

# Village of Clive/Lacombe County

## Intermunicipal Development Plan



May 2010

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## **1.0 Introduction**

### **1.1 Plan Purpose and Background**

Intermunicipal planning is an effort between two or more municipalities to make long term land use planning decisions. An Intermunicipal Development Plan (IDP) should approach the area with a regional context. Municipal boundaries disappear during the development of future land uses and reappear in order to administer the preferred land use pattern.

IDPs are broad-based policy documents that strive for environmentally responsible development without significant unnecessary costs and unacceptable negative impacts on either municipality. Both municipalities face growth pressures and an IDP searches for mutually beneficial solutions.

This IDP will provide a platform to formalize the strong relationship between the Village of Clive and Lacombe County. By doing so it is hoped that the potential for future disputes is minimized.

Land use planning decisions made by the Village and County affect and influence one another. Prominent planning issues include conflicts between urban and rural land uses, coordinating infrastructure improvements and equitable provision of services. Positive relationships will lead to sharing of resources, achieving economic development goals and more efficient municipal and community services. An IDP is arguably the single most important tool in initiating those advantages.

In July 2009, the Village of Clive and Lacombe County assembled a steering committee consisting of two Councillors from each municipality, the Lacombe County Manager of Planning Services and the Village of Clive's Chief Administrative Officer to guide the development of the IDP. The committee first set a time horizon for the plan of 30 years.

Municipal staff, plan area residents, landowners and businesses have worked together to develop the policies and land use map. Public input was sought on three different occasions before the Plan was presented to both Councils for adoption. Both municipalities believe the Plan will guide future growth and provide a forum for potential intermunicipal collaboration on a wide range of issues.

## 1.2 Why Have an IDP?

In developing their *Municipal Development Plans* both municipalities identified a desire for an IDP. IDPs are a planning tool introduced by the Provincial Government and municipalities throughout Alberta have embraced them. An IDP accomplishes the following:

- It establishes policy/guidelines on matters of interest in the Plan Area to both Clive and Lacombe County;
- The IDP sets a framework for making land use planning and development decisions well into the future;
- It identifies long term growth areas for the Village; and
- Most importantly, it takes planning beyond municipal boundaries and looks at what are the best uses for land in and around the Village of Clive.

An IDP is a statutory plan adopted under The *Municipal Government Act*, (MGA). The MGA requires that an IDP include the following:

- A procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan;
- Provisions relating to the administration of the plan; and
- A procedure to be used, by one or more municipalities, to amend or repeal the plan.

Further the MGA states that an IDP may describe:

- The future land use within the area;
- The manner of and the proposals for future development in the area; and
- Any other matter relating to the physical, social or economic development of the area that the councils consider necessary.

Currently, there exists a healthy relationship between the municipalities of Clive and Lacombe County. This IDP puts that healthy relationship into writing via a series of policies covering a broad range of topics with the intent that future growth will be beneficial to all people who live and work within the Plan Area.

