

**BYLAW 2017-02
OF VILLAGE OF ANDREW
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF VILLAGE OF ANDREW IN THE PROVINCE OF ALBERTA, TO ADOPT BYLAW NO. 2017-02, BEING LAMONT COUNTY AND THE VILLAGE OF ANDREW INTERMUNICIPAL DEVELOPMENT PLAN.

WHEREAS the municipality has been encouraged by the province to create and adopt an Intermunicipal Development Plan on land use in the fringe and urban areas and to work co-operatively in order to pursue joint approaches to common planning issues;

AND WHEREAS the municipal council wishes to adopt a comprehensive plan which encourages the orderly and economical development of land use in the designated fringe area in consultation with Lamont County;

AND WHEREAS the purpose of proposed Bylaw No. 2017-02 is to adopt a land use plan that provides a framework and guidelines for dealing with future subdivision and development of lands within the designated intermunicipal plan boundary and promotes the ongoing cooperation, consultation, and coordination between Lamont County and the Village of Andrew have established;

AND WHEREAS a Public Hearing, as required by Section 692 of the *Municipal Government Act, R.S.A. 2000, c. M-26 as amended*, will be held, prior to second and third readings of the bylaw.

NOW THEREFORE, under the authority and subject to the provision of the *Municipal Government Act, R.S.A. 2000, c. M-26, as amended*, the Council of Village of Andrew in the Province of Alberta duly assembled does hereby enact the following:

1. This Bylaw may be cited as the "Lamont County and Village of Andrew Intermunicipal Development Plan Bylaw".
2. The Lamont County and Village of Andrew Intermunicipal Development Plan, Being Schedule "A", as attached to and forming a part of this bylaw is hereby adopted.
3. This Bylaw shall come into effect upon third and final reading hereof.

EFFECTIVE DATE

READ for a first time this 19 day of APRIL, 2017.

READ for a second time this 10 day of MAY, 2017.

READ a third time and with the unanimous consent of all councillors present, finally passed this 10 day of MAY, 2017.


Mayor


Village Manager

INTERMUNICIPAL DEVELOPMENT PLAN



LAMONT COUNTY

Bylaw 770.17

&

VILLAGE OF ANDREW

Bylaw 2017-02

Prepared by:



1. Introduction

The Village of Andrew and the County of Lamont have agreed to enter into an Intermunicipal Development Plan (IDP) to help protect the interests and future of the two communities. This plan addresses the coordination of future land use and development in the identified areas and serves to formalize communication and regional cooperation initiatives. This IDP provides a foundation for the Village of Andrew and Lamont County to work together to achieve sound planning of future land uses and to ensure regional sustainability of both community's.

Section 631 (2) of the MGA states that an Inter-Municipal Development Plan:

(a) may provide for

- (i) the future land use within the area,
- (ii) the manner of and the proposals for future development in the area, and
- (iii) any other matter relating to the physical, social, or economic development of the area that the Councils consider necessary.

And

(b) must include

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the Plan,
- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the Plan, and
- (iii) provisions relating to the administration of the Plan.

2. Objectives

- 2.1 To identify the Urban Fringe. This will be the area surrounding the Village that will be protected for the future growth of the Village.
- 2.2 To identify the Referral Area. This will be defined as the area in the County to be protected for the long-term growth of the Village, while ensuring permitted uses may be developed. The referral area will also identify the area in the village where new developments will be completed to reduce the impact on existing developments within Lamont County.
- 2.3 To identify potential short term and long term lands to ensure the Village can grow in a logical and orderly fashion.
- 2.4 To ensure appropriate land use policies are used to protect the current and future interests of the Village and County.
- 2.5 To identify appropriate policies relating to infrastructure services.
- 2.6 To identify procedures for the purposes of subdivision and development appeals.
- 2.7 To identify appropriate dispute resolution mechanisms.
- 2.8 Intermunicipal cooperation initiatives
- 2.9 Appropriate administrative procedures relating to the implementation of the plan.
- 2.10 The development of a Memorandum of Agreement that set out:
 - 2.10.1 The cost sharing agreement for developments within the fringe area,
 - 2.10.2 What developments will not be allowed within the fringe area,
 - 2.10.3 If there be special conditions for developing within the UF area , and

- 2.10.4** How planning disputes shall be referred to a Regional Intermunicipal Subdivision and Appeal Board.

