

FLAGSTAFF COUNTY TOWN OF KILLAM

INTERMUNICIPAL DEVELOPMENT PLAN



**FLAGSTAFF COUNTY - BYLAW # 02-24
TOWN OF KILLAM - BYLAW # 881**

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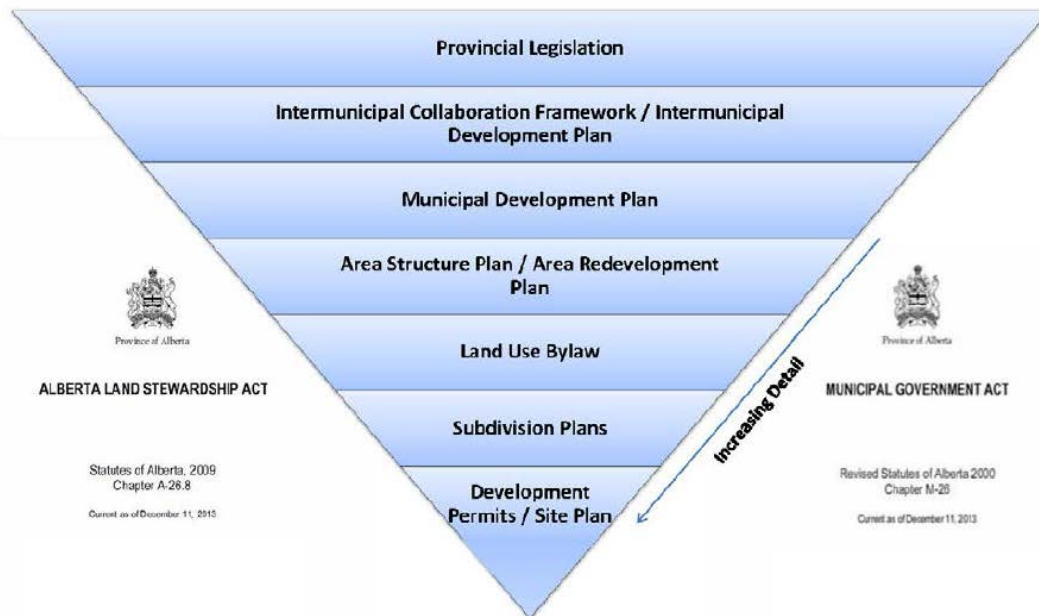
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1. INTRODUCTION

This Intermunicipal Development Plan (IDP), between Flagstaff County and the Town of Killam is part of a hierarchy of plans established in accordance with the legislative requirements of the Municipal Government Act. All municipal documents in Alberta must comply with these requirements as they provide the framework for land use and development decisions within the province.

The IDP is a high-level statutory land use planning document. Documents such as Municipal Development Plans, Area Structure Plans and others noted below, provide for more specific and detailed land use policy guidance within each municipality, while the IDP incorporates policies to coordinate development adjacent to boundaries of each municipality.

All of the plans in the diagram below must be consistent with each other and the corresponding Regional Plan (North Saskatchewan Regional Plan when completed).



1.1 Plan Organization

- 1) The Flagstaff County and the Town of Killam IDP has been organized into three sections:
 - a) **SECTION 1 INTRODUCTION** includes the purpose and background, goals of the IDP, enactment, duration, description of the plan area, enabling legislation, guiding principles, public engagement process and key definitions.

- b) **SECTION 2 PLAN POLICIES** includes the plan area, land use concept, utility and stormwater management policies; transportation policies; environmental protection, recreation and open space, infrastructure corridors; oil and gas infrastructure; and economic development.
- c) **SECTION 3 PLAN ADMINISTRATION AND IMPLEMENTATION** includes adoption process, approving authorities, plan amendments, establishment of the inter-municipal committee, plan review, plan termination/repeal, annexation, dispute resolution process, and correspondence.

1.2 Purpose and Background

- 1) The municipalities of Flagstaff County (County) and the Town of Killam (Town) agreed to enter the process to jointly develop an Intermunicipal Development Plan (IDP).

“The purpose of the IDP will be to ensure that a coordinated and cooperative approach is in place for managing the use and development of lands adjacent to the boundary of Killam, within Flagstaff County”.

- 2) The Town and County have agreed to undertake the process for preparing and adopting, by bylaw, the IDP which will address the principles, policies and considerations outlined in this document.
- 3) The Town and County recognize that all municipalities are equals and have the right to growth and development. Both municipalities have agreed that a negotiated IDP is the preferred method of addressing intermunicipal land use planning issues within the IDP area and that it represents the best opportunity for a continuing cooperative working relationship between the two municipalities.
- 4) The municipal policy framework for the preparation of an IDP is contained within the County and Town Municipal Development Plans. The Town’s Municipal Development Plan, Map 2, identifies development opportunities for lands adjacent to the Town. In addition, Section 26 of the Town’s Municipal Development Plan contains policies regarding intermunicipal planning and cooperation. The County’s Municipal Development Plan contains intermunicipal policies and supports the protection of a 3.2 kilometer area around each urban municipality for urban expansion plans and industrial parks.
- 5) Nothing contained within this IDP is intended to nor shall be interpreted as fettering either Council’s discretion.
- 6) MGA 631.1(10) states “In creating an intermunicipal development plan, municipalities must negotiate in good faith.”