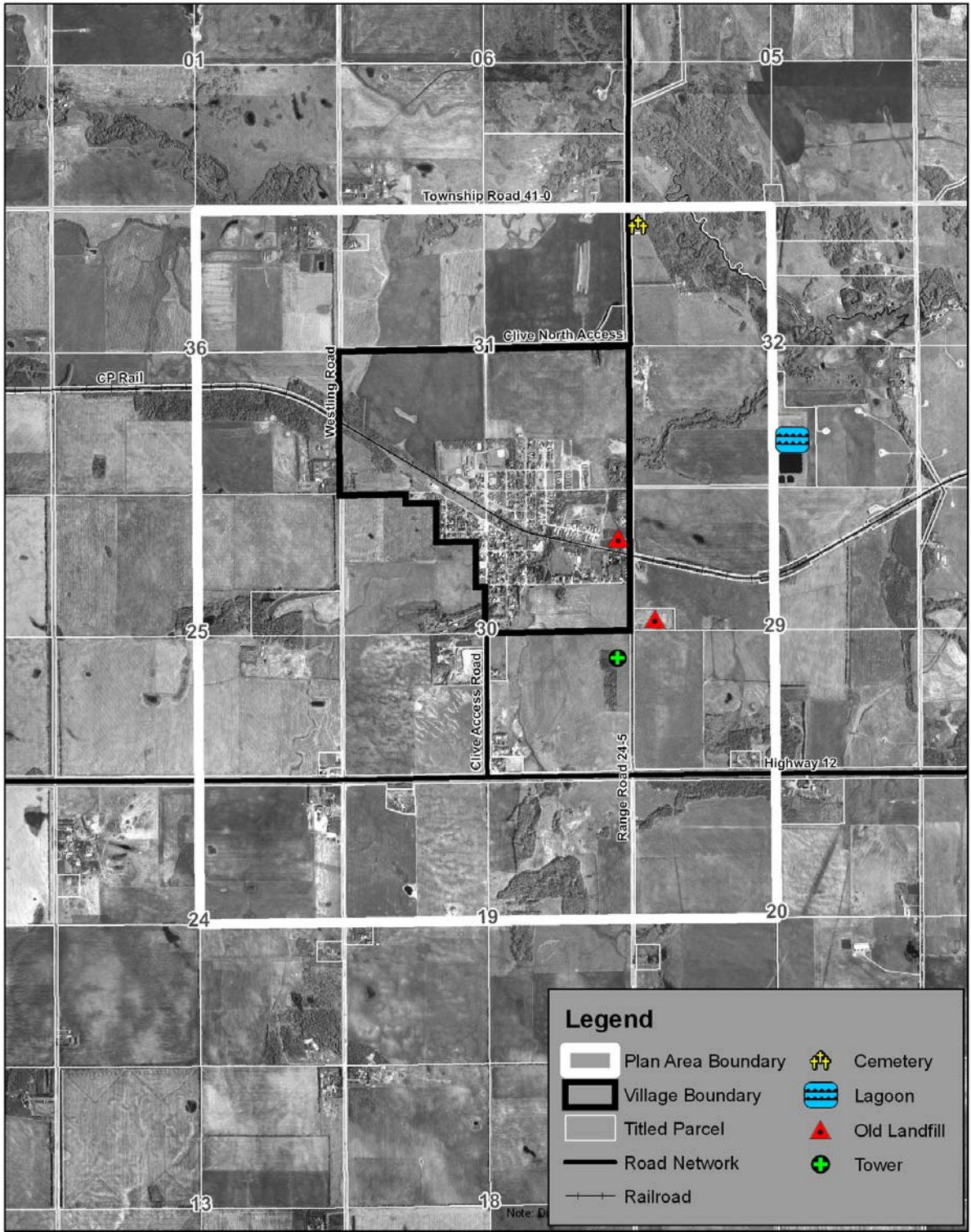
## 1.3 Plan Area

The Plan Area covers approximately 1,294 ha or 20 quarter sections. Choosing a Plan Area was an important first task of the Steering Committee. Some of the factors considered when deciding upon the Plan Area include:

- The existing urban boundary;
- From other plans, future areas identified for urban expansion;
- Existing rural uses close to the urban area;
- Significant agricultural and environmental features; and
- Local and Provincial transportation networks.

Map 1, on the following page, illustrates the Plan Area boundary, which includes land surrounding the Village on all sides and the Highway 12 corridor.

# MAP 1: PLAN AREA



## 1.4 Goals of the IDP

The primary goal of the Plan is to guide future development within the Plan Area in a logical manner that transcends municipal boundaries.

The remaining goals listed below provide a more specific summary of what this IDP aims to achieve. Throughout the document, each goal is accompanied by a series of policies that indicate how the goal will be achieved. At the end of each goal is the section and page number where the associated policies may be found.

- Facilitate orderly, efficient and environmentally sound development compatible with the character and physical setting of the plan area minimizing conflicts between agricultural and urban land uses. (*Managing Growth in the Plan Area: p. 7*)
- Conserve environmentally significant natural features when accommodating growth. (*Plan Area Environment: p. 8*)
- Enhance economic opportunities by providing areas for a variety of development opportunities. Doing so may lead to a basis for future joint development by the Village and County of select areas of mutual benefit and interest. (*Economic and Joint Development: p. 9*)
- Ensure agricultural operations continue to operate and remain significant contributor to the local economy. (*Agricultural Uses: p. 11*)
- Encourage development of a balanced range of housing opportunities that are compatible with market preferences, household needs and existing and proposed adjacent land uses. (*Residential Uses: p. 12*)
- Promote well planned commercial and industrial development that supports the creation of a strong, diversified economy expanding the availability of employment opportunities and contributing to a balanced municipal assessment base. (*Commercial and Industrial Uses: p. 14*)
- Ensure locations are available to provide public and institutional services to area residents. (*Public and Institutional Uses: p. 15*)
- Provide opportunities for the development of a parks and open space system that supports a broad range of active and passive recreation opportunities to meet present and future needs of area residents. (*Recreational Uses: p. 16*)
- Continue to allow for subdivision and development opportunities afforded to the lands under their existing land use zoning. (*Existing Subdivision and Development Opportunities: p. 17*)
- Develop a transportation system that supports future growth and development in the Plan Area. (*Transportation: p. 18*)
- Initiate the investigation of effective partnerships that would provide more efficient utility services throughout the Plan Area. (*Utilities: p. 19*)
- Establish the methods for exchanging information, reviewing the Plan, and providing a forum to discuss topics of mutual interest. (*Intermunicipal Committee: p. 20*)
- Provide opportunities for each municipality to become informed about and have input on planning and development matters. (*Communication and Referrals: p. 22*)
- Create a process that allows for timely resolution of differences of opinion in a manner respectful of each municipality's interests. (*Resolving Disputes: p. 24*)
- Recognize and consider the aspirations of the Village to grow in an orderly, economical and logical manner. (*Urban Expansion: p. 26*)
- Promote the use of the Plan and implementation of its policies. (*Implementing Activities: p. 27*)
- Provide a set of criteria that indicate whether the Plan policies are being implemented and the success or failure of those policies. (*Measuring Success of the Plan: p. 29*)

## **1.5 Duration and Role of the IDP**

The timeframe of the IDP is 30 years. The rationale for choosing 30 years includes:

- Most Municipal Development Plans contemplate a 25-30 year time horizon
- Historical data indicates 30 years is an appropriate time frame for identifying average annual growth rates
- Most municipalities like to ensure a 20-30 year land supply is identified

An IDP is intended as a long-term planning document. However, it is assumed that it will evolve over time as it undergoes periodic reviews and amendments to ensure that it remains relevant for both municipalities.

In the hierarchy of Municipal plans, an IDP's role is to indicate the broadest view. Good planning principles and the Municipal Government Act, require all subordinate plans to be consistent with the policies and maps of an IDP. Subordinate plans include:

- Municipal Development Plans – Determine long range growth for a single municipality
- Area Structure Plans, Area Redevelopment Plans, Outline Plans, Concept Plans – Determine growth for particular areas within a municipality.

An IDP generally provides broad direction with the expectation of more detailed planning at a later date, unless a more detailed plan is already in place.

