

Village of Cremona

By-law No. 495-19

Cremona & Mountain View County Intermunicipal Development Plan

BEING a Bylaw of the Village of Cremona in the Province of Alberta for the purpose of adopting the Intermunicipal Development Plan with Mountain View County

WHEREAS Section 631 (1) of the *Municipal Government Act*, R.S.A. 2000, as amended, provides that two or more Councils of municipalities that have common boundaries must, by each passing a Bylaw, adopt an Intermunicipal Development Plan;

NOW THEREFORE the Council of the Village of Cremona duly assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as the "Cremona & Mountain View County Intermunicipal Development Plan".

2. Definitions

- a) "Act" means the Municipal Government Act, RSA 2000, c. M-26, and amendments thereto.
- b) "Agreement" means the Intermunicipal Development Plan as attached as Schedule A to this bylaw.
- c) "Council" means Village of Cremona Council;

3. General

- a) Notice of the proposed Bylaw and Public Hearing was given pursuant to Section 606(2) of the Act.
- b) A Public Hearing was scheduled and held on October 8, 2019 pursuant to Section 692 of the Act.

5. Enactment

- a) Schedule A which forms part of this bylaw shall constitute the provisions of the Intermunicipal Development Plan between Mountain View County and the Village of Cremona as may be amended from time to time.

This Bylaw shall come into force and effect on the date of the final passing thereof.

READ A FIRST TIME THIS 16th DAY OF JULY A.D., 2019.

READ A SECOND TIME THIS 8th DAY of OCTOBER A.D., 2019.

READ A THIRD AND FINAL TIME THIS 8th DAY of OCTOBER A.D., 2019.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

INTERMUNICIPAL DEVELOPMENT PLAN

BETWEEN:

MOUNTAIN VIEW COUNTY,
a municipality incorporated under the laws of Alberta
(Hereinafter referred to as "County")

And

VILLAGE OF CREMONA,
a municipality incorporated under the laws of Alberta
(Hereinafter referred to as "Village")

A. INTRODUCTION

- 1) The Village and the County have agreed to undertake the process of reviewing the Intermunicipal Development Plan (IDP) to meet the requirements of the *Municipal Government Act* (MGA) and form part of the Intermunicipal Collaboration Framework (ICF).
- 2) The Village and the County recognize that all municipalities are equals and have the right to growth and development.
- 3) The purpose of the IDP is to:
 - a) Ensure orderly development, while protecting the area surrounding the Village for future expansion;
 - b) Establish a policy framework to guide future land use planning;
 - c) Improve opportunities to attract an enhanced economic base for the region; and
 - d) Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of the municipalities.
- 4) The IDP and the ICF together form the basis of cooperative effort between the Village and the County to work together to serve the needs of the community.
- 5) Nothing contained within this IDP is intended to nor shall be interpreted as fettering either Council's discretion.

B. PRINCIPLES

- 1) No current justified need for annexation to enable a minimum of 20 years of growth as the growth rate of development and population indicates there is sufficient land supply within the Village boundaries.
- 2) Identification of an IDP Area within the County to be protected for the long-term growth of the Village, while ensuring new development is compatible with the long-term growth.
- 3) Development of land use policies for the IDP Area to guide development that will economically and socially benefit the region.
- 4) Require that appropriate services and utilities are provided for development within the IDP Area, and to ensure oil and gas development/pipelines do not restrict the future development.
- 5) Effective coordination of transportation systems and protection of required land for future road network developments.
- 6) Identification and protection of physical features and environmentally significant areas.
- 7) Effective referral mechanisms, dispute resolution mechanisms and administration of the IDP.

C. IDP STUDY AREA

A review of the existing land use, developments, natural and man-made features were identified on the Constraint Map, Map 1. The Land Use Maps of the County and the Village are included in Map 2. The IDP Study Area ensures all relevant features are taken into account before defining the IDP Area.