3. Urban Fringe (County)

- 3.1 The Urban Fringe will be those lands Identified on Map 1 "Urban Fringe".
- 3.2 The lands within the Urban Fringe will be the priority future expansion and annexation area of the Village.
- 3.3 All subdivision, permitted and discretionary use development permit applications within the Urban Fringe shall be submitted to the Village for comment.
- 3.4 All changes relating to the Land Use Bylaw or Area Structure Plans that affects the Fringe Area shall be submitted to the Village for comment.
- 3.5 Developers will be required to work with both the County and the Village to ensure the development is compatible with the County's requirements and the future growth of the Village.

4. Referral Area (Village)

- 4.1 The referral area is identified on Map 2 "Referral Area".
- 4.2 The Referral Area is intended to identify acceptable future long term growth areas for the Village.
- 4.3 All subdivision, permitted and discretionary use development permit applications within the Referral Area shall be submitted to the County for comment.
- 4.4 All amendments of statutory plans that may affect the referral area will be submitted to the other party for comment.
- 4.5 The Village will ensure orderly development and redevelopment occurs within the referral area that protects the future interests of the Village of Andrew.

5. Annexation Area

- 5.1 Lamont County recognizes and agrees that the Village of Andrew may eventually need additional land to grow and will support annexations that will provide for 20 years of projected growth within the boundaries of the Village.
- 5.2 Lamont County will support the annexation of lands if the proposal is to accommodate 20 years of growth or less.
- 5.1 The annexation process can be initiated by providing a growth plan and any other requirements necessary to be in accordance with the Municipal Government Act.
- 5.2 The Village and County agree to negotiate and come to a mutual agreement on the annexation prior to submitting the annexation application to the Municipal Government Board.

6. Land Use Policies

- 6.1 Lamont County agrees that all development within the urban fringe will be planned to minimize the impact on the growth of the Village.
- 6.2 Lamont County agrees that all development in the urban fringe areas will be planned with an urban overlay.
- 6.3 The Village of Andrew agrees that development in the Village's referral area will be planned to minimize the impact on adjoining County land uses.
- 6.4 In considering developments in the urban fringe, the Intermunicipal Municipal Planning Commission will ensure the proposed developments conform to the intent of the urban fringe district.
- 6.5 In considering developments in the referral area, the County Municipal Planning Commission will ensure the proposed developments conform to the intent of the Village's referral area.

- 6.6 The Intermunicipal Municipal Planning Commission will consider the impact developments will have on the appearance of the entrance corridors to the Village.
- 6.7 The Intermunicipal Municipal Planning Commission will review all developments to ensure environmentally sensitive areas are protected.

7. Infrastructure Planning

7.1 Water and Wastewater

- 7.1.1 Lamont County agrees to require all new developments in the urban fringe that want water/wastewater services to be developed with water and wastewater services to the same standards as the Village.
- 7.1.2 The Village agrees that all development within the urban fringe will be permitted to connect to the Village's water and wastewater services based on the conditions of the Memorandum of Agreement, and subject to the Memorandum of Agreement being executed.
- 7.1.3 For developments located within the urban fringe or referral area requiring or proposed to require water and wastewater services from the Village, 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 Village's approval.
- 7.1.4 The Village, 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 Village.

7.2 Transportation Systems

- 7.2.1 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.

7.3 Utility Corridors

- 7.3.1 The Village and County acknowledge that the future development of the region is dependent on access to water and wastewater services, and the Village and County agree to work together to ensure the corridors for these services are protected.
- 7.3.2 The County and the Village 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.

8. Intermunicipal subdivision and appeal board

- 8.1 Lamont County in conjunction with the Village of Andrew have agreed to enter to establish a Regional Intermunicipal Subdivision and Development Appeal Board (SDAB). The County and Village agree that in time the Town of Mundare, the Village of Chipman, the Town of Lamont and the Town of Bruderheim may join the Regional Intermunicipal SDAB
- 8.2 All appeals of subdivisions and developments that occur within the referral area of the urban municipality will be considered by the Regional Intermunicipal Subdivision and Development Appeal Board.