## **1.6 Interpreting the Plan**

The IDP is divided into a series of topics for ease of reference and use. It is important to recognize that the IDP is a long-term document. It will take many years to reach the full extent of the land use concept identified. Interpreting and implementing the policies requires the exercise of judgment, discretion and ongoing communication between the Village and County. An IDP committee, described in section 9.1 will be responsible for ensuring the IDP remains relevant.

While the Plan is structured by topic area it is important to view all of the policies in context with one another rather than as individual parts. The policies are intended to contribute towards achieving the full essence of the land use planning framework that has been agreed upon by the two municipalities.

The IDP contains “shall”, “should” and “may” policy statements. “Shall” policies are those which must be followed. “Should” policies mean compliance to the principle is required but the applicable authority has some discretion based on the circumstances of the specific case. “May” policies indicate that the applicable authority determines the level of compliance that is required.

## **2.0 Managing Growth in the Plan Area**

Predicting the rate of growth for a particular area is an imprecise process. Therefore, when planning for future growth over 30 years, the IDP policies and Future Land Use Map should be flexible enough to permit all reasonable developments in a contiguous manner.

### **Goal:**

Facilitate orderly, efficient and environmentally sound development compatible with the character and physical setting of the Plan Area minimizing conflicts between agricultural and urban land uses.

### **Policies:**

1. Future development shall be planned in accordance with the land uses illustrated on Map 2 - Future Land Use Concept. Land uses within the current Village boundary shall be guided by the Municipal Development Plan. Minor amendments to the Municipal Development Plan shall not require an amendment to the IDP.
2. The Village and County shall continue the implementation of cost-sharing arrangements in accordance with the County policy addressing an equitable distribution of the costs associated with increased growth and development.
3. Both municipalities shall provide a variety of development opportunities within their jurisdiction.
4. Future development shall be referred to the Energy Resources Conservation Board to mitigate any potential adverse impacts of the oil and gas industry on public safety.
5. Future development in proximity to Highway 12 shall be planned in consultation with Alberta Transportation.



### **3.0 Plan Area Environment: Preserve and Enhance**

The natural environment does not respect municipal boundaries. Water courses, hills, soil conditions and vegetation intermingle across the urban/rural boundary and the Plan Area Boundary. An IDP can identify those intermunicipal environmental features and set direction that will protect and/or enhance them.

#### **Goal:**

Conserve environmentally significant natural features when accommodating growth.

#### **Policies:**

1. Both municipalities shall recognize the value of the natural environment and its contribution to the Plan Area's quality of life.
2. As part of the preparation of more detailed planning documents, environmentally significant areas shall be identified and integrated into the development proposals.
3. Subdivision applicants shall be required to dedicate all lands that qualify as environmental reserve in accordance with the provisions of the Municipal Government Act.
4. No development shall be allowed in areas that are prone to erosion, landslides, subsidence, or any other natural or human induced hazards. Development in proximity to steep or unstable slopes may be considered only if supported by a geotechnical study prepared by a qualified professional and if adequate setbacks are provided to the satisfaction of the approving authority.
5. For those areas where 1:100 year flood mapping does not currently exist, applicants of a redesignation, subdivision or development shall be required to obtain confirmation of the 1:100 year flood level of the affected river or creek by a qualified professional.
6. Redesignation, subdivision and development applications may be required to conduct an environmental review prepared by a qualified professional where an environmentally sensitive feature is present on the affected lands.
7. Energy and utility companies may be required to locate well sites and pipelines in a manner that avoids the fragmentation of land.

#### **4.0 Economic and Joint Development**

Planning future growth intermunicipally also raises opportunities for mutually beneficial economic development and joint development opportunities. This section sets out a framework for how it could be achieved. On the economic side, the variety of land uses available should be attractive to a broader range of investment. Joint development opportunities may arise in the form of shared servicing upgrades or community based facilities.