1.3 Goals of the IDP

- 1) The overall goals of the Flagstaff County and Town of Killam IDP are to:
 - a) Ensure orderly development, while protecting the area surrounding the Town for future expansion;
 - b) Establish a framework for attracting economic opportunities;

- c) Improve opportunities to secure a long-term economic base for the region;
 - d) Ensure the municipalities are development ready and future oriented in their efforts to attract economic activity; and
 - e) Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of the municipalities.
- 2) The IDP and the various cost sharing agreements together form the basis of cooperative effort between the Town and the County to work together to serve the needs of their communities.

1.4 Enactment

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

1.5 Duration

- 1) The IDP sets forth, in general terms, the strategic patterns for land uses, servicing and transportation policies as well as other mutually agreed policy directions to the year 2029. While the IDP is meant to be a long range planning document, it is intended that regular monitoring, review and periodic amendments may be required for policies in the IDP to remain current with changing trends, technologies and growth within the region.
- 2) The IDP sets forth a process for amendment and repeal of this document when it is in the mutual interests of the County and the Town to do so.
- 3) A systematic review of the IDP shall be undertaken every three years from the date on which the IDP comes into effect.

1.6 Plan Area

- 1) The IDP area encompasses lands north, west, east and south of the present corporate limits of the Town of Killam as shown on Map 1 – Plan Area Boundaries. Property owners within the IDP area, adjacent property owners, residents of the Town and other interested parties have been consulted during the IDP planning process.
- 2) The IDP area encompasses lands identified as the Future Annexation Area, Urban Expansion Area, and Referral Area as defined in Section 1.10 of this Plan.

1.7 Enabling Legislation

- 1) The contents of an Intermunicipal Development Plan are outlined in Section 631 of the Municipal Government Act which reads:

“631(1) Subject to subsections 92) and (3), 2 or more councils of municipalities that have common boundaries and that are not members of a growth region as defined in section 708.01 must, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities as the consider necessary”.

Two or more councils may, by each passing a bylaw in accordance with this Part or in accordance with section 12 and 692, adopt an inter-municipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary. Remove as per updated wording.

(2) An inter-municipal development plan as per 631.(8)

(a) must address

(i) the future land use within the area,

(ii) the manner of and the proposals for future development in the area,

(iii) the provision of transportation systems for the area, either generally or specifically,

(iv) the coordination of intermunicipal programs relating to the physical, social and economic development in the area,

(v) environmental matters within the area, either generally or specifically, and

(vi) any other matter related 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.

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. Remove as wording above has been updated.

- 2) The procedure for adopting an IDP is described in **Section 692(1)** of the Municipal Government Act.

1.8 Guiding Principles

- 1) Maintain an open, fair and honest communication between the two municipalities and affected stakeholders.
- 2) Promote orderly, economic and beneficial land development to minimize the amount of agricultural land converted to other land uses prematurely.

- 3) Recognize the need for urban expansion of the Town and the need for orderly, timely and agreed upon annexation.
- 4) Determine compatible and complementary land uses within the IDP area and adjacent lands while ensuring proposed land uses and development do not interfere or conflict with future urban expansion.
- 5) Development of land use policies to provide for and in support of economic development that will benefit the two municipalities economically and socially.
- 6) Development of a Plan for the provision of utility corridors within the Plan Area to provide for future growth and development of the IDP area, and to ensure oil and gas development/pipelines and/or gravel extraction facilities do not inhibit or restrict the future development of the region.
- 7) 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) Provide for effective IDP administration and implementation mechanisms.

1.9 Public Engagement

- 1) In accordance with Sections 636 and 692 of the Municipal Government Act regarding Statutory Plans, Councils must take measures to involve the public prior to adopting an IDP. Several opportunities and methods have been used to carry out effective public engagement. In summary they include:
 - Media releases to facilitate project awareness;
 - Mailings to affected property owners, adjacent residents and other stakeholders;
 - A public information session was held with affected landowners and other stakeholders within the IDP boundaries. Comment sheets and a survey were provided to encourage feedback.
 - A combined Public Hearing held before Flagstaff County and the Town of Killam Councils to allow all parties to make representations on the IDP.

1.10 Definitions

- 1) All the terms and meanings in this IDP shall carry their normal definitions unless otherwise defined herein:

“area structure plan” means a statutory plan, adopted by bylaw, which provides a policy framework for subsequent redesignation, subdivision and development of a specified area of land in the municipality pursuant to Section 633 of the *Municipal Government Act*.

“Deferred Service Agreement” means an agreement between the developer and the municipality and may include but is not limited to: the construction or payment of roadways required to give access to the subdivision, construction of pedestrian walkways to serve the subdivision or adjacent subdivision or both, installation of utilities that are necessary to serve the subdivision, off street or other parking areas, loading and unloading facilities, an Off Site Levy, and security pursuant to Section 655 of the *Municipal Government Act*.