9. Dispute resolution

- 9.1 The Village and County agree that disputes relating to the Intermunicipal Development Plan shall be limited to the following:

9.1.1 Lack of agreement on proposed amendments to the Intermunicipal Development Plan

9.1.2 Lack of agreement on any proposed statutory plan, land use bylaw or amendment to either that may affect the lands located within the referral area.

9.1.3 Lack of Agreement on the interpretation of this plan.

9.2 If a dispute is to arise regarding 9.1.1, 9.1.2 or 9.1.3, and the disputing municipality provides written notice of their concerns, the following process must be followed:

Written Notice

- Written Notice must be given within 15 days of the municipality giving 1st reading.
- Notice must identify the areas of disagreement.
- The dispute resolution process can only be initiated by the Village or County Councils.
- The County and Village agree that the bylaw in question will not be passed until the two municipalities agree, or have completed this dispute resolution process.

Administration Meeting

- The administration meeting is to take place within 15 days of receiving the written notice of disagreement.
- The meeting shall be comprised of the members of administration staff involved in the matters under dispute.

Joint Council Committee Meeting

- If the Administration meeting does not satisfy both parties, The Village or County may initiate a meeting between appropriate members of administration and two representatives from each council.
- The Joint Council Committee Meeting must occur within 15 days of the administration meeting

Request for mediation

- If the Joint Council Committee proves unsuccessful, the council of the disputing municipality may request a facilitated mediation within 7 days of the Joint council Committee Meeting.

Mediation

- Both parties must agree to a mediated meeting between the members of the Joint Council Committee within 15 days of receiving the request.
- The costs for the mediator will be split evenly between the two municipalities.

Right to appeal

- If mediation proves unsuccessful, the municipality may proceed to adopt the bylaw in accordance with the Municipal Government Act.
- The disputing municipality retains the right to appeal the bylaw to the Municipal Government Board.

10. Regional Services

- 10.1 The County and Village will develop an Intermunicipal Collaboration Framework to define Regional Services.

11. Plan Administration

11.1 Adoption

- 11.1.1 The Inter-municipal Development Plan shall be adopted by bylaw by the Village and county in Accordance with the Municipal Government Act.
- 11.1.2 The Village recognizes that this bylaw is limited to the policies and objectives related to this plan and the Village does not have any legal jurisdiction for the lands outside of their boundaries.
- 11.1.3 Any amendments to other statutory plans that are required to implement the policies of this Inter-municipal Development Plan shall be done simultaneously with the adoption of the plan.

11.2 Approving Authority

- 11.2.1 Considering the hierarchy of statutory plans, this Inter-municipal Development Plan shall take precedence over the other municipal statutory documents.
- 11.2.2 The Village shall be responsible for the administration and decisions on all statutory plans, land use bylaw amendments thereto, and all subdivision applications falling within the plan area within the boundaries of the Village.
- 11.2.3 The County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto, and all subdivision applications falling within the plan area within the boundaries of the county.

11.3 Plan Amendments

- 11.3.1 Amendments to this Inter-municipal Development Plan may be proposed by either municipality. Amendments proposed by anyone other than the municipality will be submitted to the municipality in which the subject land is located.
- 11.3.2 An amendment to this Inter-municipal Development Plan will have no effect unless it is adopted by both councils in accordance with the Municipal Government Act.

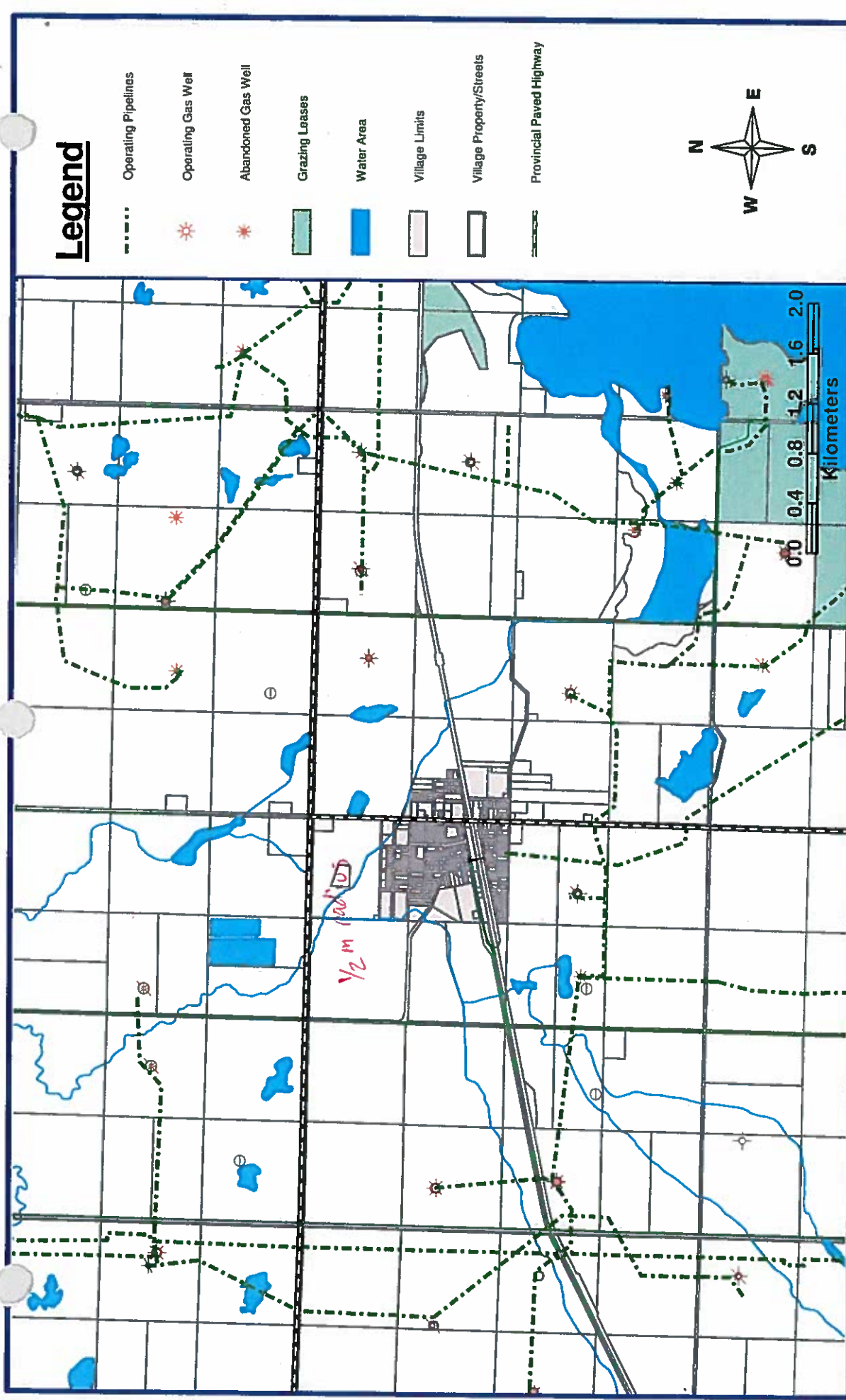
11.4 Plan Review

- 11.4.1 The plan is to be formally reviewed every 3 years by Lamont County and Village of Andrew administration. Any identified amendments must be prepared for consideration for both Village and County councils.

11.5 Termination

- 11.5.1 After five (5) years from the date of approval of this Inter-municipal Development Plan, either municipality may initiate the process to terminate/repeal this plan.
- 11.5.2 To terminate this plan, The following procedure will be followed:
- 11.1.1.1.1 Either the Village or County must provide written notice to the other party of their intent to terminate this plan.
- 11.1.1.1.2 If both parties agree to terminate the plan, both councils must proceed to pass a bylaw to repeal the plan.
- 11.1.1.1.3 If there is not a mutual agreement to repeal the plan, a joint committee meeting consisting of two members of council and administration will be organized in an attempt to solve the issues no later than 30 days after receiving the notice of intent to repeal.

