



TOWN OF SUNDRE

**BYLAW NO. 2021-02**

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**A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE INTERMUNICIPAL DEVELOPMENT PLAN**

**WHEREAS** Section 631 of the *Municipal Government Act*, Statutes of Alberta, 2000, Chapter M-26, as amended requires the Town of Sundre and Mountain View County to adopt an Intermunicipal Development Plan (IDP) to include those areas of land lying within the boundaries of the municipalities as they consider necessary, and

**WHEREAS** the Councils of the Town of Sundre and Mountain View County have recognized the need to cooperate in the planning of future land use and development along the shared common municipal boundary;

**AND WHEREAS**, a Joint Public Hearing in regard to the proposed Bylaw was scheduled for and conducted on May 26, 2021, commencing at 1:00 p.m., with members sitting in their respective Council Chambers, and communicating by electronic video (zoom);

**NOW THEREFORE** after due consideration with the relevant provisions of the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended, the Council of the Town of Sundre duly assembled enacts as follows:

**1.0 NAME OF BYLAW**

1.1 This Bylaw may be cited as “Intermunicipal Development Plan (IDP) between the Town of Sundre and Mountain View County”

**2.0 PURPOSE OF BYLAW**

2.1 This Bylaw is established recognizing the need for municipalities with common boundaries to cooperate in the planning of future land use and development along the shared common municipal boundaries as they consider necessary.

**3.0 ENACTMENT**

3.1 The Intermunicipal Development Plan of the Town of Sundre and Mountain View County, attached to this Bylaw as Schedule “A”, is hereby adopted.

**4.0 EFFECTIVE DATE**

4.1 All Schedules attached are part of and form part of this Bylaw.

4.2 This Bylaw shall come into full force and effect upon the date of the Third and Final Reading.

## **5.0 REPEAL**

5.1 Bylaw 07-09 and amendments thereto are hereby repealed.

Read for a first time on this 26<sup>th</sup> day of April 2021; Motion No. 112-26-04-21

Read for the second time on this \_\_\_\_ day of \_\_\_\_ 2021; Motion No. \_\_\_\_\_

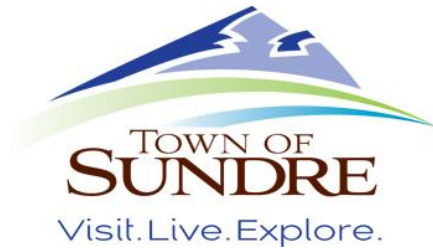
Read for the third time on this \_\_\_\_ day of \_\_\_\_ 2021

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Mayor Terry Leslie

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Chief Administrative Officer, Linda Nelson



## **SCHEDULE "A"**

### **INTER-MUNICIPAL DEVELOPMENT PLAN (IDP)**

#### **BETWEEN:**

##### **MOUNTAIN VIEW COUNTY,**

a municipality incorporated under the laws of Alberta  
(hereinafter referred to as "County")

and

##### **TOWN OF SUNDRE,**

a municipality incorporated under the laws of Alberta  
(hereinafter referred to as "Town")

## **A. INTRODUCTION**

- 1) The Town and the County have agreed to undertake the process for preparing and adopting, by bylaw, an Inter-municipal Development Plan (IDP) which will address the principles, policies and considerations outlined in this agreement.
- 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 address:
  - a) The future land uses in the area;
  - b) The manner of and the proposals for future development in the area;
  - c) The provision of transportation systems for the area, either generally or specifically;
  - d) The co-ordination of intermunicipal programs relating to the physical, social and economic development of the area;
  - e) Environmental matters within the area, either generally or specifically, and
  - f) Any other matters related to the physical, social or economic development of the area that the councils consider necessary.
- 4) An IDP must include:
  - a) A procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan;
  - b) A procedure to be used, by one or more municipalities, to amend or repeal the plan, and
  - c) provisions relating to the administration of the plan.
- 5) Nothing contained within this Agreement is intended to nor shall be interpreted as fettering either Council's discretion.

## **B. GOALS**

- 1) Identification of Policies to ensure land is available to enable the Town to grow in an orderly manner.
- 2) Identification of the Fringe Area surrounding the Town that will be protected for the future growth of the Town, while recognizing compatible development may be supported in accordance with the policies of this Plan and any existing approved Area Structure Plan, as amended from time to time.
- 3) Identification of the Referral Area in the County to be protected for the long-term growth of the Town, while recognizing compatible development may be supported in accordance with the policies of this Plan and any existing approved Area Structure Plan, as amended from time to time.
- 4) Identification of areas for the development of Industrial Parks within the Urban Fringe Area and the Referral Area, including development standards and Area Structure Plan principles.
- 5) Development of intermunicipal programs to provide for and in support of economic development that will benefit the region and the two municipality's economically and socially.