##### **Goal:**

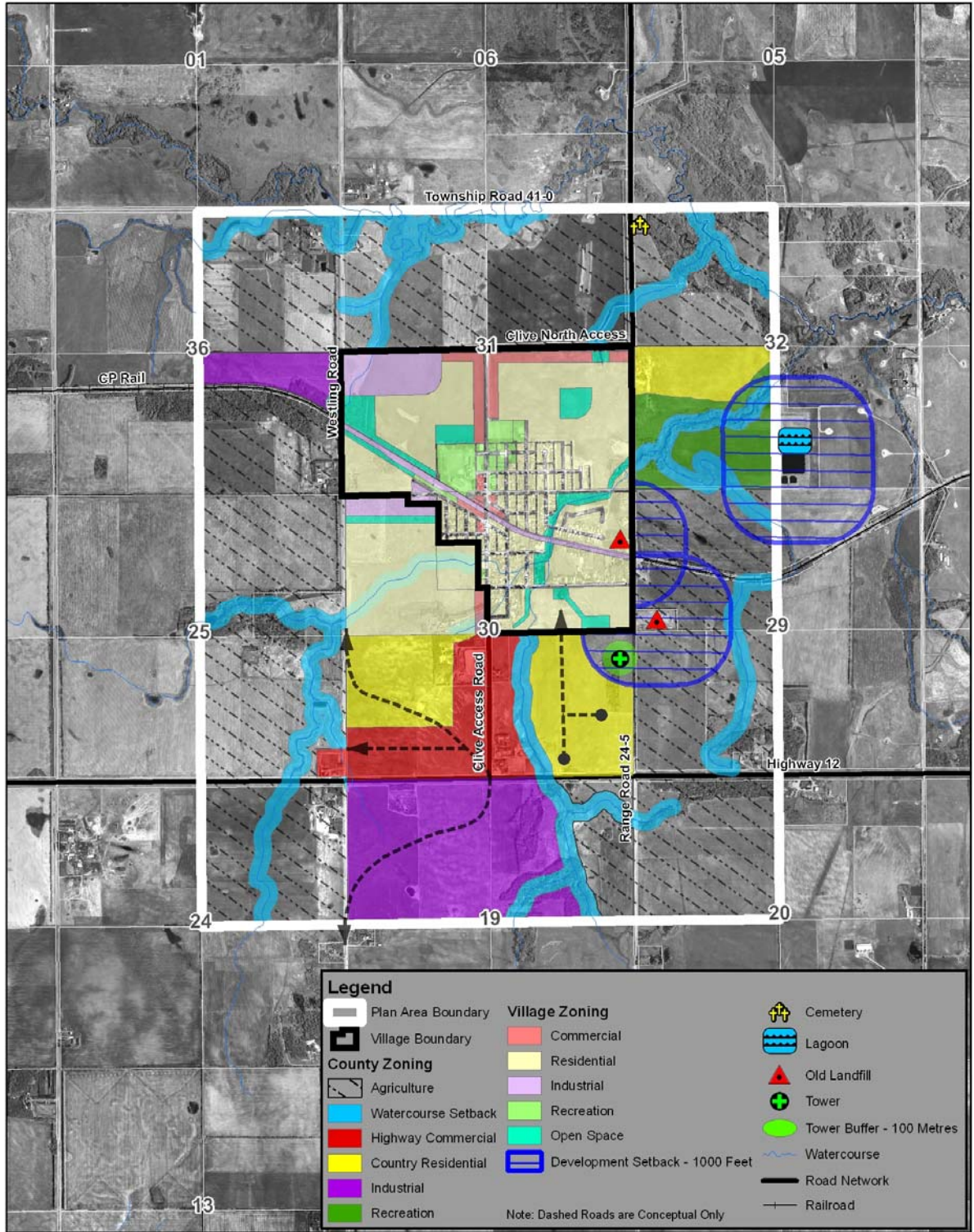
Enhance economic opportunities by providing areas for a variety of development opportunities. Doing so may lead to a basis for future joint development by the Village and County of select areas of mutual benefit and interest.

##### **Policies:**

1. Both municipalities shall work together to ensure a strong and stable diversified local economy within the broader regional economy.
2. The Village and County shall ensure that the Plan provides a suitable inventory of lands for commercial and industrial development which includes a range of choice in terms of parcel sizes and servicing.
3. The Village and County shall work together to explore areas of mutual interest where economic agreements can be considered to ensure that development opportunities will be to the benefit of both municipalities.
4. While a broad range of commercial and industrial uses and development is desirable, those uses and developments which may detract from the community's character, quality of life for area residents or unduly impact the environment shall not be permitted.

5.0 Land Use Concept

MAP 2: FUTURE LAND USE CONCEPT



## **5.1 Agricultural Uses**

Agricultural uses represent the largest land use category at 712 ha of the Plan Area. The IDP strives to maintain the importance of agriculture by directing future growth in a compact, contiguous manner that minimizes intrusions into agricultural operations.

### **Goal:**

Ensure agricultural operations continue to operate and remain a significant contributor to the local economy.

### **Policies:**

1. Existing agricultural areas shall continue to be used for agricultural activities as provided for in the County's Municipal Development Plan and Land Use Bylaw, unless a landowner proposes to convert agricultural lands to another opportunity provided for in the Plan.
2. In order to protect future development opportunities for lands identified for potential residential, industrial, commercial and recreational development, no new confined feeding operations shall be allowed in the Plan Area.
3. When making decisions on development on or adjacent to agricultural lands, both municipalities shall respect the right of agricultural operators to pursue normal activities associated with extensive agriculture without interference or restriction based on their impact on adjacent uses.

## 5.2 Residential Uses

The policies and Future Land Use Map identify multiple areas where future residential developments will provide a range of housing needs. The identified areas are adjacent the current or future urban boundary which means fewer conflicts between residential and non-residential land uses.

### Goal:

Encourage development of a balanced range of housing opportunities that are compatible with market preferences, household needs and existing and proposed adjacent land uses.

### Policies:

1. Residential development at urban densities shall be the primary use within the defined residential areas inside the urban expansion boundary illustrated on Map 2 - Future Land Use Concept.
2. In order to ensure that the residential areas identified on Map 2 are preserved for future urban growth and future integration into the urban fabric is not compromised, the following development conditions shall apply, unless otherwise agreed to by the County and Village:
  - (a) An urban residential development proposal may be accompanied by an application for annexation to the Village;
  - (b) The density of an urban residential development shall be in accordance with the Village's Municipal Development Plan, which states the density should fall between 10 and 12.5 units per gross developable hectare unless the area is specifically identified for low density or live/work residential development;
  - (c) As a prerequisite to subdivision and development, the preparation of an Area Structure Plan shall be required, to the Village and County's satisfaction, to ensure that issues relating to future land use, servicing, transitional treatments and phasing are addressed in a manner that ensures compatibility with existing or proposed development within the Village;
  - (d) Should the proposed subdivision and development occupy only a portion of the quarter section the Area Structure Plan shall describe what is proposed for the ultimate build-out of the lands and how the proposed development will be integrated into the Village upon annexation.
  - (e) Water and sanitary sewer shall either be extended from the Village or a communal system shall be constructed to a standard acceptable to the Village and County;
  - (f) Infrastructure standards shall be negotiated with the Village to ensure that adequate standards for urban residential development are met; and
  - (g) Municipal reserve shall be allocated in accordance with the approved Area Structure Plan.
3. The subdivision of lands for multi-parcel country residential use shall be directed to the those lands identified as Country Residential on Map 2 –Future Land Use Concept and shall require the preparation of a Concept Plan to the County's satisfaction following the County's *Multi-Lot Residential Development Proposals: Guide to the Approval Process*.

4. All multi-parcel country residential developments shall be required to connect to urban services or develop/connect to communal services to the County and Village's satisfaction.
5. The lands identified on the south half of 30-40-24-W4M for multi-parcel country residential development may be required by Alberta Transportation to develop an Area Structure Plan as the lands are within half a mile of a provincial highway.
6. Uses and developments that may pose limitations for future residential developments shall be directed away from lands identified for residential uses.
7. Any multi-parcel residential development adjacent to a watercourse or wetland shall require a geotechnical study confirming the site is suitable for the intended use.

### 5.3 Commercial and Industrial Uses

The policies and Future Land Use Concept Map identify multiple areas where future commercial and industrial development should occur. Indicating preferred areas provides a stronger level of certainty for prospective developers who face issues such as conflict with adjacent or non-urban uses either in the proposal period or later on.

#### Goal:

Promote well planned commercial and industrial development that supports the creation of a strong, diversified economy expanding the availability of employment opportunities and contributing to a balanced municipal assessment base.

#### Policies:

1. Both municipalities shall work together to maximize the advantages of commercial and industrial opportunities potentially offered by the ease of access and visibility to Highway 12.
2. Commercial/industrial uses shall be directed to areas identified on Map 2 - Future Land Use Concept.
3. Multi-parcel subdivision of commercial and industrial areas as shown on Map 2 - Future Land Use Concept beyond the Village boundaries shall be preceded by the preparation of a Concept Plan in accordance with the County's *Industrial and Commercial Business Park Development Proposals: Guide to the Approval Process*.
4. Lands identified adjacent Highway 12 for potential industrial and commercial development shall require from the developer a Traffic Impact Assessment approved by Alberta Transportation to determine the necessary upgrades to the intersection of Highway 12/Clive Access Road.
5. The lands identified on the south half of 30-40-24-W4M and the north half of 19-40-24-W4M for industrial and commercial development may be required by Alberta Transportation to develop an Area Structure Plan as the lands are within half a mile of a provincial highway.
6. Developments in the County shall comply with the County's Highways and County Main Roads Overlay District, of the County's Land Use Bylaw.
7. Buffers or similar mechanisms to mitigate potential conflict between commercial/industrial, agricultural and other uses shall be used where needed.
8. Uses and developments that may pose limitations for future commercial and industrial activities shall be directed away from lands identified for commercial or industrial uses.
9. Multi-parcel subdivision of commercial and industrial adjacent to a watercourse or wetland shall require a geotechnical study confirming the site is suitable for the intended use.

## **5.4 Public and Institutional Uses**

All municipalities must provide a range of public uses, such as parks or utility buildings and institutional uses, such as schools or emergency services buildings. Generally, these uses and where they should go are not identified at the IDP level. However it is important to recognize that both municipalities are aware of this need when approving future plans.

### **Goal:**

Ensure locations are available to provide public and institutional services to area residents.

### **Policies:**

1. Public and institutional uses commonly considered compatible with and complementary to residential uses may be allowed within the Residential Areas shown on the Map 2 - Future Land Use Concept.
2. Public and institutional uses commonly considered compatible with commercial and industrial uses may be allowed within the Commercial and Industrial Areas shown on the Map 2 - Future Land Use Concept.
3. Essential public uses and private utility services shall be allowed throughout the Plan Area to provide the desired level of service to the Plan Area. The preparation of an area structure plan or concept plan is not required for essential public uses and private utility services.



## **5.5 Recreational Uses**

With growth comes a demand for recreational uses. At a broad level, the IDP identifies locations and introduces policies for creation of outdoor recreational areas and possible trail connections to them from developed areas.

### **Goal:**

Provide opportunities for the development of a parks and open space system that supports a broad range of active and passive recreational opportunities to meet present and future needs of area residents.

### **Policies:**

1. Recreational uses commonly considered compatible with and complementary to residential uses shall be allowed within the Residential Areas shown on Map 2 - Future Land Use Concept.
2. Other recreational uses shall be directed to areas identified for recreational use on Map 2 - Future Land Use Concept.
3. Any recreational development adjacent to a watercourse or wetland shall require a geotechnical study confirming the site is suitable for the intended use.
4. Uses and developments that may pose limitations for future recreational activities shall be directed away from lands identified for recreational use on Map 2 - Future Land Use Concept.
5. A trail network shall be encouraged connecting points of interest within the Village and County to residential developments, natural features and other locations of cultural or recreational value.
6. All trails shall be built to the County's design standards and to the satisfaction of the Village.

## **6.0 Existing Subdivision and Development Opportunities**

The Plan outlines the vision for growth in the area for the next 25 to 30 years and it is not the intent to sterilize subdivision and development opportunities in the Plan Area in the interim.

### **Goal:**

To continue to allow for subdivision and development opportunities afforded to the lands under their existing land use zoning.