“development” means an activity taking place on a parcel as defined pursuant to the *Municipal Government Act*.

“confined feeding operation” is an agricultural operation as defined within the *Agricultural Operations Practices Act*.

“farmstead” means the dwelling and other improvements used in connection with extensive or intensive agricultural or a confined feeding operation, situated on a parcel of land used in connection with such farming operations. A farmstead’s dwelling may be a single detached dwelling, duplex or a manufactured or modular home unit. In exceptional circumstances, at the discretion of the Subdivision Authority, a farmstead may be the former site of a dwelling.

“fragmented parcel” means a parcel of land that is separated from the balance of the remainder of the parcel of land by a naturel barrier such as a river, or a permanent naturally occurring water body, a railroad or road, but not an undeveloped road on a Road Plan or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gully or small, possibly intermittent watercourse. Ther determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority;

“future annexation area” are lands identified for urban expansion and are identified for annexation by the Town.

“multi-lot country subdivisions” shall be considered to be any subdivision which will create four or more country residential parcels on a quarter section. Remove

“mufti-lot country residential development” means any subdivision which would result in five (5) titled areas on a quarter section:

“referral area” are lands within the plan area that are intended for eventual growth of the Town; within this area the County will refer to the Town for comment on proposed development activities.

“urban expansion area” are lands where growth patterns remain as anticipated, be the primary urban expansion area and the priority area for future annexations by the Town.

“utility services” means a parcel serviced with municipal gas, water and sewer services.

2. PLAN POLICIES

2.1 Plan Area

*Goal – To protect the lands identified as the **Future** Annexation Area and Urban Expansion Area from fragmented un-serviced development; to encourage collaborative planning within the remaining IDP lands identified as the Referral Area; and to minimize premature subdivision activity within the agricultural area surrounding the Town.*

1) General IDP Policies:

- a) Confined feeding operations requiring registrations or approvals and manure storage facilities requiring authorization under the Agricultural Operations Practices Act shall not be allowed within the Plan Area.
- b) The County will refer all subdivision applications, **discretionary development applications**, Municipal Development Plan and Land Use Bylaw amendments, and Area Structure Plans within the IDP Plan Area to the Town for comment.
- c) Any disputes shall be dealt with through the procedure outlined within Section 3.9 of this **Plan**.

2) **Future** Annexation Area Policies:

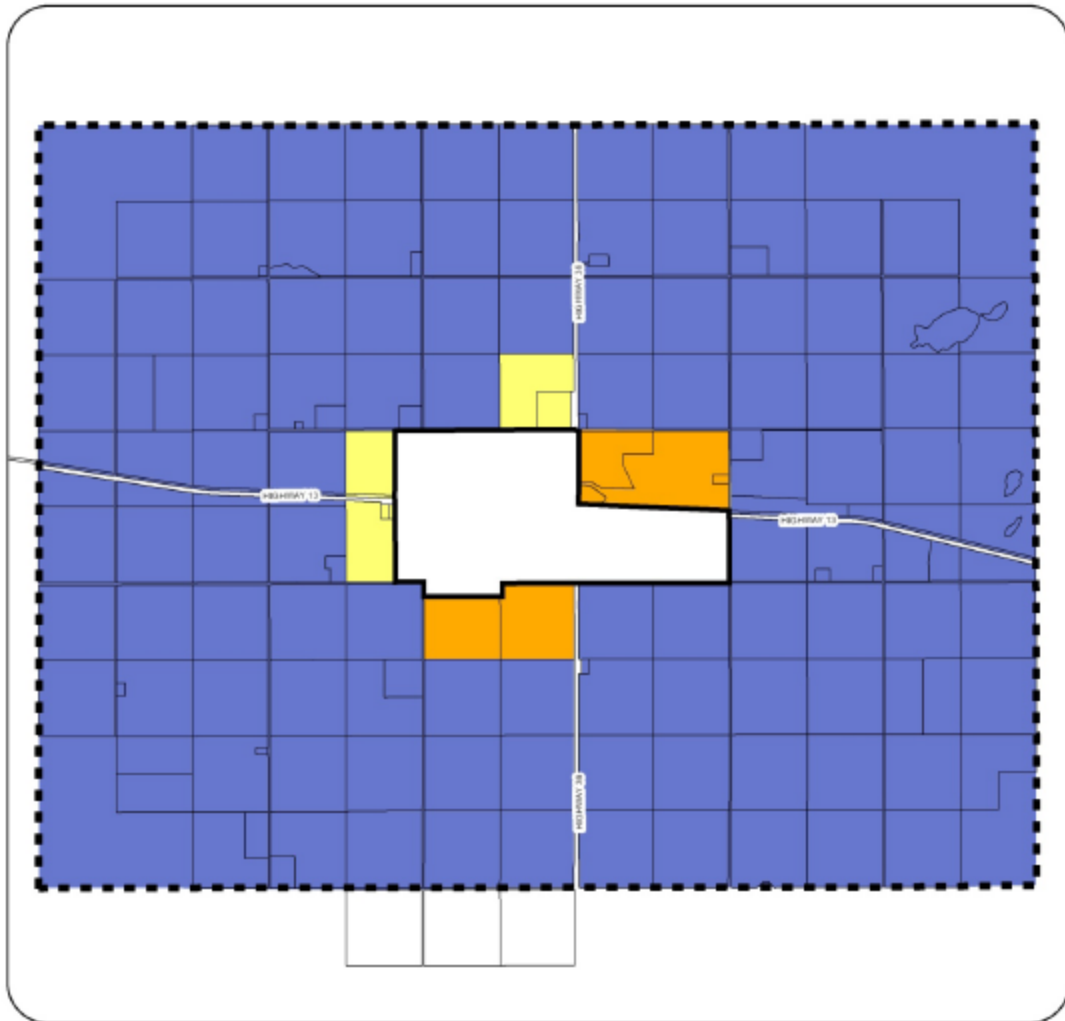
- a) The **Future** Annexation Area will consist of lands identified as the “annexation area identified on Map 1, Plan Area Boundaries.
- b) Area Structure Plans within the **Future** Annexation Area shall be required for all proposed new subdivisions, unless agreed to in writing by the Town.
- c) In addition to referrals cited in Section 2.1 1b, the County shall refer discretionary use development permit applications within the **Future** Annexation Area for comment until such time as the lands are annexed to the Town.
- d) The planning process in the **Future** Annexation 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.
- e) **The Town will, within one year of the adoption of the Intermunicipal Development Plan, proceed with the annexation of the land identified within the short term annexation. In the event the annexation is not completed within in one year, the short term annexation area will be included in the Urban Expansion Area. Remove clause**

