 3.7(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 may occur at any time regarding a **Section 3.7(1)(c)** dispute matter and may only occur within 30 calendar days of first reading made pursuant to **Section 3.7(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 that 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 that 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.

3.8 | DISPUTE RESOLUTION PROCESS

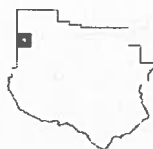
- 1 | Stage 1 Administrative Review - The Chief Administrative Officers of both municipalities (or their designates) will meet in an attempt to resolve the issue first. Failing resolution, the dispute will then be referred to the Intermunicipal Planning Committee. In the event a resolution is not achieved 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. 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 Town 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, R.S.A. 2000, c. M-26*, as amended, the other municipality will have the right to appeal to the Municipal Government Board.



4 | MAPS

MAP 1 - PLAN AREA BOUNDARIES

MAP 2 - FUTURE LAND USE CONCEPT



MAP 2 - FUTURE LAND USE CONCEPT

Approved - Local Review (not approved as part of the plan)



LOCAL FEATURES MAP