- 6) Development of a Plan for the provision of utility corridors to provide for future growth and development of the IDP Area, and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the region.
- 7) Effective coordination of transportation systems and protection of required land for future road and trail network developments.
- 8) Development of land use policies to ensure that future sites for schools and recreation areas are protected.
- 9) Identification and protection of physical features and environmentally sensitive areas.
- 10) Effective referral mechanisms and dispute resolution mechanisms.
- 11) Plan administration and implementation.

#### **C. FRINGE AREA**

- 1) The Fringe Area will be those lands within the County identified on Map 1 – IDP Plan Area Boundaries as Fringe Area. All re-designations (Land Use Bylaw amendments), subdivision and discretionary use development permit applications within the Fringe Area will be referred to the Town.
- 2) The Fringe Area 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 Fringe Area.
- 4) The planning process in the Fringe Area 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) A first parcel out of a previously unsubdivided quarter section that shall not exceed a maximum of two titles per quarter section may be considered in the IDP Fringe Area for agricultural or residential uses but is not permitted by right. A redesignation and subdivision application for a first parcel out shall be required and may be supported by the County subject to other IDP policies and provisions in the Land Use Bylaw as follows:
  - i. Farmstead separation or a non-agricultural use may be considered if it is an established residential site that previously contained or currently contains a dwelling and other improvements used in connection with the raising or production of crops, livestock or poultry, situated on the same land use in connection with the farming operations and not exceeding 10 acres unless when required to include shelter belts, ancillary buildings, physical characteristics and land required to provide physical access; or
  - ii. A Country Residential parcel between 2 - 3 acres in size except if a larger parcel to a maximum of 5 acres may be considered where setbacks, topography and easements prevent the creation of a reasonable building envelope; or
  - iii. An agricultural parcel with a minimum size of 40 acres. The parcel configuration should reflect the existing conditions and use of the land and shall demonstrate that the land being subdivided is being used for agricultural purposes to avoid future fragmentation of agricultural land.

- 6) Within the IDP Fringe Area affected by an existing approved Area Structure Plan, as amended from time to time, redesignation, subdivision and development applications shall comply with existing Area Structure Plan policies.

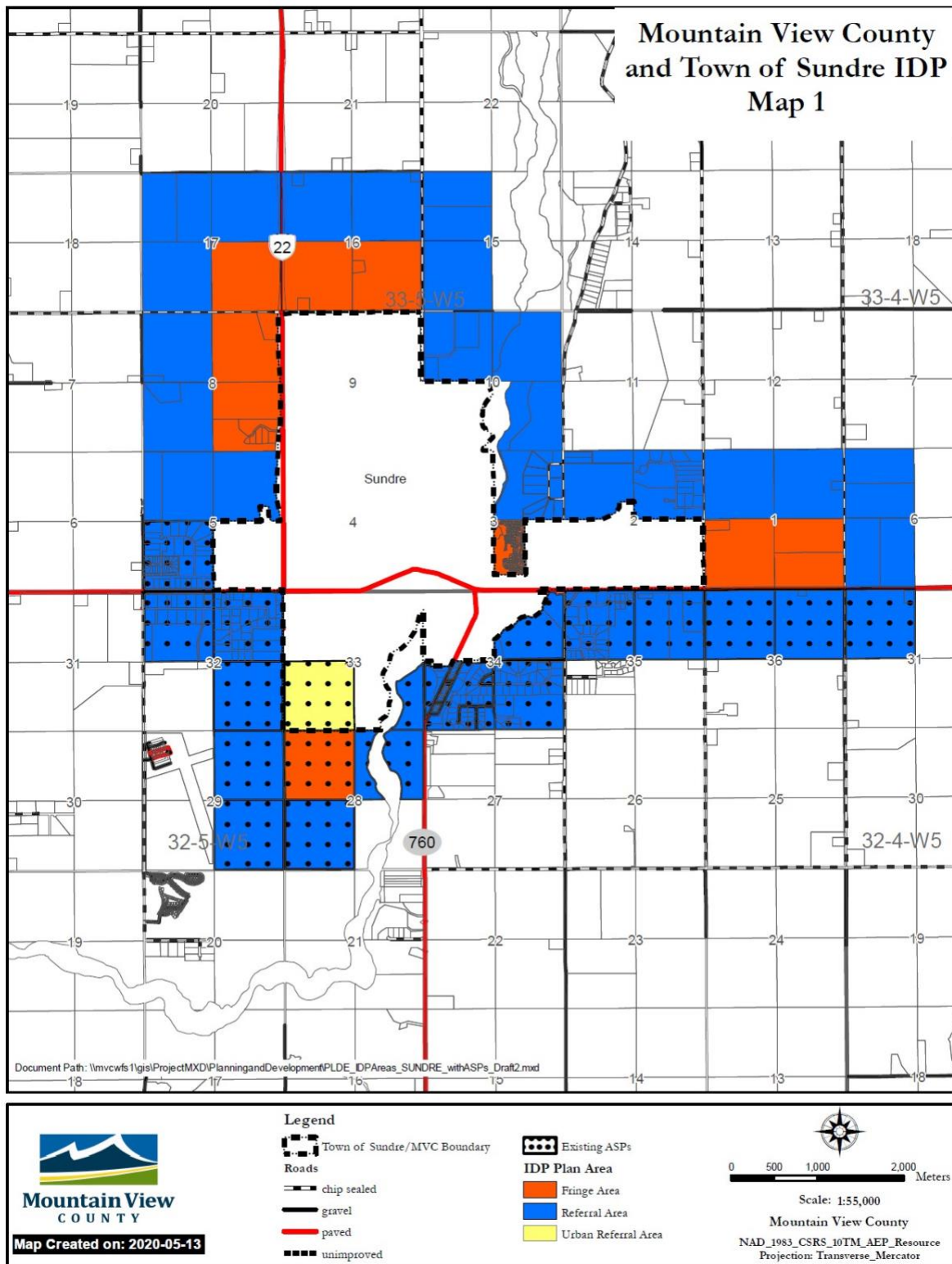
#### **D. REFERRAL AREA**

- 1) The Referral Area is those lands within the County identified on Map 1 – IDP Plan Area-Boundaries as Referral Area. These lands are intended to identify:
  - a) Future long-term growth areas for the eventual growth of the Town, while still permitting compatible development to occur.
- 2) All subdivision and discretionary use development permit applications, redesignations (Land Use Bylaw amendments) and Area Structure Plans, as amended from time to time, within the Referral Area will be referred to the Town for comment.
- 3) Development standards will be applied by the County that will ensure that orderly redevelopment of the Referral Area can occur.
- 4) Within the IDP Referral Area not affected by an existing Area Structure Plan, redesignation and subdivision applications may be considered for agricultural, residential, commercial, industrial, recreational or direct control district purposes but shall not exceed four (4) titles per quarter section. In addition to complying with the maximum four (4) titles per quarter section, applications for redesignation and subdivision shall comply with the applicable policies of the County's Municipal Development Plan, as amended from time to time.
- 5) No new or expanded confined feeding operations will be permitted within the Referral Area.
- 6) Within the IDP Referral Area subject to an existing approved Area Structure Plan, as amended from time to time, redesignation, subdivision and development applications shall comply with existing Area Structure Plan policies.

#### **E. URBAN REFERRAL AREA**

- 1) The Urban Referral Area is those lands within the Town identified on Map 1 - IDP Plan Area Boundaries as Urban Referral Area. These lands are intended to identify those areas where the County has an interest in protecting the adjacent land uses.
- 2) All subdivision and discretionary use development permit applications, redesignations (Land Use Bylaw amendments) and Area Structure Plans and amendments thereto, within the Urban Referral Area will be referred to the County for comment.

## F. Map 1 – IDP Plan Area Boundaries



**G. LAND USE POLICIES**

- 1) Mountain View County agrees that all development within the Fringe Area and Referral Area will be planned to minimize the impact on the growth of the Town.
- 2) The Approving Authority will consider the impact developments will have on the appearance of the entrance corridors to the Town.

**H. WATER AND WASTEWATER SERVICES**

- 1) Any requests for water and wastewater services from the County shall be considered and administered through separate agreement.

**I. TRANSPORTATION SYSTEMS**

- 1) 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.
- 2) The County and the Town will work together to discuss issues relating to transportation that effect both municipalities, which could include the development of a future Transportation Master Plan.

**J. UTILITY CORRIDORS**

- 1) The Town and County agree to work together to ensure that utility corridors 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 shall review and provide comment to AER circulations for new oil, gas and electricity infrastructure to ensure that new infrastructure does not unduly restrict future development.

**K. ECONOMIC DEVELOPMENT**

- 1) The municipalities may work together to promote and support economic development that is good for both municipalities.

**L. ENVIRONMENTAL**

- 1) Applications affecting wetlands and/or riparian areas, or Environmentally Significant Areas located within the Plan Area shall be assessed in accordance with the environmental policies and Land Use Bylaw requirements of the municipality in which it was received, and any requirements of Alberta Environment.
- 2) Applications in the Plan Area within the Floodway or Flood Fringe shall comply with the policies and the Land Use Bylaw provisions of the municipality in which it was received, and any requirements of Alberta Environment.
- 3) Applications in the Plan Area within hazard lands not defined as Floodway or Flood Fringe shall be required to demonstrate suitability by providing technical studies as required in the policies and Land Use Bylaw provisions of the municipality in which it was received, and any requirements of Alberta Environment.



## **M. PLAN ADMINISTRATION AND IMPLEMENTATION**

### **Adoption Process**

- 1) The Inter-municipal Development Plan shall be adopted by bylaw by the Town and the County in accordance with the Municipal Government Act.

### **Approving Authorities**

- 1) In the hierarchy of statutory plans, the Inter-municipal Development Plan shall take precedence over the other municipal statutory plans and documents.
- 2) Each municipality is responsible for decision-making within their municipal jurisdiction subject to the provisions of the IDP.

### **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 should be formally reviewed as necessary, as determined mutually by both Municipalities, in order to confirm or recommend amendment of any particular policy contained herein.

### **Plan Termination/Repeal**

- 1) Subject to a new plan being drafted, either municipality may initiate the process to terminate/repeal the plan.

## **N. ANNEXATION**

- 1) The County recognizes and agrees that the Town will need additional land to grow and will support annexations that will provide for at least 20 years of projected growth within the boundaries of the Town.
- 2) Future annexation proposals may be initiated by the Town and shall proceed in accordance with the process for annexation set forth in the *Municipal Government Act*.
- 3) The Town and County will endeavour to reach an inter-municipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

**O: DISPUTE RESOLUTION**

- 1) In the event of a dispute between the Municipalities concerning any matters in this Plan including application circulations, interpretation or notice to terminate the Plan, they shall be addressed and may be resolved at any of the following steps:
  - a. Step 1 – Administrative Review
  - b. Step 2 – ICC Review
  - c. Step 3 – Facilitated Mediation
  - d. Step 4 –Appeal Process
- 2) For Step 1 – Administrative Review, the following shall apply:
  - a. For applications required to be circulated to the other municipality under this Plan, requests shall be made in writing, within the circulation timeline, for any Administrative meetings to discuss concerns or objections.
  - b. For all other non-application matters, requests for an Administrative meeting shall be made in writing.
- 3) For Step 2 – ICC Review
  - a. The ICC shall convene to consider and attempt to resolve disputes identified in Q 1) but exclude application circulations. Both Administrations shall present their perspectives and views on the issue. The ICC may:  
Provide suggestions to both Administrations on how to address the issue and refer the matter back to both Administrations for further discussion between them;  
Seek additional information and alternatives for consideration at a future meeting of the ICC;  
If possible, agree on a consensus position that resolves the issue and provide the details of the consensus to each municipality in writing; or  
Conclude that no initial agreement can be reached and communicate their conclusion to the two Councils.
- 4) For Step 3 – Facilitated Mediation, the following shall apply:
  - a. Within (20) business days of a written request for Facilitated Mediation, both municipalities shall agree upon a mediator/facilitator to assist in the dispute process.
  - b. The Step 2 – Facilitated Mediation process shall exclude all Discretionary Use Development Permits and Subdivision Applications. These applications may proceed directly to Step 3 – Appeal Process.
  - c. Facilitated Mediation will begin within fifteen (15) business days of the engagement of the mediator/facilitator.
  - d. Both municipalities agree that they will pay the cost of Facilitated Mediation equally.
- 5) For Step 4 – Appeal Process

- a. If a resolution to the dispute cannot be reached at Step 1 or Step 2, the approval authority may proceed with a decision and the municipality that objects may appeal the decision in accordance with the *Municipal Government Act* to the appropriate appeal authority.

**P. CORRESPONDENCE**

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

- a. In the case of Mountain View County to:

Mountain View County  
c/o Chief Administrative Officer

P.O. Bag 100

Didsbury, AB T0M 0W0

- b. In the case of the Town of Sundre to:

Town of Sundre  
c/o Chief Administrative  
Officer Box 420

Sundre, AB T0M 1X0

**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 SUNDRE**

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**Reeve**

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**Mayor**

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**Chief Administrator Officer**

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**Chief Administrator Officer**