3) Urban Expansion Area Policies:

- a) The Urban Expansion Area will consist of lands identified as the “urban expansion area” identified on Map 1, Plan Area Boundaries.
- b) Area Structure Plans within the Urban Expansion Area **may** be required where:

- i) The subject lands are within 0.8 kilometers of Highway 13 and Highway 36; or
 - ii) The subdivision of the subject lands will result in the creation of a parcel or parcels for residential purposes and, combined with previously subdivided parcels, total greater than 6.06 ha (15.0 acres); or
 - iii) The subdivision of the subject lands will result in the creation of a parcel or parcels for commercial and industrial purposes.
- c) Farmstead and fragmented parcel subdivisions shall be permitted within the Urban Expansion Area pursuant to the County's Municipal Development Plan.
 - d) Multi-lot country residential subdivisions may be permitted within the Urban Expansion Area subject to the provisions of the **Flagstaff County Municipal Development Plan** and Section 2 of this **Plan**.
 - e) In addition to referrals cited in Section 2.1 1b, the County shall refer discretionary use development permit applications within the Urban Expansion Area to the Town for comment.
 - f) The planning process in the Urban Expansion Area will be a cooperative effort between the Town and the County. Developers will be required to work with the Town and County planning departments to ensure that the development is compatible with the future growth patterns of the Town.
- 4) Referral Area Policies:
- a) In accordance with the County Municipal Development Plan all subdivision applications and discretionary development permits **within the plan area** will be forwarded to the Town for review and comment.
 - b) Within the **Plan** Area, the half mile, immediately adjacent to the Town boundaries will be considered as future long term growth areas for the eventual growth of the Town, while still allowing compatible development to occur.
 - c) Development standards will be applied by the County to this half mile zone to ensure that orderly redevelopment of the Referral Area can occur.