### **Policies:**

1. Subdivision and development opportunities afforded under the Agricultural District of the County's Land Use Bylaw may still be allowed provided they meet the requirements of the County's Municipal Development Plan and Land Use Bylaw and other provisions outlined in this Plan.
2. Existing businesses on lands currently zoned Agricultural District under the County's Land Use Bylaw will be allowed to continue and expand under the provisions of the County's Municipal Development Plan and Land Use Bylaw.
3. The replacement or upgrading of an existing residential unit may still be allowed in accordance with the provisions of the applicable Municipal Development Plan and Land Use Bylaw even if the unit is located within a policy area on Map 2 - Future Land Use Concept that only allows for future commercial or industrial development.
4. Uses and development which may detract from the community's character, quality of life for area residents or unduly impact the environment shall not be permitted.

## **7.0 Transportation**

Future growth is heavily dependent on Highway 12 providing efficient access from the Plan Area to Lacombe and Highway 2. Within the Plan Area choices about future land uses will be more successful when accompanied by a safe, efficient and attractive transportation plan.

### **Goal:**

Develop a transportation system that supports future growth and development in the Plan Area.

### **Policies:**

1. Both municipalities shall coordinate the planning and construction of major transportation links within the Plan Area. Where these links involve provincial highways, each municipality shall work in concert with Alberta Transportation to provide a satisfactory level of service and safety.
2. Both municipalities shall discuss their respective plans for priorities and timing of transportation improvements to ensure continuity of road upgrades.
3. As subdivision occurs, lands required for future major transportation corridors as identified in any transportation plan accepted by both municipalities shall be protected.
4. An all directional intersection is proposed at the Clive Access Road intersection to accommodate any industrial development south of Highway 12 and shall be the responsibility of the developer as development proceeds.
5. Once development of the all directional intersection at the Clive Access Road is completed and connected to Range Road 25-0 through the NW 19-40-24-W4M, the intersection of Range Road 25-0 and Highway 12 shall be closed to the south and all the traffic shall be redirected to the new all directional intersection.
6. No other new direct access shall be allowed from Highway 12. All access must be directed to existing and proposed local roads, as shown on Map 2.
7. The right-of-way requirements for roads shall be as set out in the applicable Village or County design standards.

## **8.0 Utilities**

In order to achieve the full potential for beneficial growth within the Plan Area economies of scale regarding utility services should be investigated. Choosing long-term future land uses encourages long-term planning for the most efficient provision of services.

### **Goal:**

Initiate the investigation of effective partnerships that would provide more efficient utility services throughout the Plan Area.

### **Policies:**

1. The two municipalities shall explore the potential to extend the Village's municipal water and sanitary sewer services to lands within the County.
2. As subdivision and development occurs, lands required for future utility rights-of-way, as identified through the mutual agreement of the Village and County, or subsequent studies, shall be protected.
3. Utility rights-of-way within the jurisdictional limits of a provincial highway shall also comply with Alberta Transportation requirements.
4. If the Village's municipal services are extended into the County, development levies or equivalent contributions shall be collected from the benefiting developments so that the cost of these extensions does not directly impact existing residents of the Village or County. The utility rate structure shall also be adjusted to place no additional burden on existing Village and County residents.
5. Best management practices for storm water management shall be required in the Plan Area. The release of storm water run-off from any development area shall be designed and managed in accordance with Alberta Environment requirements.
6. Natural and man-made drainage courses that are critical to the overall management of storm water within the Plan Area shall be protected by the municipality having jurisdiction.

## **9.0 Implementing the Plan**

The lifespan of this Plan is 30 years however it is expected that the Plan will be amended a number of times in the ensuing years as the situation on the ground evolves. The policies found in the following sections explain how municipal staff and their respective Councils may ensure the plan's policies are implemented and regularly reviewed in an efficient and effective manner.

### **9.1 Intermunicipal Committee**

In order for any plan to succeed it must set a policy for how and when it should be reviewed. Both municipalities should also identify those people responsible for conducting the reviews

#### **Goal:**

Establish the methods for exchanging information, reviewing the Plan, and providing a forum to discuss topics of mutual interest

#### **Policies:**

1. An Intermunicipal Committee shall be established between the Village and the County. It shall comprise 2 elected officials from each Council. Administrative support to the Committee shall be provided by the County and Village staff attending the Committee meetings.
2. The mandate of the Intermunicipal Committee may include discussion and consideration of the following:
  - Making recommendations to both Councils on intermunicipal matters that are referred by either municipality;
  - Monitoring the performance of the Plan, including overseeing implementation actions;
  - Reviewing any proposed annexations;
  - Reviewing any proposed amendments to this Plan;
  - Serving as an informal review body for any proposed Area Structure Plan, proposed Concept Plan or application that may have a significant impact on the Plan Area that is referred to the Committee; and
  - Assisting with the resolution of disputes in accordance with this Plan.
3. The Intermunicipal Committee shall make decisions and recommendations on a majority consensus basis.
4. The Intermunicipal Committee shall meet in the first half of every year to discuss planning issues of mutual interest and reflect on how the Plan is working, as well as on an as-needed basis to resolve or further discuss any issues.
5. The responsibility for providing administrative support to the Intermunicipal Committee shall alternate between the two municipalities on an annual basis. Administrative support to be provided and procedures to be followed shall include:
  - The establishment of dates and locations for all meetings, production of agendas,

- distribution of pre-meeting information packages, and other matters as deemed necessary;
- Keeping a record of the Committee meetings; and
  - Convening meetings as required by the Plan.

## 9.2 Communication and Referrals

A pillar of a successful IDP is open and thorough discussion of issues impacting the Plan Area. Future plans, studies, or their subsequent amendments will be prepared and implemented more efficiently provided there is good communication.

### **Goal:**

Provide opportunities for each municipality to become informed about and have input on planning and development matters.

### **Policies:**

1. Each municipality shall share with the other information, data or studies, road plans and utility plans that may have implications for the Plan Area.
2. Each municipality shall refer to the other proposed statutory plans, concept plans, land use bylaws and amendments to any of these documents where such proposals may affect land within the Plan Area.
3. Each municipality shall refer to the other proposed subdivision applications falling within the Plan Area.
4. Notwithstanding the above policies, where in the judgment of the municipality having jurisdiction, any development application is thought to have potential implications for or be of interest to the other municipality the matter may be referred to the other municipality.
5. Each municipality shall have twenty-one (21) days to review and comment on any referrals. A municipality may request an extension of the initial review period. The municipality sending the referral may agree to an extension of the review period and where an extension is provided it shall be communicated in writing.
6. Subject to a written and signed intermunicipal memorandum of understanding, items subject to referral and their respective timelines for submitting comments may be added or deleted without the need for a formal amendment to this Plan.
7. When issues are raised through the communication and referral process, they shall be addressed using the following process:

#### **Stage 1: Administrative Review**

- Every attempt shall be made to discuss the issue with the intent of arriving at a mutually acceptable resolution. If an agreement or understanding on how to approach the issue is reached, the commenting municipality shall indicate same to the other municipality in writing. If no agreement can be reached, the matter shall be referred to the Intermunicipal Committee

#### **Stage 2: Intermunicipal Committee Review**

- If an issue is referred, a meeting shall be scheduled to allow both Administrations to present their perspectives and views on the issue. The Intermunicipal Committee may:

1. Provide suggestions back to both Administrations on how to address the issue and refer the matter back to the Administrative Review stage;
  2. Seek additional information and alternatives for consideration at a future meeting of the Intermunicipal Committee;
  3. If possible, agree on a consensus position that resolves the issue; or
  4. Conclude that no initial agreement can be reached and refer the matter to the two Councils.
- In the event that the Intermunicipal Committee reaches consensus and resolves the issue, the details of the consensus shall be provided to each municipality in writing.



### **9.3 Resolving Disputes**

If a dispute between the two municipalities arises, having an agreed upon process for recognizing and resolving the dispute is an important first step. It provides a common starting ground that allows both municipalities to spend more time generating possible solutions.

#### **Goal:**

Create a process that allows for timely resolution of differences of opinion in a manner respectful of each municipality's interests.

#### **Policies:**

1. The following shall form the basis for initiating the dispute resolution process:
  - (a) Lack of agreement between the two municipalities on any proposed amendment to this Plan;
  - (b) Lack of agreement between the two municipalities on any proposed statutory plan, concept plan, land use bylaw or amendment to any of these documents affecting lands within the Plan Area; or
  - (c) Lack of agreement between the two municipalities on an interpretation of this Plan.
2. A dispute shall be limited to the decisions on those matters listed under 8.3.1. Any other appeal by other parties shall be made to and addressed by the respective approving authorities within each municipality.
3. The dispute resolution process of this Plan may only be initiated by Village Council or County Council and shall only be used for resolving intermunicipal planning disputes. Where a municipality has received written notice of a dispute from the other, the dispute resolution process shall be started within fifteen (15) calendar days of the date the written notice was received unless otherwise agreed to by both Chief Administrative Officers.
4. 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 concluded.
5. A dispute shall be addressed and may be resolved at any stage using the following process:

#### **Stage 1: Council to Council Meeting**

- If the Intermunicipal Committee is not able to resolve the dispute, the matter shall be referred to a joint meeting of the two Councils. Each municipality shall be given the opportunity to present their perspectives and views on the issue. The two Councils may:
  - (a) Seek additional information and alternatives for consideration at a future meeting of the two Councils;
  - (b) If possible, agree on a consensus position that resolves the issue; or
  - (c) Conclude that no initial agreement can be reached and refer the matter to mediation.

#### **Stage 2: Mediation Process**

- If a dispute is referred for mediation, a mediated process shall be used to reach agreement subject to agreement by both Councils that mediation is necessary. Prior to the start of the mediation process, the municipalities shall:
  - (a) Appoint an equal number of representatives to participate in the mediation process;

- (b) Engage a mediator agreed to by the municipalities at equal cost to each municipality; and
- (c) Approve a mediation process and schedule. Mediation should commence no later than thirty (30) days following the Council to Council Meeting

- If agreed to by both Councils, Municipal Administration may be used as a resource during the mediation process.
- All discussions and information related to the mediation process shall be held in confidence until the conclusion of the mediation process.
- The process shall be deemed to conclude once the mediator submits a report to both Councils.
- The mediator's report and recommendations shall not be binding on the municipalities.
- For disputes that cannot be appealed, the report shall be considered binding.
- If both Councils accept the mediator's report, this shall be communicated to each municipality in writing and the matter shall be considered resolved. The report shall be introduced through the public hearing process along with any necessary amendments to the proposed bylaw or plan.
- If mediation is not undertaken or the mediator's report is not accepted by both Councils, then the disputing municipality may begin the appeal process where permitted to do so by the Municipal Government Act.

### **Stage 3: Appeal Process**

- In the event that mediation proves unsuccessful, was not undertaken or the municipality having jurisdiction proceeds with an approval that does not reflect the accepted mediation recommendations, the disputing municipality may appeal the matter to the Municipal Government Board in accordance with the Municipal Government Act.
6. The municipality initiating a dispute may withdraw their objections at any time throughout the process. The municipality initiating the dispute shall provide written confirmation that the dispute is withdrawn to the other municipality.
  7. Both municipalities agree that time shall be of the essence when working through the dispute resolution process.