Soils

The Canada Land Inventory (CLI) identifies Class 3 soils within the IDP Area north and east of the Village; while to the south and west is a combination of Class 4, 5 and 6 soils and influenced by topography along an unclassified creek that runs along the south side of Hwy 580.

Environmentally Significant Areas

There are no Environmentally Significant Areas (ESAs) within the IDP Area as defined by the County's Environmental Significant Areas: Mountain View County, 2008 Report by Summit Environmental Consultants. The Province's Environmental Significant Areas in Alberta: 2014 Update, by Fiera Biological Consulting identifies NW 2-30-4-W5 and SE 3-30-4-W5 as environmentally significant.

Rivers, Streams, Creeks and Wetlands

A few unnamed seasonal creeks are identified within the IDP Area. The Alberta Merged Wetland Inventory indicates the potential of two or more marshes per quarter section in the IDP Area on lands to the east of the Village's eastern boundary.

Historical Resources

The Provincial Listing of Historic Resources identifies a Historical Resource Value (HRV) 5 within NE 4-30-4-W5 on the western side of the Village. At the subdivision and Development Permit stage circulation and clearance shall be required.

Roads

Highway 22 and Highway 580 are both under the jurisdiction of Alberta Transportation and all subdivisions within the IDP Area are subject to Alberta Transportation circulation and approval as it falls within 1.6 km of the centre line of a highway right-of-way. Development within 300 m from the highway right-of-way or within 800 m of the centre point of an intersection of the Provincial highway with another public road requires a roadside development approval from Alberta Transportation.

County roads within the IDP Area includes: Township Road 301A, a chip sealed road running west from Highway 22 along the northwest boundary of the IDP Area; Township Road 300, a gravel road running east from Highway 22 along the southern boundary of the IDP Area. To the east of the Village boundary is an undeveloped portion of Range Road 42.

Existing Land Uses

Predominantly agricultural uses with a few country residential parcels to the south of the Village and one Direct Control District east of the Village within the IDP Area. The land uses within the Village include residential, commercial, public facility and recreational, urban reserve, and agricultural.

Oil and Gas

Oil wells connected with well effluent pipelines are located on lands to the west of the Village within the IDP Area. A natural gas pipeline runs from the Village south through the IDP Area.

Sewage Lagoon

The wastewater treatment plant for the Village is located on the northwest corner of the IDP Area where a 300 metre setback applies to subdivision or development for a school, hospital, food establishment or residential use unless a lesser distance is agreed to by the Province. The Village identified expansion options to the north and south of the largest existing lagoon within the existing parcel; or a new storage cell on a proposed parcel within SW 9-30-4-W5 or a new storage cell on a proposed parcel within NW 9-30-4-W5. Both the SW 9-30-4-W5 and NW 9-30-4-W5 are not identified within of the IDP Area.

Development and Population growth within the Town

Since the approval of the IDP in 2008, NE-3-30-4-5 and a portion of SE-3-30-4-5 were annexed into the Village of Cremona. Population within the Village has decreased since then, with one new dwelling built during this time. Overall, significant population growth is not expected in the Village in the near future.

D. IDP AREA

The IDP Area includes lands within the County identified on Map 3. These lands are intended to identify potential future long-term growth areas for the eventual growth of the Village, while policies support compatible planning and development to occur in the interim.

E. LAND USE POLICIES

- 1) New development within the IDP Area as identified on Map 3 shall be planned to minimize the impact on the future long-term growth of the Village and the following policies shall apply.