Map 1 - Plan Area Boundaries



FLAGSTAFF COUNTY AND TOWN OF KILLAM

INTERMUNICIPAL DEVELOPMENT PLAN

MAP 1 – PLAN AREA BOUNDARIES

Town Boundary

Future Annexation

Plan Area

Urban Annexation

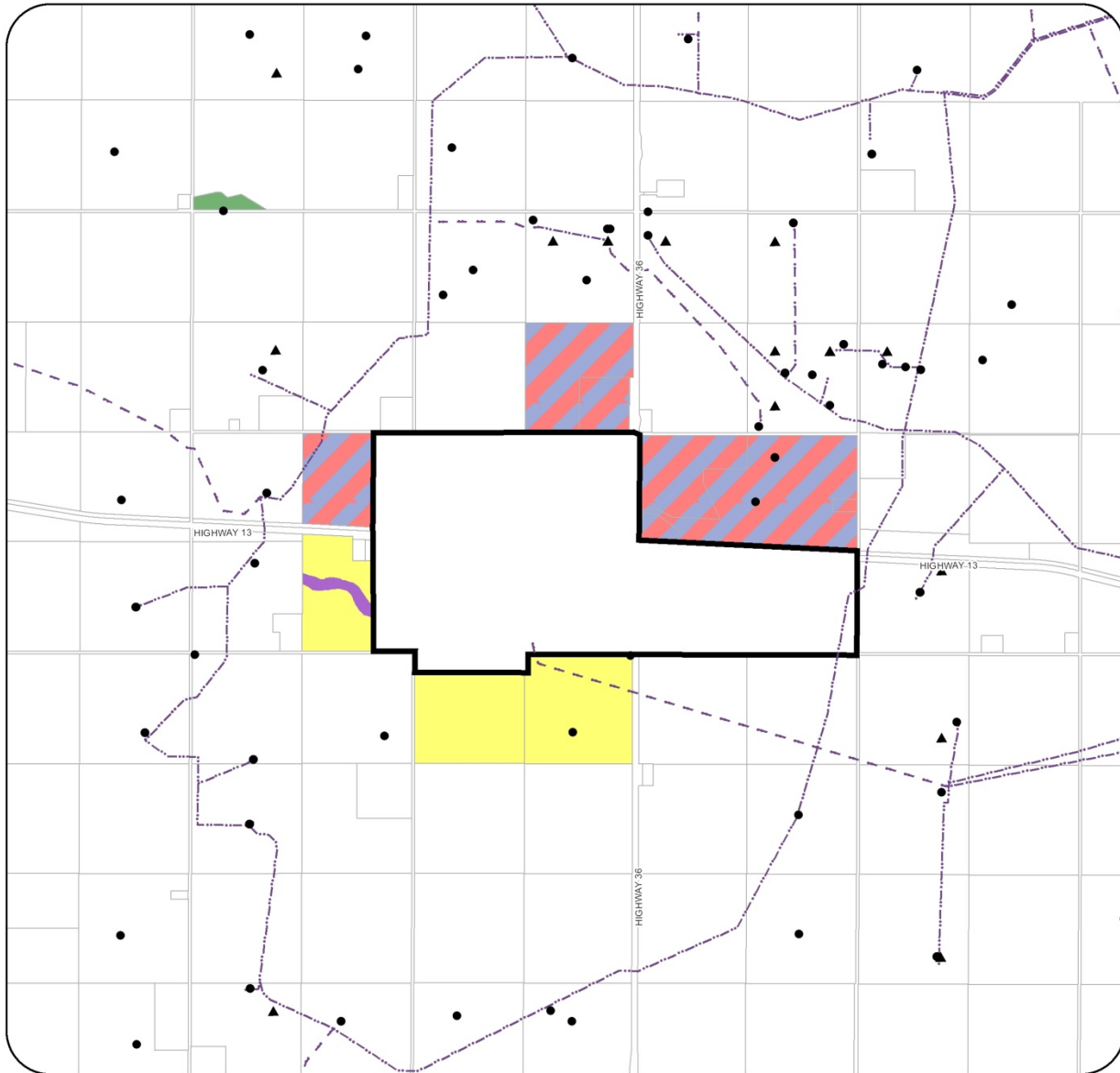
Referral Area

2.2 Land Use Concept

*Goal – To ensure that future land uses allowed within the **Future** Annexation Area, Urban Expansion Area and Referral Area are compatible with the future growth patterns of the Town.*

- 1) Flagstaff County agrees that all development within the **Future** Annexation Area, Urban Expansion Area and Referral Area will be planned to minimize the impact on the growth of the Town.
- 2) Future Annexation Area and Urban Expansion Area Land Use Policies:
 - a) In considering subdivision and development proposals in the **Future** Annexation Area and Urban Expansion Area, the County Subdivision and Development Authority will ensure the proposed subdivision and/or development conforms to the intent of the Map 2 Future Land Use Concept and the land use policies contained herein.
 - b) Residential, commercial and industrial areas identified in Map 2 shall be used predominantly for these purposes over the long term. Agricultural, local commercial (within residential areas), open space, recreational, institutional and resource extraction industrial uses may also be present based on the detailed land use concept of an approved area structure plan.
 - c) Un-serviced residential development shall be limited to 6.06 hectares (15.0 acres) per quarter section within the **Future** Annexation Area and Urban Expansion Area. Unless otherwise agreed to by the Town, the County shall apply a deferred services caveat to all newly created parcels in the **Future** Annexation Area and Urban Expansion Area to ensure the orderly future servicing of these lands.
 - d) If agreed to in writing by the Town, subdivision and development within the **Future** Annexation Area and Urban Expansion Area of an area exceeding 6.06 hectares (15.0 acres) per quarter section for multi-lot country residential subdivisions may be allowed where the lot density is at a minimum, equal to the R4 District within the Town of Killam Land Use Bylaw (0.5 acre to 1.0 acre in size).
 - e) Subdivision and development of commercial and industrial areas within the Urban Expansion Area shall include those uses identified within the Light Industrial Business District of the Town of Killam Land Use Bylaw. Refer to Schedule A
- 3) Referral Area Land Use Policies:
 - a) All land use matters within the Referral Area shall be dealt with in accordance with the **Flagstaff County Municipal Development Plan** and **Flagstaff County Land Use Bylaw**.

