MOUNTAIN VIEW COUNTY

BYLAW NO. 02/19

INTERMUNICIPAL DEVELOPMENT PLAN

BETWEEN

MOUNTAIN VIEW COUNTY AND

THE MUNICIPAL DISTRICT OF BIGHORN

Mountain View County
Province of Alberta

Bylaw No. 02/19

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO ADOPT THE INTERMUNICIPAL DEVELOPMENT PLAN BETWEEN MOUNTAIN VIEW COUNTY AND THE MUNICIPAL DISTRICT OF BIGHORN

SECTION 1 – SHORT TITLE

1.01 This Bylaw may be cited as the Municipal District of Bighorn Intermunicipal Development Plan.

SECTION 2 - AUTHORITY

2.01 Section 631(1) of the *Municipal Government Act*, Chapter M-26 Statues 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 May 22, 2019 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 Municipal District of Bighorn as may be amended from time to time.

SECTION 4 - EFFECTIVE DATE

4.01 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*.

Received first reading April 10, 2019.

Received second reading May 22, 2019.

Received third reading June 12, 2019.

Reeve

Chief Administrative Officer

June 12, 2019
Date of Signing

MUNICIPAL DISTRICT OF BIGHORN NO.8

BYLAW 04/19

A BYLAW OF THE MUNICIPAL DISTRICT OF BIGHORN NO.8, IN THE PROVINCE OF ALBERTA, BEING A BYLAW TO ADOPT THE INTERMUNICIPAL DEVELOPMENT PLAN BEWTEEN MOUNTAIN VIEW COUNTY AND THE MUNCIPAL DISTRICT OF BIGHORN NO.8. IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, RSA 2000 AS AMENDED.

WHEREAS pursuant to the authority granted by the Municipal Government Act, 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 Mountain View County;

AND WHEREAS a notice of the proposed Bylaw and Public Hearing was given pursuant to Section 606(2) of the Municipal Government Act;

AND WHEREAS a Public Hearing was scheduled and held on May 28, 2019 pursuant to Section 692 of the Municipal Government Act;

NOW THEREFORE after due compliance with the relevant provisions of the Municipal Government Act, the Council of the Corporation of the Municipal District of Bighorn No. 8 in the Province of Alberta, duly assembled in Council, enacts as follows:

1. Bylaw 04/19 with attached Schedule 'A' being the Intermunicipal Development Plan between Mountain View County and Municipal District of Bighorn No. 8, is hereby adopted.

READ A FIRST TIME THIS 9TH DAY OF APRIL, 2019.

READ A SECOND TIME THIS 11TH DAY OF JUNE, 2019.

READ A THIRD TIME THIS 11TH DAY OF JUNE, 2019.

REEVE

CHIEF ADMINISTRATIVE OFFICER

Mountain View
COUNTY

INTERMUNICIPAL DEVELOPMENT PLAN

BETWEEN:

MOUNTAIN VIEW COUNTY,
a municipality incorporated under the laws of Alberta

- and -

THE MUNICIPAL DISTRICT OF BIGHORN
a municipality incorporated under the laws of Alberta

A. PURPOSE

The purpose of the Intermunicipal Development Plan (IDP) between Mountain View County (MVC) and the Municipal District of Bighorn (M.D.) is to formalize and define the relationship between the two municipalities.

1) The IDP sets the policy framework for planning matters that includes future land use, environmental, transportation and items of mutual interest as it applies to lands in proximity to the shared boundary and defined in the IDP Area.

2) The IDP policies define how communication, cooperation, decision-making and dispute resolution shall occur for lands within the IDP Area.

B. GOALS

1) Maintain local autonomy with each municipality responsible for decision making within their municipal jurisdiction.

2) Ensure long-term compatibility of future land use within both municipalities.

3) Recognize that agriculture continues to be the primary use of land in the IDP area and support the preservation of agricultural land except where statutory plans support non-agricultural use.

4) Recognize that land owned and developed by the Crown is not subject to the municipal planning and development requirements.