## 9.4 Urban Expansion

The Plan has identified areas for future expansion of Clive's municipal boundary. Because the Village doesn't require a larger boundary in the short term, it is important that, in the interim, Plan policies only allow development that is compatible with an urban setting. Establishing the criteria and process for an annexation will also reduce confusion as to when it should occur.

### Goal:

Recognize and consider the aspirations of the Village to grow in an orderly, economical and logical manner.

### Policies:

1. Both municipalities shall protect the lands in the plan from uses and developments that might interfere or conflict with future urbanization.
2. The Village shall not pursue annexation of any land it cannot economically and reasonably service.
3. Either municipality or a landowner may put forward an annexation proposal or request. In the case of an annexation proposal by a landowner, the landowner shall simultaneously notify both municipalities in writing.
4. Where annexation is proposed by either municipality, affected landowners shall be notified prior to the general public.
5. Annexation proposals shall be reviewed by the Intermunicipal Committee prior to submission of a Notice of Intent to the respective Councils and the Municipal Government Board.
6. If deemed necessary, a joint meeting of the Councils shall be held to discuss rationale for annexation.
7. In determining the appropriateness of an annexation proposal the following criteria, among others, shall be taken into account and documented in a supporting report:
  - Justification of the need for additional land based on projected growth rates;
  - Availability and cost of providing municipal services including consideration of economies of scale related to the financing of municipal service extensions;
  - Adequacy of transportation system and ability to expand to accommodate demands resulting from annexation including consideration of economies of scale related to the financing of transportation infrastructure;
  - Landowner interest in pursuing development and as high a degree of concurrence among affected landowners as possible;
  - Measures to mitigate the impacts of annexation relating to aspects such as change in taxation levels, service provisions and treatment of and continuation of existing approved uses and development;
  - Consistency with adopted statutory plans; and
  - Logical extension of jurisdictional boundaries including consideration of long term responsibilities for maintenance and service delivery and the establishment of rational planning units.

## **9.5 Implementing Activities**

The success of the IDP depends largely on the ability to include its policies and Future Land Use Concept Map in subsequent plans that deal with specific lands within the Plan Area. As that begins to happen it is important to ensure a review of the Plan itself is done on a pre-determined regular basis.

### **Goal:**

Promote the use of the Plan and implementation of its policies.

### **Policies:**

#### ***Approving Authorities***

1. In the hierarchy of statutory plans, this Intermunicipal Development Plan shall take precedence over other municipal statutory plans and documents except where the Plan defers to a more detailed, adopted plan.
2. The Village shall be responsible for the administration and decisions on all statutory plans, land use bylaws, amendments thereto, and subdivision and development applications falling within the boundaries of the Village.
3. The County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, amendments thereto, and subdivision and development applications falling within the boundaries of the County.

#### ***Future Plans and Studies***

4. Area Structure Plans or Concept Plans should be prepared and adopted by the municipality having jurisdiction prior to, or concurrent with changes in land use designation. This requirement shall not apply to those areas that do not involve subdivision or areas deemed to be minor developments by the applicable approving authority.
5. Each municipality may establish their own processes for the preparation of new area structure plans and concept plans or amendments to any of these documents. At the start of these processes, each municipality shall consult the other on issues that concern the neighbouring municipality. This may involve obtaining comments on the proposed terms of reference for the plan process, where applicable.
6. The Village and the County shall coordinate future planning efforts including potential collaboration on area structure plans, transportation plans, utility or drainage studies and feasibility studies relating to the provision of new or expanded community facilities and open space plans.

#### ***Plan Amendments***

7. An amendment to this Plan may be proposed by either municipality.
8. An amendment to this Plan proposed by a landowner shall be made to the municipality in which the

subject land is located.

9. An amendment to the Plan has no effect if not adopted by both municipalities by bylaw pursuant to the Municipal Government Act.

***Plan Review***

10. At the end of five years from the date that this Plan is adopted by both Councils, the two municipalities shall consider the need for a review of the Plan. If necessary, the Plan shall be updated and revised. Thereafter the Plan shall be considered for review every five years unless some alternative time is agreed to by both Councils.

***Procedure to Repeal Plan***

11. If one municipality deems this Plan no longer workable, the municipality may initiate the repeal of the Plan. Repeal of the Plan may be accomplished by one municipality passing a bylaw in accordance with the repeal provisions of the Municipal Government Act.
12. The following procedure to repeal the Plan shall be applied:
  - One municipality shall give the other three (3) months written notice, with reasons, of its intention to repeal its bylaw adopting the Plan, or if in mutual agreement the two Councils may repeal the adopting bylaws concurrently;
  - 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 to repeal the Plan;
  - Once one municipality has passed a bylaw repealing the Plan, the other municipality shall also proceed to pass a bylaw repealing the Plan;
  - In the event that the Plan is repealed, each municipality shall amend their Municipal Development Plans to address 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.

## **9.6 Measuring Success of the Plan**

Not only will a set of measurable criteria assist reviewers of the Plan, they should also make staff responsible for implementing the Plan more aware of tracking the criteria throughout the Plan's duration.

### **Goal:**

Provide a set of criteria that indicate whether the Plan policies are being implemented and the success or failure of those policies

### **Policies:**

1. During each review of the Plan, as required by policy 10 of Section 9.5, the Intermunicipal Committee shall direct staff to prepare a report outlining the level of success achieved in implementing the Plan's policies.
2. Measures to be used in assessing the Plan include but are not limited to:
  - Total number of issues referred to the Intermunicipal Committee by either municipality
  - Total number of Plan amendments (proposed and enacted)
  - Number of subordinate plans not consistent with the Plan
  - Number of landowner inquiries about policies of the Plan