Map 2 – Future Land Use Concept



FLAGSTAFF COUNTY AND TOWN OF KILLAM
INTER-MUNICIPAL DEVELOPMENT PLAN
 MAP 2 - FUTURE LAND USE CONCEPT

<p>Legend</p> <p>□ TITLED LANDS</p> <p>▭ TOWN BOUNDARY</p> <p>■ ENVIRONMENTALLY SENSITIVE AREAS</p>		<p>▲ OIL AND GAS FACILITIES</p> <p>● OIL AND GAS WELLS</p> <p>--- HIGH PRESSURE PIPELINES</p>	<p>FUTURE LAND USE</p> <p>■ RESIDENTIAL</p> <p>■ INDUSTRIAL/COMMERCIAL</p> <p>■ PUBLIC</p>	<p align="center">N W —+— E S</p> <p>Scale 1:40,000</p> <p align="right">September, 2009 Prepared By: AUSTON CONSULTING ZAP MUNICIPAL CONSULTING</p>
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2.3 Utility and Stormwater Management Policies

Goal – The lands within the Future Annexation Area and Urban Expansion Area will be serviced and include suitable stormwater management systems.

1) Plans Required:

- a) Within the Future Annexation Area and Urban Expansion Area, Area Structure Plans shall be accompanied by the preparation of the following:
 - i) Water and Wastewater Servicing Plans; and a
 - ii) Stormwater Management Plan.

2) Utility Services:

- a) Services for all developments outside of the Town boundaries shall not connect to the Town's infrastructure system until such time that the land is annexed, unless otherwise agreed to by the Town and County.
- b) The County agrees to require all new parcels created in the Future Annexation Area and Urban Expansion Area (with the exception of unserviced parcels created as per Section 2.2.2c) to be developed with internal water and wastewater servicing to the same standards as the Town. Notwithstanding, staged servicing solutions for water and sanitary services may be permitted at the County's discretion, provided that it meets Provincial regulations. On an interim basis, developments may also be served via cistern and hauling (for water) and pump-out tanks (for wastewater), hauling to the Killam Wastewater Lagoon, until such time as the lands are annexed and water and wastewater transmission lines are extended to the area, and subject to the developer entering into a deferred servicing agreement with the County.
- c) For developments requiring or proposing to require water and wastewater services in the Future Annexation Area and Urban Expansion Area, the Town and County agree to enter into a joint servicing agreement for said services.
- d) For developments located within the Urban Expansion Area requiring or proposed to require water and wastewater services from the Town, the County will submit the relevant portions of the development agreement, including full details on the water and wastewater servicing standards and anticipated volumes, for the Town's approval.
- e) The Town, subject to available capacity, payment of the user fees and Alberta Environment approval, agrees to accept, from County residents and developments in the Urban Expansion Area, wastewater from holding tanks that complies with the standards set by the Town.

3) Stormwater Management:

- a) Provisions should be made to control stormwater runoff to predevelopment rates. The number of stormwater management facilities in the Urban Expansion Area should be minimized in order to control ongoing operational and maintenance costs and consumption of developable lands.

- b) Best management practices should be utilized as measures to control stormwater quality. Incorporation of stormwater management facilities with natural areas may benefit the area as a whole. Existing water bodies could be utilized or integrated into stormwater management plans.

4) Intermunicipal Off- Site Levy

- a) As per Section 648.01 (1) of the MGA “For the purpose of section 648(1) and subject to the requirements of section 12, 2 or more municipalities may provide for an off-site levy to be imposed on an intermunicipal basis.
- b) (2) “Where 2 or more municipalities provide for an off-site levy to be imposed on an intermunicipal basis, the municipalities shall enter into such agreements as are necessary to attain the purposes described in section 648(2) or (2.1), that are to be funded by an off-site levy under section 648.1 by a framework made under Part 17.2 or any other agreement.

2.4 Transportation Policies

Goal – The Town and County will work together and in partnership with the Province in the continual development and maintenance of a safe and efficient transportation network within the IDP area.

- 1) The Town and County will work together and with Alberta Transportation to ensure a safe and efficient transportation network is developed and maintained to service the residents and businesses within the IDP Area.
- 2) When subdivisions are approved in the IDP area, all right-of-way requirements will be secured to ensure that long-term transportation and road plans can be implemented when warranted.
- 3) Developers will be required to construct all roads to County standards.
- 4) As a part of the Area Structure Plan process, Alberta Transportation may require the completion of a Traffic Impact Assessment for any subdivision within 0.8 kilometres of Highway 13 and Highway 36.

2.5 Environmental Protection and Open Space

Goal – The municipalities will continue to protect and enhance the existing open space corridor that delineates the Town.

- 1) Environmentally sensitive lands have been identified within Map 2 Future Land Use Concept.
- 2) Land suitable for Environmental Reserve (ER), in accordance with the provisions of the **Municipal Government Act** may be identified at the subdivision application stage and be dedicated as an Environmental Reserve parcel, and Environmental Reserve Easement or a Conservation Easement.
- 3) The County, when approving subdivisions within the **Future** Annexation Area and Urban Expansion Area, shall take Municipal Reserves in accordance with the Municipal Government Act. Such reserves shall be deferred to the balance of the parcel unless otherwise agreed to by the Town.