Agricultural and Residential

- a) A first parcel out of a previously unsubdivided quarter section that shall not exceed a maximum of two titles per quarter section may be considered in the IDP Area for agricultural or residential use but is not permitted by right. A redesignation and subdivision application for a first parcel out shall be required and may be generally supported by the County subject to other IDP policies and the provisions of the Land Use Bylaw.
 - i. Farmstead separation, a non-agricultural use may be considered if it is an established residential site that previously contained or currently contains a dwelling and other improvements used in connection with the raising or production of crops, livestock or poultry, situated on the same land used in connection with the farming operations and not exceeding 10 acres unless when required to include shelter belts, ancillary buildings, physical characteristics and land required to provide physical access; or
 - ii. A Country Residential parcel between 2 - 3 acres in size except if a larger parcel to a maximum of 5 acres may be considered where setbacks, topography and easements prevent the creation of a reasonable building envelope.

- iii. An agricultural parcel with a minimum size of 40 acres. The parcel configuration should reflect the existing conditions and use of the land and shall demonstrate that the land being subdivided is being used for agricultural purposes to avoid future fragmentation of agricultural land.

Commercial and Industrial

- b) A parcel to be redesignated and subdivided from a quarter section may be considered in the IDP Area identified for future commercial or industrial use. A redesignation and subdivision application for a parcel out of a quarter section shall not require a Concept Plan if the proposed parcel is a minimum of 20 acres and the only parcel from the quarter section that is for commercial or industrial use. Supporting Technical Studies may be required to support transportation (access and road requirements), stormwater management and servicing requirements.
- c) The redesignation and subdivision of commercial and industrial land beyond one (1) parcel from the quarter section with commercial and industrial use shall require a Concept Plan to be developed for the quarter section.
- d) A Concept Plan shall include supporting studies to address at a minimum transportation impact and access in consultation with Alberta Transportation, roads (internal and external), stormwater management, servicing for water and wastewater and reserve allocation. Lot configuration, parcel sizes, transition areas between adjacent uses, Municipal Reserve (MR) dedication of a minimum of ten (10) percent as land; cash in lieu or a combination of land and cash in lieu as well as phasing and public consultation. On a site-specific basis additional studies may be required to address site specific circumstances.
- e) The visual appearance of new commercial and industrial development on the east and west side of Highway 22 within the IDP Area shall be considered when Development Permits are considered.
 - i. Building design and orientation, landscaping and signs should follow the Site-specific Design Guidelines for Highways and Collector Road Entranceways.

SW 10-30-4-W5

- f) The IDP Area on Map 3 conceptually identifies SW 10-30-4-W5 with future commercial and industrial land use on the western half and future agricultural and residential land on the eastern half. The quarter section can therefore accommodate a parcel on the eastern half for agriculture or residential use as well as a parcel for commercial and industrial use on the western half of the quarter section. The redesignation and subdivision of commercial and industrial land beyond one (1) parcel from the quarter section with commercial and industrial use shall require a Concept Plan to be developed for the quarter section.

Direct Control Districts

- g) Unique proposals may be considered for redesignation to a Direct Control District that does not fall within the policies for agricultural and residential; or commercial and industrial. A proposal is not considered unique when the proposal is for lot densities higher than the IDP policies or residential subdivision at densities higher than the IDP policies. County Administration shall arrange a pre-application meeting with the applicant and Village Administration to obtain initial feedback

from the Village prior to accepting a Direct Control District redesignation application.

2) Environmental considerations

- a) The impact of a proposal on an Environmentally Significant Area shall be considered with redesignation, subdivision and Development Permit applications. Depending on the scope and intensity of the proposal, Administration may require additional information to evaluate the environmental impacts.
- b) The impact of a proposal on wetlands shall be considered with redesignation, subdivision and Development Permit applications. Depending on the scope and intensity of the proposal, Administration may require additional information to evaluate the impact on the wetlands and Provincial approval shall be required.

3) Transportation

- a) Alberta Transportation shall be engaged by the applicant with any proposal that is to gain access from or impact intersections with Highway 22 or Highway 580.
- b) When a subdivision is proposed in the IDP Area, all road right-of-way and road widening requirements will be secured as a condition of subdivision.
- c) All proposals shall be required to provide legal and physical access to a developed road. Legal access via an access easement may only be considered with a development permit for a quarter section that has no access to an undeveloped road allowance. Development of an undeveloped road allowance to provide legal and physical access shall be to County standards and shall be paid for by the developer.

4) Utilities

- a) When a subdivision is proposed in the IDP Area, all right-of-way requirements for utilities shall be secured as a condition of subdivision.
- b) The Wastewater Treatment Plant of the Village may be expanded in the future to accommodate growth. Future expansion of the facility may include expansion of the existing lagoon to the north and south or new subdivision and development for an addition within the SW 9-30-4-W5 or NW 9-30-4-W5. The inclusion of the SW 9-30-4-W5 or the NW 9-30-4-W5 within the IDP Area may be considered at the time of expansion.

5) Confined Feedlot Operations

- a) No new Confined Feedlot Operations (CFOs) shall be supported within the IDP Area as it may negatively impact the future growth of the Village.

6) Oil and Gas

- a) The County will work with the oil and gas industry to ensure that the IDP Area is not unduly restricted by the development of oil and gas infrastructure, including pipelines.

7) Infrastructure required to support new development in the IDP Area

- a) New municipal infrastructure required to support new development shall be developed and paid for by the developer.

- b) Onsite servicing for water and wastewater shall be required for agricultural, residential, commercial and industrial development and Direct Control Districts unless both municipalities agree that municipal water and wastewater connections are feasible when proposed by a developer.
- c) Both Councils may support a funding model that financially contributes to municipal infrastructure for water and wastewater connections of a proposal.
 - i) The Intermunicipal Collaboration Committee (ICC) on recommendation by both Chief Administrative Officers (CAOs) shall first consider a proposal when municipal infrastructure for water and wastewater connections is proposed by a Developer prior to making a recommendation to both Councils for consideration.
 - ii) A funding and revenue sharing model approved by both Councils shall be subject to a separate agreement.

8) Development Phasing

- a) There is no phasing priority within the IDP Area.

9) Economic Development

- a) Non-residential development within the IDP area shall address regional market needs and not negatively impact the future economic viability of the County or Village.
- b) The County and Village, in collaboration with Alberta Transportation, may explore opportunities for future intensification of the Highway 22 and 580 intersection as a business node.
- c) Economic development opportunities that are desirous of utilizing available lands within the IDP area and accessing municipal servicing from the Village may be supported and reviewed on an individual basis.

F. CIRCULATION PROCESS

- 1) All redesignation, subdivision and discretionary use Development Permit applications and Concept Plans within the IDP Area as well as Land Use Bylaw amendments that may affect the IDP Area shall be referred to the Village for comment.
- 2) The County's Administration shall provide the Village Administration with the same timeline to respond as what is provided to circulated landowners and guided by the Land Use Bylaw and redesignation and subdivision process.
- 3) The circulation response from the Village Administration shall focus on the impact to the municipality's infrastructure including roads, utilities and drainage as well as offsite impacts on land uses within the Village.

G. PLAN ADMINISTRATION AND IMPLEMENTATION

Adoption Process

- 1) The IDP shall be adopted by Bylaw by the Village and the County in accordance with the MGA.

Approving Authorities

- 2) In accordance with the MGA, the IDP is the highest statutory plan and shall take precedence over the other municipal statutory plans and shall prevail if any inconsistency exists between the IDP and any other statutory plan.
- 3) The County shall be responsible for the administration and decisions on all applications within the IDP Area.

Amendments and Replacement

- 4) An amendment to the IDP may be proposed by either municipality. An amendment to the IDP proposed by a landowner shall be made to the County.
- 5) An amendment to the IDP or replacement of the IDP has no effect unless adopted by both municipalities by Bylaw in accordance with the MGA.

Plan Review

- 6) The IDP shall be jointly reviewed by the County and the Village ten (10) years from the date of adoption in order to confirm or recommend amendments.

H. ANNEXATION

Current growth projections for development and population within the Village does not support annexation within the next 20 years. However, if growth occurs and the land supply decreases below the 15-year supply prior to the IDP review 10 (ten) years from the date of adoption; an IDP Review may be initiated earlier to accommodate and identify annexation needs concurrent with the review of the IDP.

- 1) The County and the Village recognize that commercial and industrial development as a result of a Concept Plan may influence the future annexation of the lands.

I. DISPUTE RESOLUTION

Redesignation; subdivision; new Concept Plans; amendments to existing Concept Plans within the IDP Area; or Land Use Bylaw amendments that may affect lands within the IDP Area are all subject to the dispute resolution outlined in this section.

Step 1

- 1) If the Village Administration identifies concerns that may result in an objection to a redesignation; subdivision; new Concept Plans; amendments to existing Concept Plans within the IDP Area; or Land Use Bylaw amendments that may affect lands within the IDP Area, the Village shall within the circulation time line, request in writing, an Administrative meeting with the County to discuss the objection.
- 2) No decision shall be made by the County until the dispute resolution step 2 and step 3 conclude in an attempt to resolve the concerns.

Step 2

- 3) If the Administrative meeting cannot resolve the concerns, the Village must provide an objection in writing within fourteen (14) days after the conclusion of the Administrative

meeting to the County and may notify the County within the same timeframe, that mandatory Mediation start. Mandatory Mediation shall not apply to subdivision applications. A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter into a Mediation process. The two (2) municipalities shall share equally in the cost of Mediation, including any remuneration, travel and lodging expenses associated with the Mediation.

Step 3

- 4) If the Mediation does not resolve the objection; or if a Mediation request was not made in writing within fourteen (14) days after the conclusion of the Administrative meeting, the County may proceed with a decision and the Village shall have the opportunity to appeal the decision to the Municipal Government Board in accordance with the MGA.

Discretionary use Development Permits

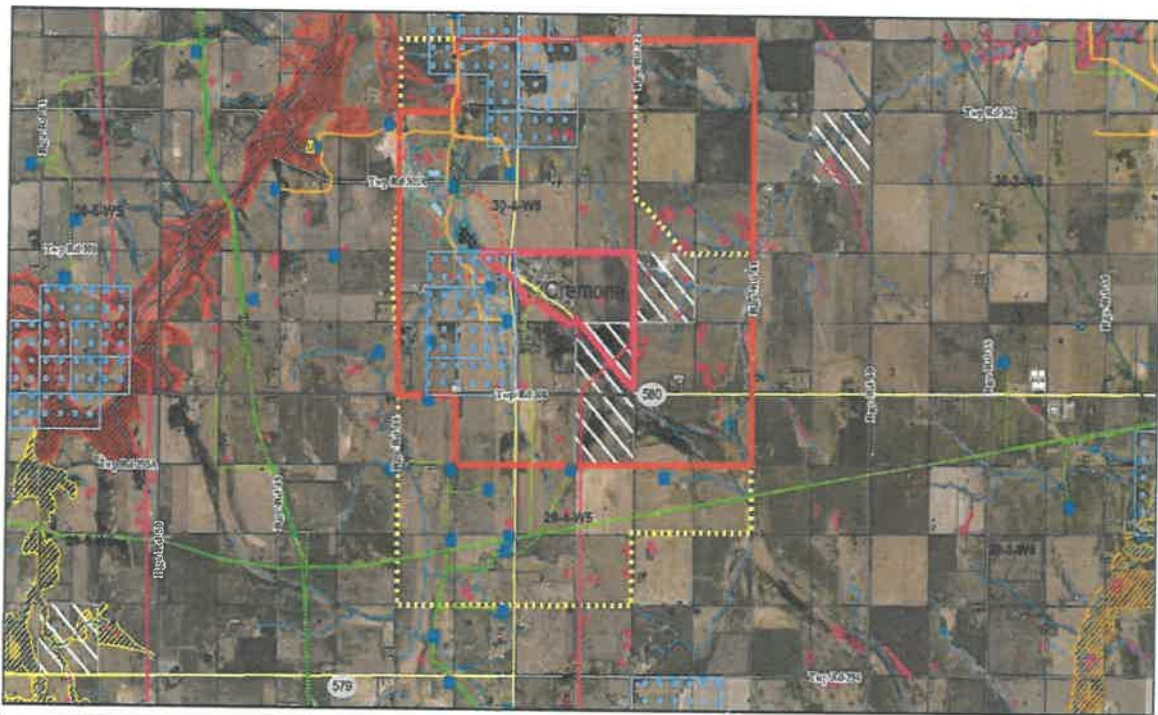
Step 1

- 1) If the Village Administration identifies concerns that may result in an objection to a discretionary use Development Permit circulation within the IDP Area, the Village shall within the circulation timeline, request in writing, an Administrative meeting with the County to discuss the concerns.
- 2) No decision shall be made by the County until the Administrative meeting considered the concerns in an attempt to resolve the concerns.

Step 2

- 3) If the Administrative meeting cannot resolve the concerns, the Village's Administration must provide the objection in writing to the County within seven (7) days. The County may proceed with a decision and the Village may appeal the decision to the Subdivision and Development Appeal Board in accordance with the MGA.

Map 1 Constraints Map

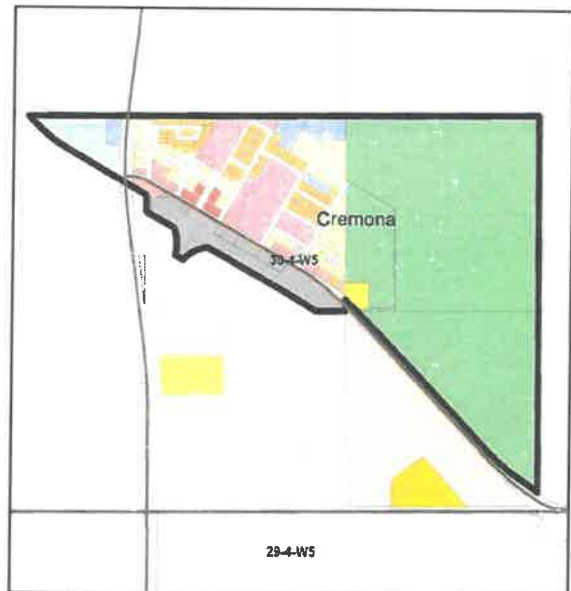
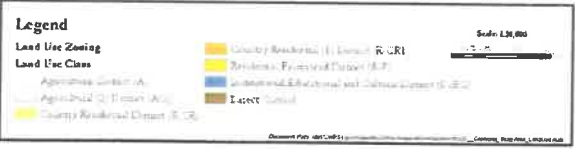
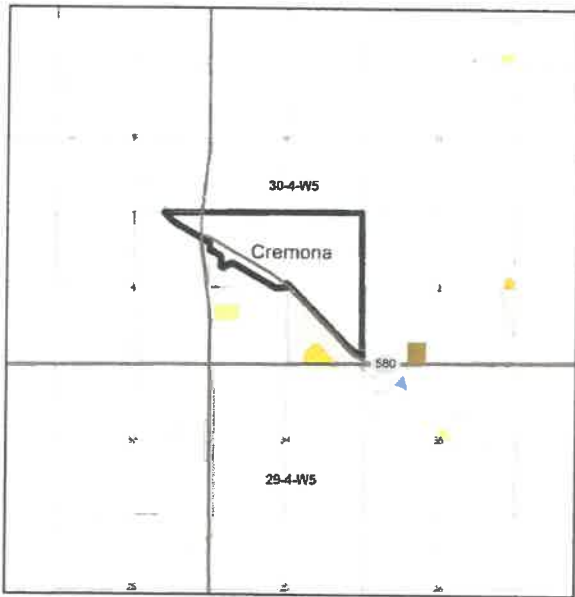


Constraints Map for Cremona Area

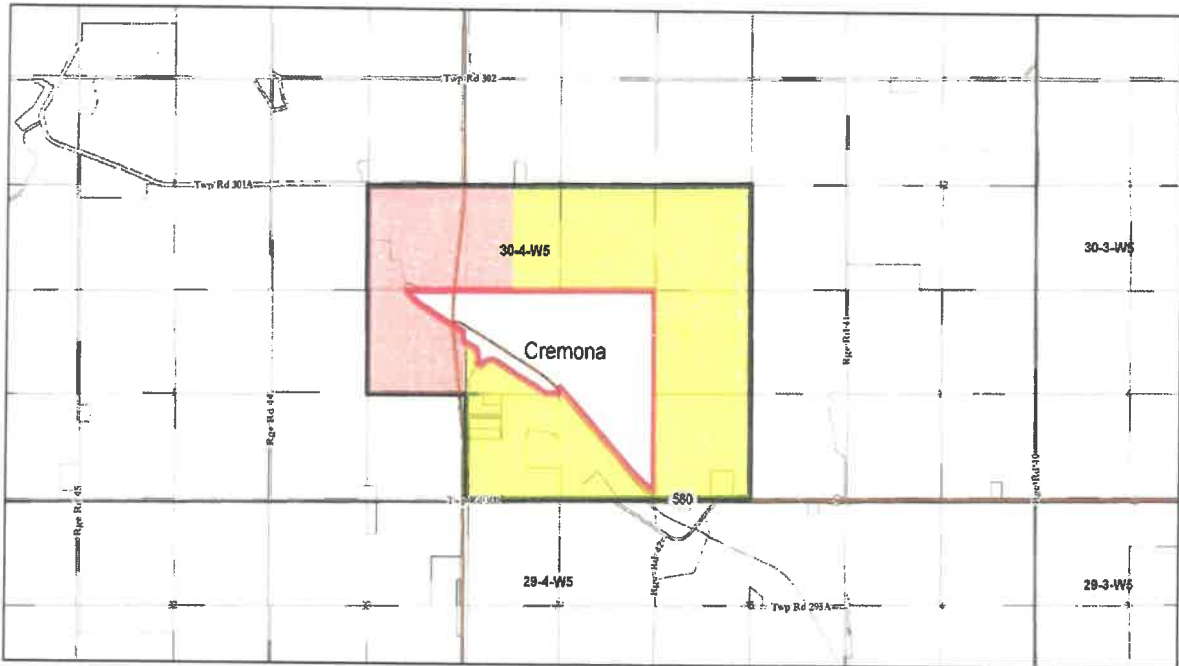
Scale: 1:50,000
 Date: 02/2018
 Mountain View County

Legend

IDP Study Area	Wells	Potential Expansion of Sewage Lagoon	Archaeological Resources	Alberta Merged Wetland	Environmentally Significant Areas
Highways	Pipelines	Sewage Lagoon	Rivers and Creeks	Class 1	ESA number
Towns/Villages	Crude Oil	Storage Lagoon	Landfills	Open Water	Class 2 (High)
AT Circulation	HVP Products	Buffer (300m)	Provincial FSA 2014	Class 3 (Moderate)	Class 3 (Moderate)
	Natural Gas	Potential expansion of Sewage Lagoon Buffer (300m)			
	Oil Well Effluent				



Map 2 Land Use Maps



IDP Area and Future Land Uses	 Mountain View COUNTY	Legend	Future Land Uses
Scale: 1:21,000		 Highway	 Agricultural and Residential
Date: 02/2019		 Towns/Village	 Commercial and Industrial
Mountain View County		 IDP Area	
<small>Map 3 IDP Area and Future Land Uses</small>			