11.1.1.1.4 If the joint committee meeting proves unsuccessful, both councils must by
bylaw, repeal the plan.



Legend

- Operating Pipelines
- ★ Operating Gas Well
- ★ Abandoned Gas Well
- Grazing Leases
- Water Area
- Village Limits
- Village Property/Streets
- == Provincial Paved Highway



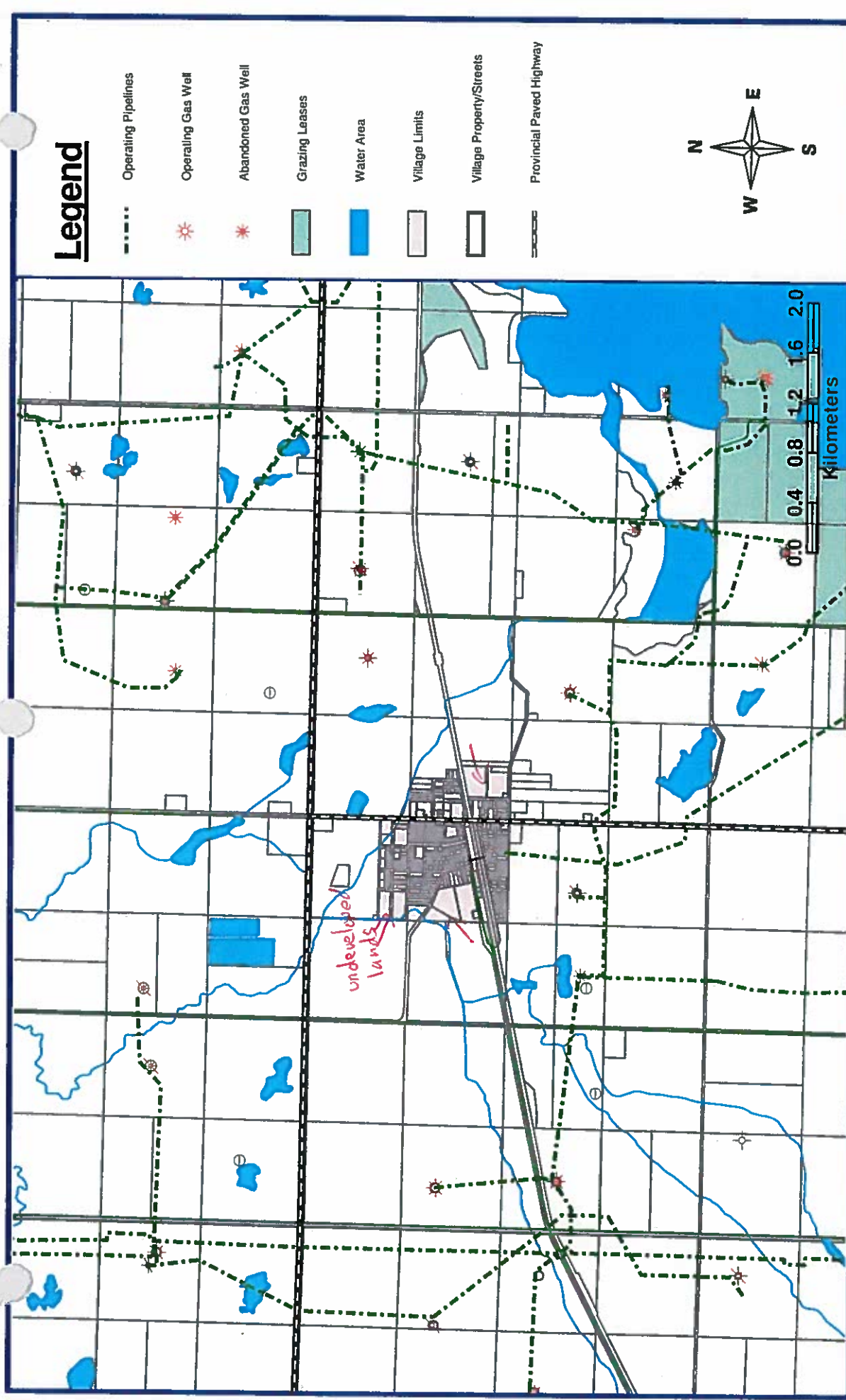
Village of Andrew

Attachment 1 - Urban Fringe

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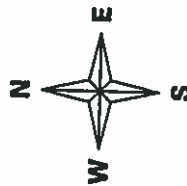
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Legend

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Kilometers

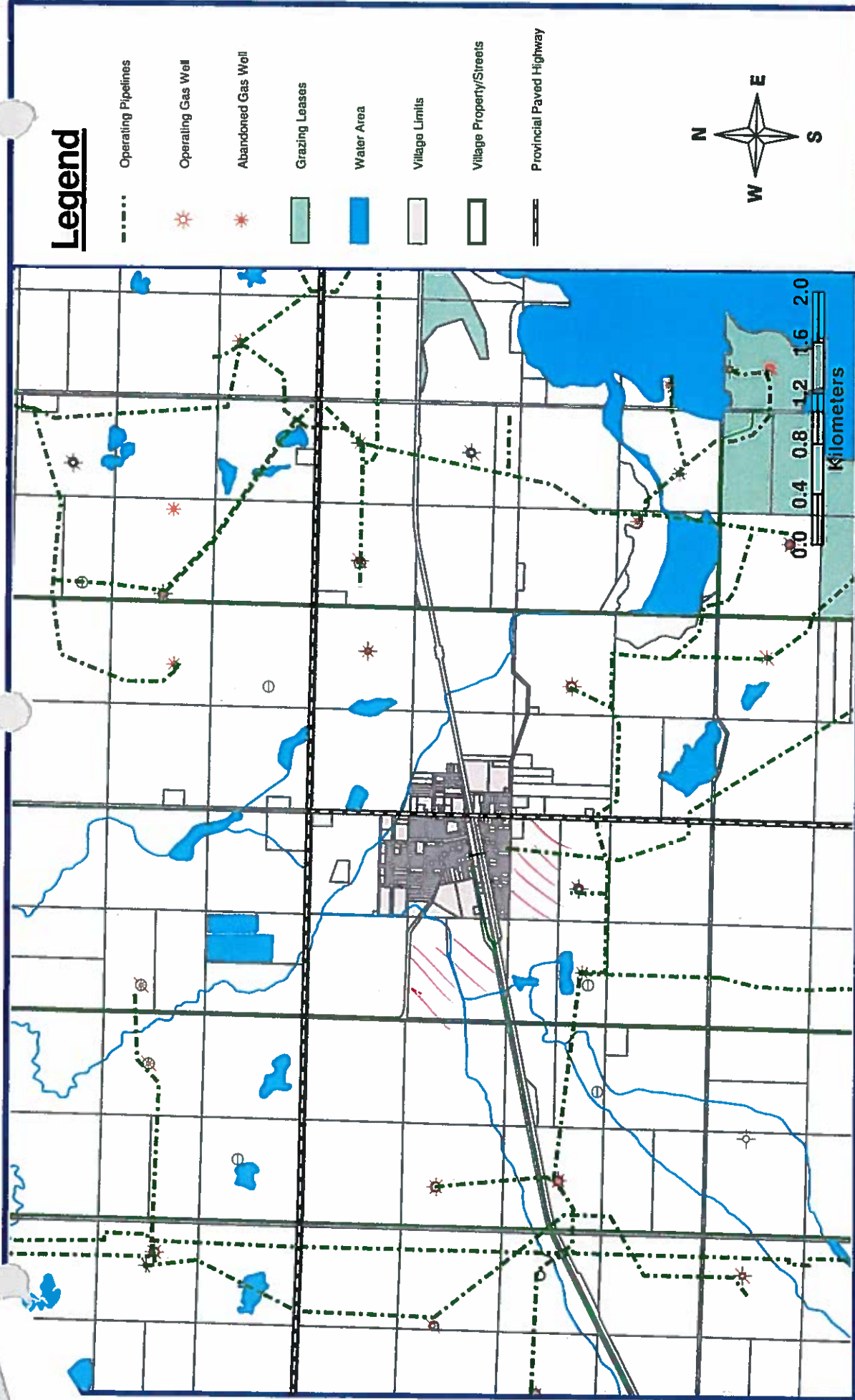
Village of Andrew

Attachment 2 - Referral Area

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Village of Andrew

Attachment 3 - Annexation