- 4) Through the **Flagstaff County Land Use Bylaw**, appropriate development setbacks from water bodies and watercourses shall be enforced.
- 5) Both municipalities shall recognize and enhance the wide diversity of open space opportunities and seek to identify future opportunities.

2.6 Infrastructure Corridors

Goal – The municipalities will work together to ensure that utility corridors are planned, constructed, and maintained.

- 1) The Town and County acknowledge that the future development within the IDP area is dependent on access to water and wastewater services, and the Town and County agree to work together to ensure the corridors for these services are protected.

2.7 Oil and Gas Infrastructure

Goal – The municipalities will work with the oil and gas industry to ensure that resource infrastructure does not negatively impact future development within the IDP area.

- 1) Oil and gas infrastructure have been identified within Map 2 Future Land Use Concept.
- 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 will work with the oil and gas industry to ensure that the orderly development of the Plan area is not unduly restricted by the development of oil and gas infrastructure, including pipelines.
- 3) The County will refer all resource related referrals to the Town on lands identified within the Future Annexation Area and Urban Expansion Area.

2.8 Economic Development

Goal – To promote, develop and enhance infrastructure in order to increase business activity in the region.

- 1) The municipalities have agreed to work together to promote and support economic development that is good for both municipalities. Land use policies will be developed that will support and encourage a cooperative effort in support of economic development.

3. PLAN ADMINISTRATION AND IMPLEMENTATION

3.1 Adoption Process

- 1) The IDP shall be adopted by bylaw by the Town and the County in accordance with the Municipal Government Act.
- 2) The Town's adopting bylaw will specify that although the Town adopts the policies and objectives of the plan, the Town has no legal jurisdiction for lands in the Plan area which are outside of the boundaries of the Town.
- 3) Any amendments to the Municipal Development Plans and Land Use Bylaws of the Town and County required to implement the policies of the IDP should occur simultaneously with the adoption of the plan.

3.2 Approving Authorities

- 1) All the statutory plans impacting the Plan area shall be made consistent with this Plan.
- 2) The County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto within the Plan area (Map 1).

3.3 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.

3.4 Establishment of the Inter-municipal Committee

- 1) An Inter-municipal Committee consisting of two (2) Councilors and one (1) Staff member from each municipality will be established to provide the following duties:
 - a) Plan Review;
 - b) Plan Termination/Repeal; and
 - c) Dispute Resolution.

3.5 Plan Review

- 1) The Plan will be formally reviewed by an Intermunicipal Committee once every five years, beginning in 2023 to confirm or recommend amendment of any particular policy contained herein. The Committee will prepare recommendations for consideration by the municipal councils.

3.6 Plan Termination/Repeal

- 1) After ten years from the date of the final approval of the Inter-municipal Development Plan, either municipality may initiate the process to terminate/repeal the plan.
- 2) The following procedure to repeal the Plan shall be followed:
 - a) The Town or County may give the other municipality written notice of its intention to repeal the plan.
 - b) Within thirty days of the written notice, an Inter-municipal Committee meeting shall be convened.
 - c) Following the Intermunicipal Committee meeting, 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 in accordance with the Municipal Government Act to repeal the plan.
 - d) Once one municipality has passed a bylaw to repeal the Plan the other municipality shall also proceed to pass a bylaw repealing the plan.
 - e) In the event the Plan is repealed, the Town and County shall amend their Municipal Development Plans respectively to address the inter-municipal issues in accordance with the Municipal Government Act. Should these required amendments not satisfy the neighboring municipality the matter may be appealed to the Municipal Government Board.
 - f) Should the Plan be repealed all other agreements relating to developments in the Plan Area will continue to be in force, unless otherwise stipulated in the agreements.

3.7 Annexation

- 1) The County recognizes and agrees that the Town will need additional land to grow and will support annexations that will provide for 20 years of projected growth within the boundaries of the Town and which require municipal utility services from the Town.
- 2) The annexation process may be initiated by the Town through the preparation of a Growth Study and in accordance with the Municipal Government Act.

- 3) The Town and County will endeavor to reach an inter-municipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.

3.8 Dispute Resolution

- 1) The Town and County agree that disputes relating to the Inter-municipal Development Plan shall be restricted to the following:
 - a) Lack of agreement on proposed amendments to the plan;
 - b) Lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the Plan area; or
 - c) Lack of agreement on an interpretation of this plan.
- 2) Lack of agreement pursuant to Section 3.8(1)(a) or (b) is defined as a statutory plan, land use bylaw or amendment to either which is given first reading by a Council which the other Council deems to be inconsistent with the policies of this Plan or detrimental to their planning interests as a municipality.
- 3) A dispute shall be limited to the decisions on the matters listed in 3.8(1). Any other appeal shall be made to the appropriate approving authority or appeal board that deals with that issue.
- 4) The dispute resolution process may only be initiated by Town or County Councils.
- 5) Identification of a dispute and the desire to go through the dispute resolution process may occur at any time regarding a Section 3.8(1)(c) dispute matter and may only occur within 30 calendar days of a decision made pursuant to Section 3.8(2). Once either municipality has received written notice of a dispute, the dispute resolution process must be started within 15 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
- 6) In the event the dispute resolution process is initiated the municipality having authority over the matter shall not give any further approval in any way until the dispute has been resolved or the mediation process has been concluded.
- 7) In the event mediation does not resolve the dispute, the Municipality may proceed to adopt the bylaw and in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.