5) Establish plan administration, amendment and dispute resolution procedures.

C. LEGISLATIVE REQUIREMENTS

The IDP was prepared to meet the requirements of Section 631, 636 and 638 of the Municipal Government Act (MGA) that mandates IDPs between municipalities.

D. PLAN PREPARATION PROCESS

The IDP was jointly prepared by MVC and the MD with oversight from an Intermunicipal Collaboration Committee (ICC) consisting of Councillors and Senior Administration of both municipalities. Opportunity for public and stakeholder input and involvement were through dedicated webpages and communication in the local newspapers. The ICC reviewed the draft IDP prior notifying all affected landowners by mail and scheduling a Public Hearing.

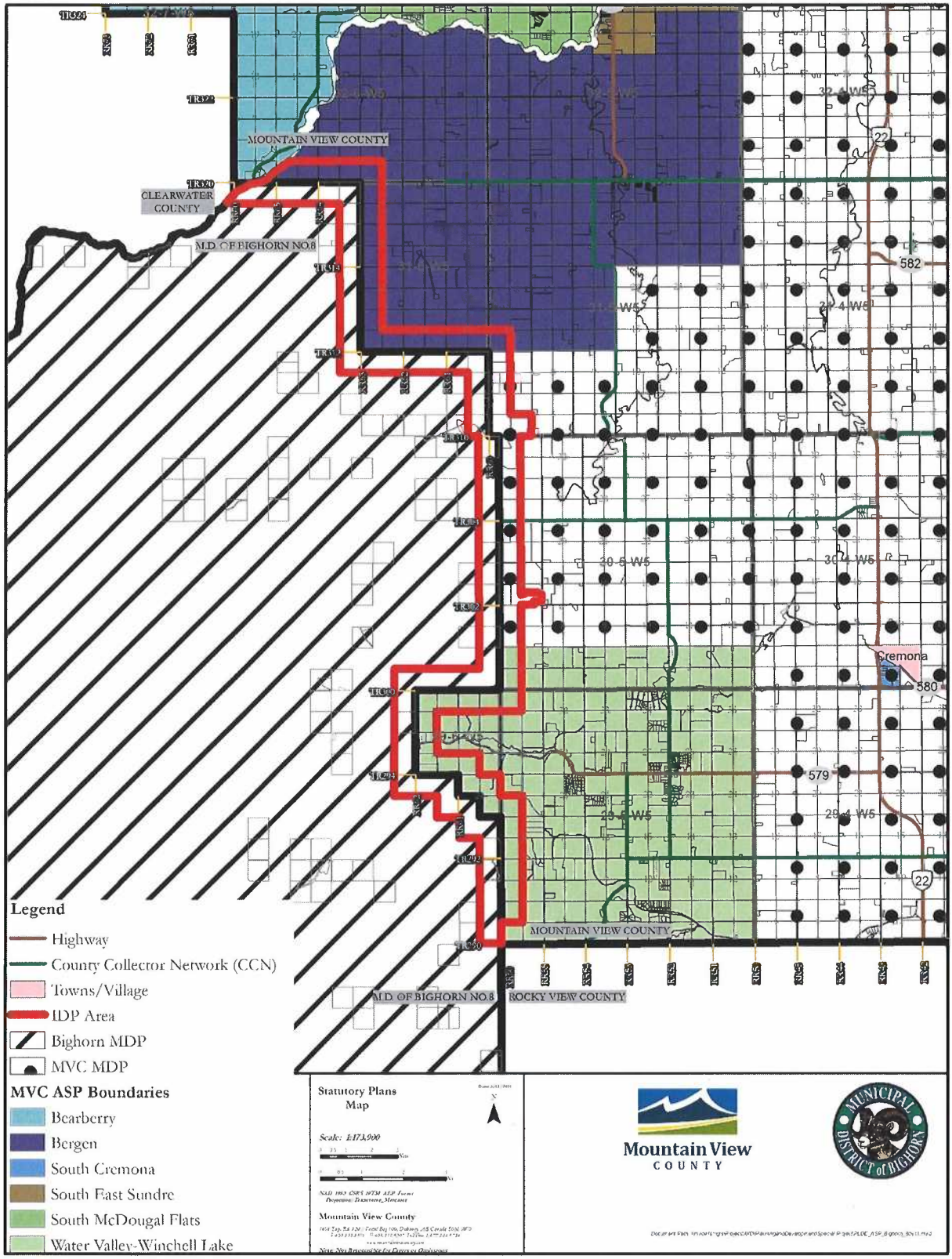
E. IDP AREA

The IDP Area is defined as half a mile (0.5) on each side of the shared boundary as shown on the IDP maps. IDP policies are limited to the IDP Area except when specific IDP policies cover a wider area.

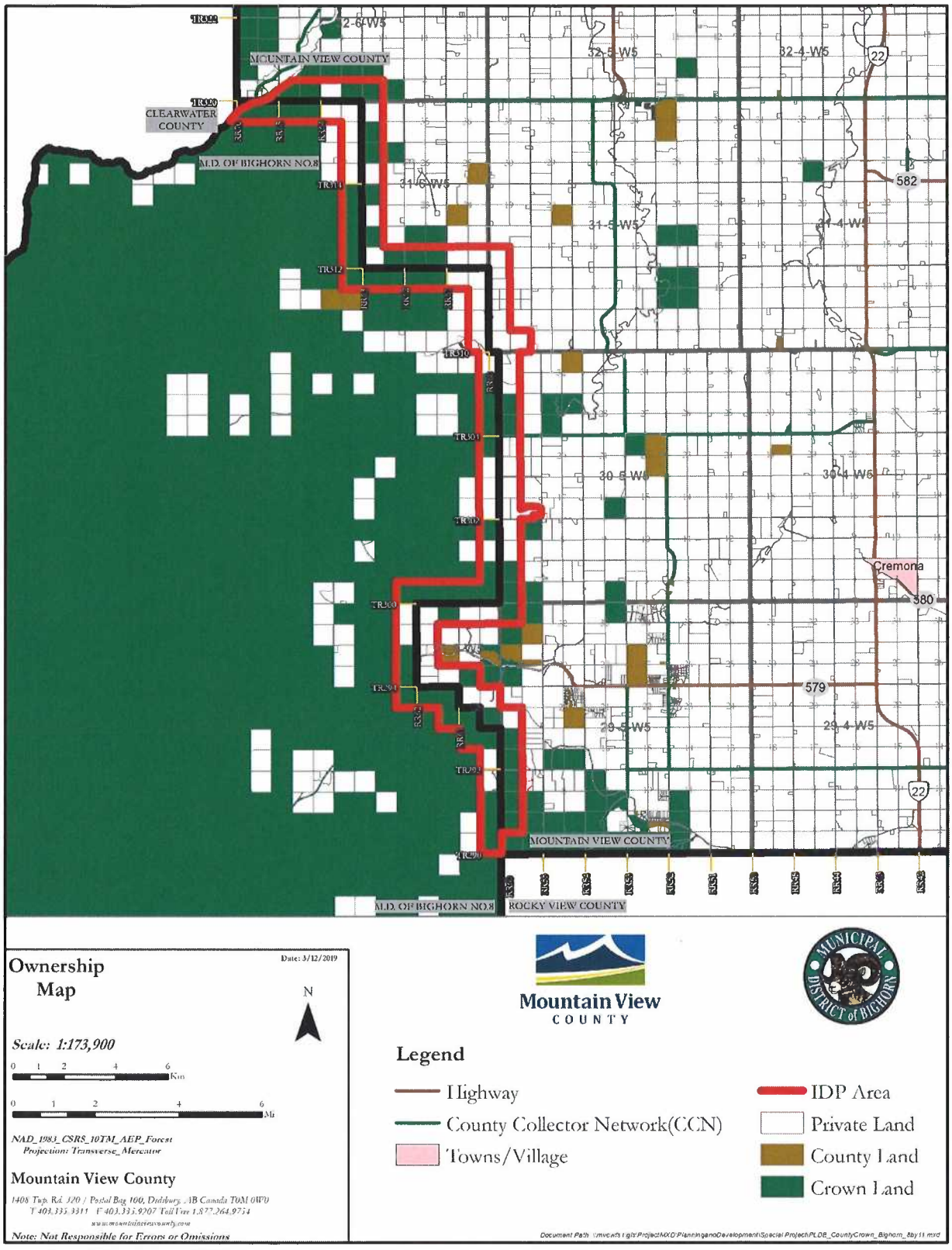
The opportunities and constraints of the IDP Area were examined and included existing:

Statutory Plans
Zoning
Ownership (Crown, Municipal, Private)
Development
Roads
Oil and Gas
Confined Feeding Operations (CFO)
Environmentally Significant Areas (Provincial and Municipal)
Provincial Gravel Deposits
Historical Resource Value (HRV) Site

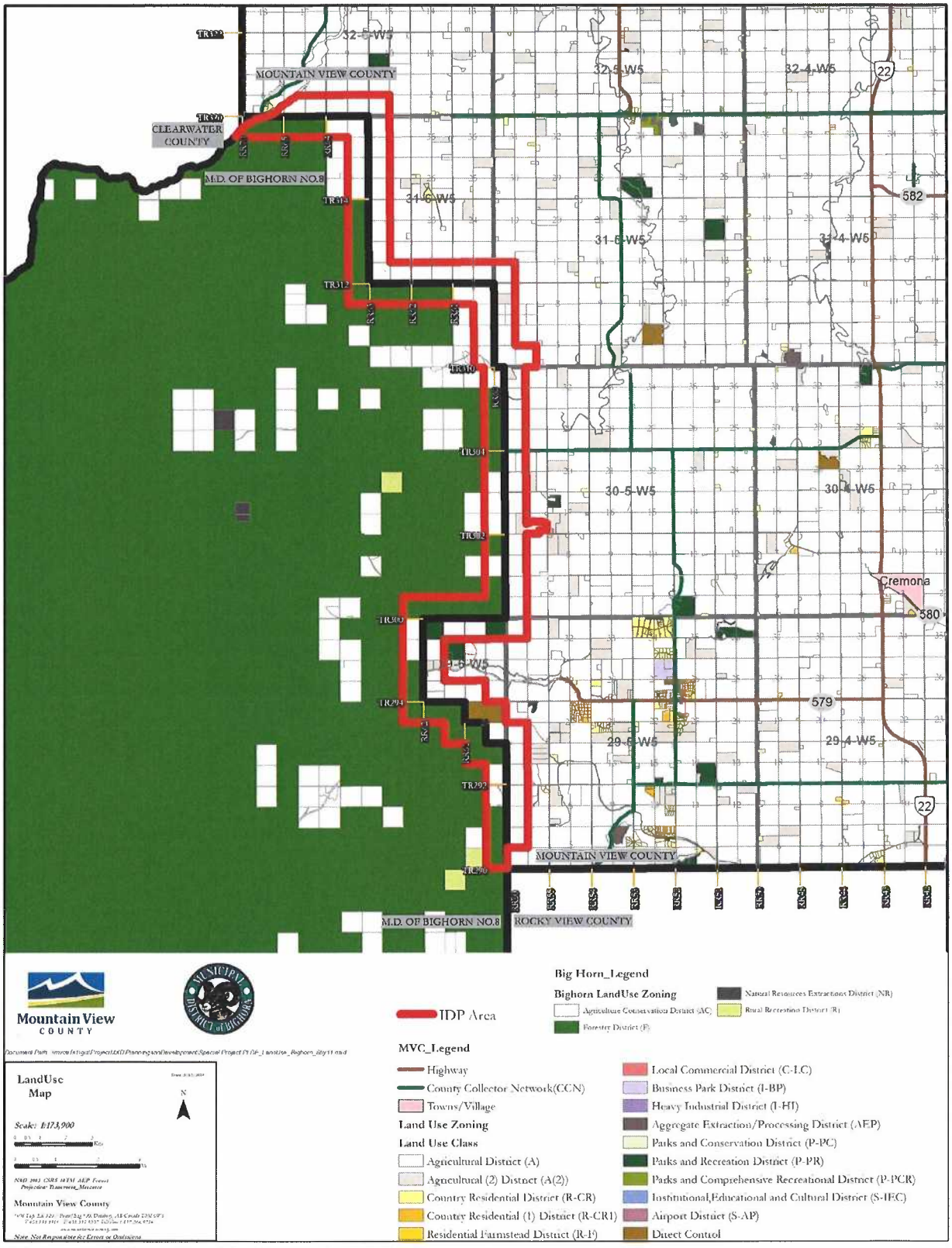
Statutory Plans Map



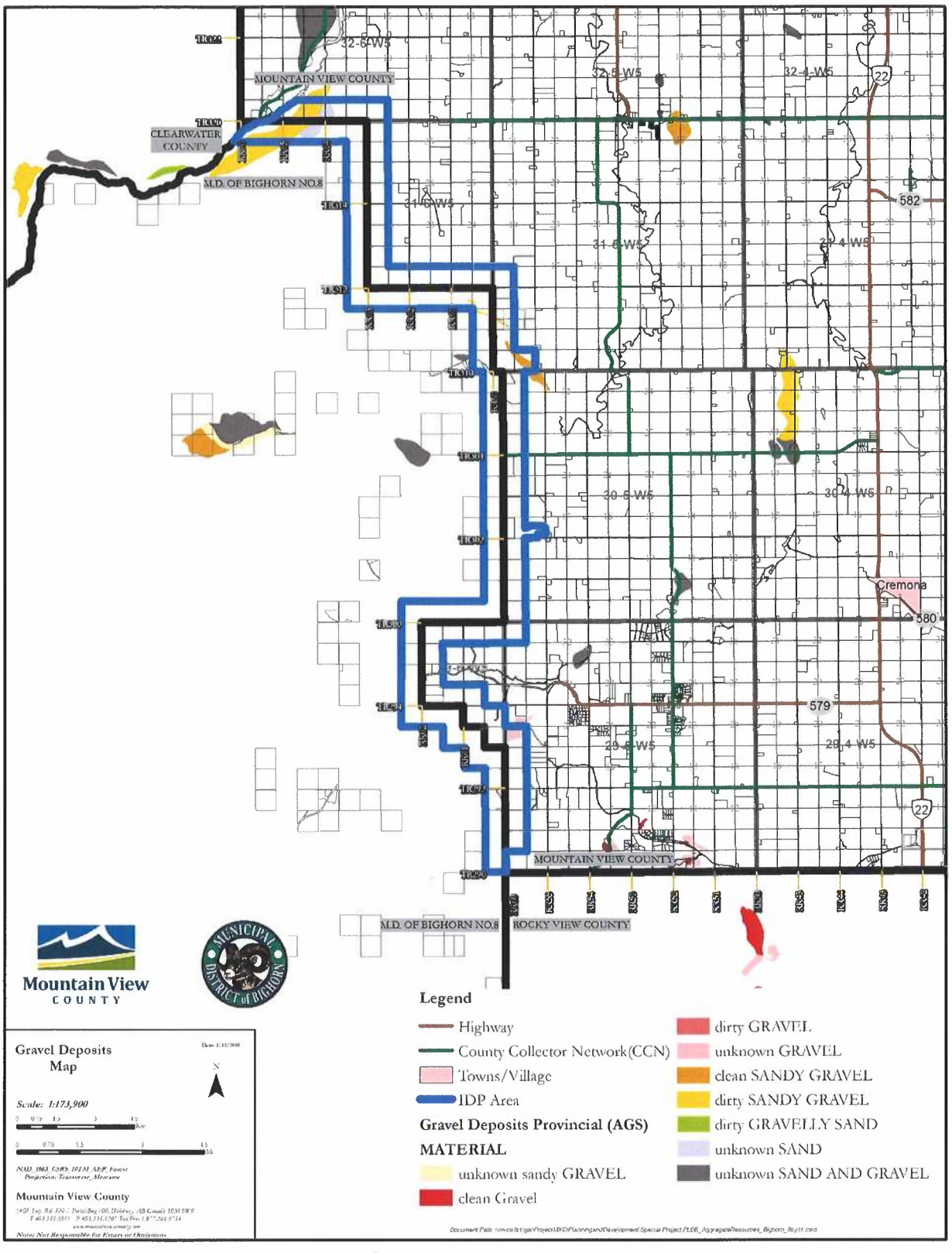
Land Ownership Map



Land Use Map


MOUNTAIN VIEW COUNTY
CLEARWATER COUNTY
M.D. OF BIGHORN NO.8
ROCKY VIEW COUNTY
Cremona
582
580
579
22
32-5-W5
32-4-W5
31-5-W5
31-4-W5
30-5-W5
30-4-W5
29-5-W5
29-4-W5
TR322
TR320
TR314
TR312
TR310
TR304
TR302
TR300
TR294
TR292
TR290
Mountain View COUNTY
MUNICIPAL DISTRICT of BIGHORN
IDP Area
Big Horn_Legend
Bighorn LandUse Zoning
Agriculture Conservation District (AC)
Forestry District (F)
Natural Resources Extractions District (NR)
Rural Recreation District (R)
MVC_Legend
Highway
County Collector Network(CCN)
Towns/Village
Land Use Zoning
Land Use Class
Agricultural District (A)
Agricultural (2) Distnct (A(2))
Country Residential District (R-CR)
Country Residential (1) District (R-CR1)
Residential Farmstead District (R-F)
Local Commercial District (C-LC)
Business Park District (I-BP)
Heavy Industrial District (I-HI)
Aggregate Extraction/Processing District (AEP)
Parks and Conservation District (P-PC)
Parks and Recreation District (P-PR)
Parks and Comprehensive Recreational District (P-PCR)
Institutional,Educational and Cultural District (S-IEC)
Airport District (S-AP)
Direct Control
LandUse Map
Scale: 1:173,900
Mountain View County

Gravel Deposits Map



F. IDP POLICIES

Agricultural will continue to be the primary land use in the IDP Area except where statutory plan(s) and the Land Use Bylaw for each municipality support non-agricultural use.

The initiating municipality is the municipality that has jurisdiction over the lands for which an application has been made.

The responding municipality is the municipality that shares the boundary with the initiating municipality.

General Policies

1) There is no identified need for annexation of land by either municipality and the shared boundary shall remain the boundary to define the jurisdiction between the two municipalities.

2) Changes in land use through the process of redesignation, subdivision and development within the IDP Area of each municipality shall be subject to the statutory plan policies of the Municipal Development Plan (MDP), Area Structure Plan(s) (ASP), Concept Plans and the Land Use Bylaw of the municipality having jurisdiction.

3) All redesignation and subdivision applications within the IDP Area of the initiating municipality shall be circulated for comment to landowners and the responding municipality's Administration as required in the Municipal Government Act and as identified in the initiating municipality's Land Use Bylaw and statutory plan policies.

4) All discretionary use Development Permits within the IDP Area of the initiating municipality shall be circulated for comment and the notice of the issuance of a Development Permit shall be given to landowners and the responding municipality's Administration as identified in the initiating municipality's Land Use Bylaw.

5) All new Area Structure Plans, Concept Plans, amendments to the MDP, ASPs or Concept Plans within the IDP Area of the initiating municipality or Land Use Bylaw amendments of the initiating municipality that may affect lands within the IDP Area shall be circulated for comment by the initiating municipality to the landowners and responding municipality's Administration as required in the Municipal Government Act and as identified in the initiating municipality's Land Use Bylaw and statutory plan policies.

6) The road network shall be maintained by the municipality having jurisdiction unless a separate agreement specifies joint maintenance, maintenance swap or any other terms acceptable to both municipalities.

7) Environmental protection measures shall be implemented as provided for by the municipality having jurisdiction.

8) Crown land as described in Section 618 of the Municipal Government Act is exempt from Part 17 Planning and Development. Each municipality shall encourage the Crown to apply their statutory plan and Land Use Bylaw requirements to the development of leased Crown land.

Specific Policies

In addition to the General Land Use Policies, the specific policies apply to the following specific land uses:

Confined Feeding Operations (CFOs)

9) Applications for new or the expansion of CFOs within the IDP Area shall be reviewed in accordance with the statutory plan policies of the municipality receiving Natural Resource Conservation Board notification.

Direct Control Districts

10) Applications for redesignation to Direct Control Districts and any subsequent Development Permits in a Direct Control District within the IDP Area of the initiating municipality shall be circulated for comment to the landowners and the responding municipality's Administration as identified in the Land Use Bylaw. The Administrative review of the responding municipality shall focus on the impact on municipal infrastructure and offsite impacts on surrounding land uses.

Resource Extraction (Gravel Pits) and Solid Waste Disposal Sites (Landfills)

11) In addition to the circulation provisions in the initiating municipality's Land Use Bylaw and statutory plans, if a gravel pit or landfill application for redesignation or Development Permit is within the IDP Area of an initiating municipality and the proposed haul route includes roads within the jurisdiction of the responding municipality, the application shall be circulated to the responding municipality for comment and any landowners adjacent to the haul route. The responding municipality's Administration may support the route if the impact is acceptable and subject to the applicable Agreement(s) for the upgrade or maintenance of the road. If the impact is unacceptable to the responding municipality's Administration, the route will not be supported, and the applicant will have to propose and determine an alternative route.

Logging

12) Logging on Crown land shall follow the Provincial approval process. Logging on municipal land or privately-owned land shall follow the approval process of the

municipality having jurisdiction. If the proposed haul route includes roads within the jurisdiction of the responding municipality, the application shall be circulated to the responding municipality for comment and any landowners adjacent to the haul route. The responding municipality's Administration may support the route if the impact is acceptable and subject to the applicable Agreement(s) for the upgrade or maintenance of the road. If the impact is unacceptable to the responding municipality's Administration, the route will not be supported, and the applicant will have to propose and determine an alternative route.

Non-agricultural Proposals of Regional Significance

13) If required by a statutory plan or Land Use Bylaw of the initiating municipality, non-agricultural applications for redesignation or Development Permits that are of regional significance and has or may have a detrimental effect on the responding municipality's infrastructure and land uses through offsite impacts that are located outside of the IDP Area, shall be circulated to the responding municipality's Administration for comment.

G. INTERMUNICIPAL CIRCULATION PROCESS

To effectively circulate and provide comments on redesignation, subdivision and Development Permit applications, new or amending MDP or ASPs or LUB that may affect the IDP Area, the following policies shall apply to the circulation process.

1) The initiating municipality's Administration shall provide the receiving municipality's Administration with the same time line to respond as what is provided to neighbours and guided by the initiating municipality's Land Use Bylaw and statutory plans.

2) The responding municipality's Administrative response on a circulation shall focus on the impact on the municipality's infrastructure including roads, utilities and drainage as well as offsite impacts on land uses within the responding municipality's jurisdiction unless broader consideration is provided for in specific land use policies.

H. DISPUTE RESOLUTION

To effectively deal with concerns, disagreements or objections that arise in the circulation process the following policies shall apply.

Redesignation and/or subdivision with concurrent statutory plan amendments; new Area Structure Plans and Concept Plans; amendments to the MDP, ASPs or Concept Plans within the IDP Area; or Land Use Bylaw amendments that may have a detrimental effect on lands with the IDP Area

Step 1

1) Administration of a responding municipality that identifies concerns that may result in an objection to a redesignation and/or subdivision with concurrent statutory plan amendments, new Area Structure Plans and Concept Plans, amendments to the MDP or ASPs within the IDP Area; or Land Use Bylaw amendments that may affect lands with the IDP Area shall, within the circulation time line, request in writing, an Administrative meeting with the initiating municipality to discuss the objection.

2) No decision shall be made by the initiating municipality until dispute resolution step 2 and step 3 concludes in an attempt to resolve the concerns.

Step 2

3) If the Administrative meeting cannot resolve the concerns, the reviewing municipality must provide an objection in writing within seven (7) days after the conclusion of the Administrative meeting to the initiating municipality and may notify the initiating municipality within the same time frame, that mandatory mediation start. Mandatory mediation shall not apply to subdivision applications. A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter into a mediation process. The two (2) municipalities shall share equally in the cost of mediation, including any remuneration, travel and lodging expenses associated with the mediation.

Step 3

4) If the mediation does not resolve the objection; or if a mediation request was not made in writing within seven (7) days after the conclusion of the Administrative meeting, the initiating municipality may proceed with a decision and the reviewing municipality will have the opportunity to appeal the decision to the Municipal Government Board in accordance with the Municipal Government Act.

Discretionary Use Development Permits

Step 1

5) Administration of a responding municipality that identifies concerns that may result in an objection to a discretionary use Development Permit circulation within the IDP Area shall, within the circulation time line, request in writing, an Administrative meeting with the initiating municipality to discuss the concerns.

6) No decision shall be made by the initiating municipality until the Administrative meeting considered the concerns in an attempt to resolve the concerns.

Step 2

7) If the Administrative meeting cannot resolve the concerns, the reviewing municipality's Administration must provide the objection in writing to the initiating municipality within seven (7) days after the conclusion of the Administrative meeting. The initiating municipality may proceed with a decision and the reviewing municipality may appeal the decision to the Subdivision and Development Appeal Board in accordance with the Municipal Government Act.

I. PLAN ADMINISTRATION

It is not anticipated that the land use and development and intermunicipal planning context within the IDP Area will change significantly over time as current statutory plans support agriculture as the primary use and the preservation of agricultural land; the Crown owns significant land within the IDP Area; and development challenges to provide legal and physical access to land. To guide the Administration of the IDP the following policies shall apply.

1) If an IDP amendment is recommended by both Administrations, the recommendation shall be considered by both Councils to direct an Administrative initiated IDP amendment.

2) A joint Administrative review of the IDP shall be scheduled no later than four (4) years from the date of adoption and shall be steered by the Intermunicipal Collaboration Committee.

3) The Intermunicipal Collaboration Committee shall consist of four members, being two Councillors from the M.D. and two Councillors from the County. The Chief Administrative Officers will be advisory staff to the Committee.

J. PLAN AMENDMENT, REPEAL AND REPLACEMENT

Plan amendments and the Administration of the IDP shall be guided by the following policies.

1) An Administrative initiated IDP amendment shall receive direction from both Councils to proceed and shall be jointly prepared by Administrations.

2) In the event that either municipality identifies concerns with the amendment, the three-step dispute resolution process as outlined in Section H shall be followed.

3) An IDP amendment shall only be enacted if approved by both municipalities.

4) A Bylaw to repeal this IDP may be considered by both Councils if the repealing Bylaw at the same time considers a new IDP; or if the repealing Bylaw complies with Provincial legislation.

K. CORRESPONDENCE

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

a. In the case of the Municipal District of Bighorn, to:

The Municipal District of Bighorn No. 8
c/o Chief Administrative Officer
Box 310
Exshaw, Alberta, T0L 2C0

b. In the case of Mountain View County, to:

Mountain View County
c/o Chief Administrative Officer
Postal Bag 100
Didsbury, Alberta, T0M 0W0

ENACTMENT

This IDP is approved separately, by the respective Councils, by bylaw in accordance with Section 631 of the Municipal Government Act, Chapter M-26, RSA 2000

M.D. of Bighorn Bylaw No. 04/19 given third reading on June 11, 2019

Mountain View County Bylaw No. 02/19 given third reading on June 12, 2019