3.9 Dispute Resolution Process

- 1) Stage 1 Administrative Review - The Chief Administrative Officers of both municipalities will meet in an attempt to resolve the issue first. Failing resolution, the dispute will then be referred to the Inter-municipal Committee. In the event a resolution is not achieved by the 30th day following the first meeting of the Chief Administrative Officer of both Municipalities, either municipality may refer the dispute to the Inter-municipal Committee.

- 2) Stage 2 Inter-municipal Committee Review – The Committee will convene to consider and attempt to resolve the dispute. Failing resolution, the dispute will then be referred to mediation. In the event a resolution is not achieved by the 30th day following the first meeting of the Inter-municipal Committee, either municipality may refer the dispute to Mediation.
- 3) Stage 3 Mediation – The services of an independent mediator will be retained, with the mediator to present a written recommendation to both Councils. The costs of mediation shall be shared equally between the Town and County.
- 4) Stage 4 Municipal Government Board – In the event the mediation process does not resolve the dispute, the Municipality may proceed to adopt the bylaw and in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.

3.10 Correspondence

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

- a) In the case of Flagstaff County to:

Flagstaff County
c/o Chief Administrative Officer
P.O. Box 358, Sedgewick, AB T0B 4C0

- b) In the case of the Town of Killam to:

Town of Killam
c/o Chief Administrative Officer
P.O. Box 189, Killam, AB T0B 2L0

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.

FLAGSTAFF COUNTY

TOWN OF KILLAM

Reeve

Mayor

Chief Administrative Officer

Chief Administrative Officer

“Schedule A” – Town of Killam Land Use Bylaw Light Industrial Business District insert new

Section 71: LIB Light Industrial Business District

71.1 Purpose:

To provide an area for planned light industrial business parks containing clean industrial uses with compatible commercial uses.

71.2 Uses:

Permitted Uses	Discretionary Uses
Automobile and RV Sales and Rental	Abattoir
Automobile Service Station	Accessory Use
Automobile Supply Store	Auction Mart
Bank / Financial Institution	Autobody and Repair Shop
Caterer	Automobile Repair Garage
Clinic	Bottled Gas Sales and Storage
Convenience Food Store	Caretaker's Residence
Contracting Services – Minor	Communication Tower
Farm Supply Store	Concrete Manufacturing/Plant
Florist Shop	Contracting Services - Major
Food and/or Beverage Service Facility	Dry Cleaning and Laundry Plant / Depot
Gas Bar	Dwelling Units Above Ground Floor Business
Handicraft Business	Feed Mills and Grain Elevators
Hotel	Gaming or Gambling Establishment
Laundromat	Industry/Manufacturing – Small Scale
Light Equipment Repair / Rental	Laboratory
Motel	Livestock Auction Mart
Office Building	Oilfield Support Services
Personal Service Shop	Parking Facility
Pharmacy	Propane Transfer Facility
Public Use	Recreational Amusement Park
Restaurant – All Types	Recreation Facility
Retail Store	Recycling Depot
Shopping Centre	Research Facility
Sign	Seed Cleaning Plant
Supermarket	Tanker Truck Washing Facility
Theatre – Movie	Taxi / Bus Depot
Truck and Mobile Home Sales and Rental	Temporary Mobile Commercial Sales
Truck Stop	Transport/Truck Operation
Veterinary Clinic	Truck and Mobile Home Sales and Rental
Warehouse Store	Truck Stop
	Utility Building

	Vehicle Wash Similar Use
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71.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Minimum Parcel Area	0.4 hectares (1.0 acres).
Minimum Parcel Frontage	30 metres (98.4 feet).
Maximum Building Height	10.0 metres (32.8 feet) without approval of the Development Authority.
Front Yard Setback	9.0 metres (29.5 feet).
Side Yard Setback	3.0 metres (9.8 feet).
Rear Yard Setback	3.0 metres, except where abutting a residential district 7.5 metres (24.6 feet).
Landscaping	When a development is proposed adjacent to a residential land use district, a public park, or a recreational uses, a buffer shall be provided and maintained to the satisfaction of the Development Authority. The buffer may be comprised of any or all of the following: landscaped greenspace; closed or open fencing; trees; and earth berming.
Parking and Loading	Part 8 of this Bylaw.
Outdoor Storage	All outdoor storage shall be screened. All outdoor display shall be screened from residential districts. Storage is not allowed in front yard. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels.