



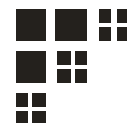
# Vermilion Intermunicipal Development Plan

*The Town of Vermilion*

*and*

*The County of Vermilion River No. 24*

**July, 2003**



**MATRIX PLANNING**

*and*

*G.T. Hofmann & Associates*

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# **1. INTRODUCTION**

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## **1.1 HOW TO USE THIS DOCUMENT**

This Intermunicipal Development Plan (IDP) is divided into four sections:

- an introduction containing background information,
- a detailed explanation of the intent of the IDP concept,
- a set of specific policies that will guide the Approving Authorities in their decisions and
- a set of implementation statements and directives that will guide the two municipalities in terms of process and policy content .

The Implementation policies direct applicants to undertake specific actions that are required to ensure the area develops as intended by the Plan and under a established decision making process. The Appendices contain support information that is of benefit to applicants for development.

## **1.2 IDP HISTORY**

In February, 2002 the County of Vermilion No. 24 (herein may be referred to as the County) and the Town of Vermilion (herein may be referred to as the Town) approved by Council resolutions, an inter municipal agreement that set out

- Communication Protocols,
- Provision and Funding of People Services,
- Economic Development Initiative and an
- Intermunicipal Development Plan (IDP).

Thereafter, the municipalities established a joint planning committee, hired a planning consultant, established a planning boundary and refined a terms of reference. The Town and County agreed that the IDP would be conceptual and would provide policies and guidelines for:

- a) the establishment of an Inter-Municipal Liaison Committee as an advisory body;
- b) study area to include approximately all the undeveloped Urban Reserve lands in the Town as well as Policy Areas 1 and 3 of the County Urban Fringe Policy;
- c) the sharing of capital and operating costs associated with new development;
- d) the sharing the revenue generated by a new development;
- e) the development of roads, services, infrastructure;
- f) residential, commercial and industrial development;
- g) municipal reserve, environmental reserve, open space locations;
- h) economic development;
- i) intermunicipal issues;
- j) annexations;
- k) dispute resolution; and,
- l) IDP administration.

Thereafter, the joint planning committee met 9 times between May, 2002 and May 2003 to define the IDP land use concept and policies.

During the process, two public meetings were held to describe a draft IDP and a proposed IDP. Further, consultants conducted in-person and phone interviews with IDP area landowners to gauge their support and concerns with the concept IDP or the IDP process. Direct contact was made with over 40% of the landowners in the area who, together, held 70% of the land within the IDP.

### **1.3 IDP PURPOSE**

The purpose of the IDP is to establish a coordinated and cooperative framework for attracting economic opportunities and managing land use, subdivision and development in the IDP area. The Town and County want to minimize competition for development opportunities, to establish consistency in land development, and to facilitate inter-municipal communication in land development matters. Further the municipalities want to be “development ready” and future-oriented in their planning efforts and thus acquire an edge over other municipalities in attracting additional economic activity.

### **1.4 GOALS OF THE IDP**

The overall goals of the IDP are to:

- a) Establish a land use concept plan that generally outlines the future land uses that may develop over time within the IDP boundary.
- b) Promote the IDP area as a desirable location for future development activity,
- c) Maintain and enhance mutually beneficial policies and relationships between the two municipalities.
- d) Outline a framework for the more detailed implementation of land development, economic development, transportation systems, municipal infrastructure and timing of development and infrastructure.
- e) Continue to develop and maintain open lines of communication to resolve problems and seize opportunities for mutual benefit.
- f) Identify areas where more detailed planning is required.

### **1.5 ENACTMENT**

The policies contained within the County and Town Intermunicipal Development Plan came into force once County the Town Councils gave third reading to the respective adopting bylaws.

## 1.6 **ENABLING LEGISLATION**

The legislation concerning an Intermunicipal Development Plan is outlined in Section 631 of the Municipal Government Act which reads:

*“(1) Two or more councils may, 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 they consider necessary.*

*(2) An intermunicipal development plan*

*(a) may provide for*

*(i) the future land use within the area,*

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

*(iii) any other matter relating to the physical, social or economic development of the area that the councils consider necessary,*

*and*

*(b) must include*

*(i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the Intermunicipal Development 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.”*

The procedure for adopting an Intermunicipal Development Plan is described in Section 692 of the Municipal Government Act.

## **2. PLAN CONTEXT**

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### **2.1 EXISTING PHYSICAL SITE CHARACTERISTICS**

The Intermunicipal Development Plan area comprises the land as shown in the attached maps. This constitutes approximately 3,675 hectares (~9,080 acres or just over 14 sections).

**Topography** - The topography in the Plan varies from a low point in the Vermilion River valley (575m) to high points at the south end of the plan area (644m). In all the total relief is approximately 69 metres (226 ft.). Several other areas of rolling terrain create high points in the west part of the Plan area and south of Highway 16.

**Slope Analysis** - Slope analysis of the terrain reveals a large portion of the plan area under 5% slope which are generally developable with few constraints. The majority of the slopes between 5-15% (moderate constraints) and greater than 15% (severe constraints) are located on the steep banks of the Vermilion River. A secondary band of rolling terrain shows up as an arc beginning at the Highway 16 and 41 intersection and sweeps southeast and then northeast to section 34-50-6-W4M where it joins the Vermilion River valley.

**Soils** – The Canada Land Inventory for Agriculture identifies the Plan area as largely CLI class 2 and 3 outside the Vermilion River valley (ie. moderate to moderately severe capability for a variety of crops) and class 5 and 6 in the valley bottom and valley slopes (ie. very severe and suitable for forage crops only). A stretch of class 4 lands are located in more rolling terrain in the south and east corner of the Plan area. Soil composition is typically clay in the majority north of the rail line while sandy/silty soils become more common to the south of this point.

**Groundwater** – The overall groundwater availability was variable ranging between 10-100 m<sup>3</sup>/day in the upper bedrock aquifers (1.5-15igpm) with higher yields in the northeast portion of the Plan area. The Total dissolved solids in the upper bedrock aquifers was generally above 500mg/litre. Provincial standards use 1000mg/litre as the acceptable limit.

**Surficial features** – The PFRA groundwater study 1999 identified the Plan area as having 10-50% surficial deposits of sand and gravel throughout the Plan area. The Vermilion River valley is referred to as a buried bedrock valley with surficial deposits of 10- 30 metres in thickness. To the southeast this valley is joined by an ancient meltwater channel. Section 29-50-6-W4M contains several low areas subject to soft soils.

## **2.2 EXISTING HUMAN FEATURES**

**Existing land uses** – The IDP area is largely undeveloped except for some farmsteads, an Agricore distribution centre and a landfill. Occasional sand and gravel deposits are mined in the Vermilion River valley and a number of oil and gas wells operate throughout the Plan area. There are approximately 35 homesteads in the Plan area. The majority of the remaining land is cultivated or pasture.

**Existing zoning** - The rural zoning in the County portion of the IDP outside the Highway 16 and 41 corridors is based on a general agricultural zoning that is essentially a holding zone (A1). An exception to this is the CR district for the Brennan subdivision in the County. The land in the County either side of the Highway16/41 corridors is zoned Business District (B). This zoning provides for a variety of Industrial and highway commercial uses.

The Town zoning is largely Urban Reserve (UR with the exception of a Commercial (C-3) and an Industrial (M) designation. It is expected that the zoning would be revised in concert with the IDP process.

**Land ownership patterns** – There are approximately 44 different landowners in the Plan area outside of the one existing country residential area located in NE 35 and NW 36-50-7-W4M. Most parcels are unsubdivided quarter sections with the exception of several large acreages located in the north of the Plan area east of Highway 41.

**Existing municipal servicing and roads** – The Town currently has a water treatment capacity to serve a population of approximately 6,000 from the current population of 3,948. The sanitary sewage treatment capacity is rated to approximately 5,000 population. Servicing with municipal services typically stops at the built up portion of the town with on-site water and sewer servicing on remaining occupied parcels.

### **2.3 SITE ASSESSMENT**

**Opportunities and Constraints** - Existing physical constraints to unfettered development is usually based on slope and soils. The sloping banks of the Vermilion River offer opportunities for views as well as posing constraints to development. The Vermilion River valley also is a constraint to future development in the valley bottom, resulting in its predisposition to future recreation opportunities and little else. Suspect soils and poor drainage in section 29 mitigate against low cost land development. Further north in section 5 and 33, Town landfills and sewage lagoons constrain development options due to a requirement for setbacks for certain developments in accordance with the Subdivision and Development Regulation. To the east in the Plan area, the airport restricts building heights and also restricts easy access to section 34, a potential future development area. The remainder of the Plan area, by and large is suitable for development. The Plan will address the preferred land uses in the Future Land Use Concept.

### **3. FUTURE LAND USE CONCEPT**

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#### **3.1 HOW TO USE THIS SECTION**

This section of the IDP provides the context and reasoning within which the policies are established. The future land use concept is intended to be interpreted broadly and is not intended to be used as policy statements. Rather, the explanations in this section assist the approving bodies in understanding interpretation of the policy in section 4.

#### **3.2 FUTURE LAND USE CONCEPT**

**Concept Principles** - The Future Land Use Concept has emerged from the opportunities and constraints present within the IDP area (see map entitled "Opportunities and Constraints"). In general, the Plan clearly divides serviced (piped water and sewer) from unserviced type uses (on-site water and on-site sanitary sewage disposal). The high investment by the Town in water supply and sanitary sewage treatment should be used to greatest advantage in the IDP area and kept in a concentrated location around the Town as is feasible. While this does not preclude servicing more distant areas, the costs to do so may prove prohibitive for all but the most intensive servicing users such as processing industries. The attraction of development in the IDP area is not only as result of the intersection of major highways, but the presence of the Town of Vermilion itself. Therefore, the IDP takes the view that land uses in the immediate zone of urban influence (ie. the land between the Highway 16 and the developed portion of the Town), should be part of a piped water and sewer scheme.

Two Area Structure Plans are proposed to be prepared in the IDP area. They set out general land uses, trunk servicing and access. While not intended to be prepared down to the street design level, there should be sufficient detail to guide a

developer respecting how future development links to existing development. Other highlights of the concept are as follows:

- a) Provision is made for a broad mix of land uses throughout the IDP area with opportunities for each class of land use within both the Town and County. [Note: the IDP Concept conveys generalized future land use. It is not intended to address land use at a site or parcel-specific level. For example, by showing an area as being generally intended for urban-density residential use does not preclude using a portion of the lands so designated for associated parks/schools, neighbourhood commercial (e.g. commercial day care), etc.]
- b) “Vista” areas on the north side of the Vermilion River are shown as being generally suitable for large-lot, country residential development (ie: on-site servicing). One area is located immediately north of the Provincial Park with another east of Highway No. 41.
- c) In between the two country residential areas, along each side of Highway No. 41, is an area set aside for commercial use (again, on-site servicing).
- d) The Vermilion River valley east of Highway No. 41 is essentially set aside for recreational uses that are compatible with the River’s flood plain.
- e) The lands affected by landfills and sanitary sewage treatment facilities have been placed in a public use designation as per the Subdivision and Development Regulations. In planning adjacent areas, it is important to be mindful of the development setbacks from these existing facilities and any expansions thereof.

- f) Moving southward across the River, a roughly equal-size area of urban-density residential is located on the west and east sides of Town comprising a total of 373.7 hectares (923 ac). On both sides, these urban-density residential areas are comprised of lands currently inside and outside of the Town's existing boundary. Continuing with existing urban densities (assuming approximately 4 units/gross acre), these two areas will easily allow for another 3692 single family units and an increase in the Town's 2002 population by over 10,000 thereby allowing for a 3.3 times increase from today's population.
- g) Over three quarter sections adjacent to the Town's existing southwest boundary have been earmarked for institutional use. Several quarter sections within this area are currently owned by Lakeland College.
- h) An area of highway commercial has been designated north of Highway No. 16 running east of Highway No. 41 up to Town's east entry point. This designation also spans the west side of Highway No. 41 approx. 650 ft. west of the existing highway maintenance facilities. Further into the rest of Section 30 a combination area of Institutional and Serviced Highway commercial provides for flexibility in future land use.
- i) With the Town's existing southern boundary running through the middle, this highway commercial area (HCS) is split almost evenly between Town and County. Access to this area is either via Highway No. 41 or the Town's internal road system (primarily 47<sup>th</sup> Avenue). Much of the subdivision/development within this area would be subject to approval by Alberta Transportation (perhaps in accordance with an intermunicipal area structure plan, signed off by the Minister). Note that no direct access to Highway No. 16 for this type of development is being proposed here.

- j) The interchange and surrounding lands west of Highway 41 (mostly owned by Alberta Transportation) are under the protection of the public use designation. The Vermilion Golf Course is within a recreational designation.
  
- k) A Special Planning Area is proposed for the area surrounding the existing golf course comprising the north half of Section 20 and the south half of Section 29 south of Highway No. 16. This is to facilitate the joint planning and possible joint development of multi-parcel country residential development integrated with the golf course and the potential expansion thereof. The golf course offers an opportunity for unserviced acreage development and an opportunity to spur this kind of development within the IDP. With specifics being addressed in an area structure plan for this area, it may also be possible to consider some related/compatible commercial recreational uses within the Special Planning Area (most likely north of the golf course) such as a commercial driving range, mini-golf and other similar amusement/recreational uses.
  
- l) A rural industrial designation has been placed on 3 quarter sections of the land south of Highway No. 16, and west of Highway No. 41. The focus of future access to this area is Highway No. 41 with no new access to Highway No. 16 being proposed. Again, much of the subdivision/development within this area would be subject to approval by Alberta Transportation (perhaps in accordance with an area structure plan, or intermunicipal area structure plan signed off by the Minister).
  
- m) Another area of rural industrial spans Highway 16 east of Highway 41. The access within this area is to be from the local road network and/or highway service roads, and not Highway No. 16. Once again, much of the subdivision/development within this area would be subject to approval by

Alberta Transportation (potentially in accordance with an area structure or intermunicipal area structure plan signed off by the Minister).

- n) The area sandwiched between the north half of Section 27 (rural industrial) and the urban-density residential area northeast of the airport is shown as Recreational to serve as a buffer between these two use classes. It is an area large enough to accommodate several playing fields (perhaps to attract regional - even larger - tournaments).
- o) Most of the NE of 28 is shown as industrial (between the airport and the railway) with the area between the railway and Highway No. 16 being either industrial and/or highway commercial. The access within this area is to be from the local road network and/or highway service roads, and not Highway No. 16. Yet again, much of the subdivision/development within this area would be subject to approval by Alberta Transportation (potentially in accordance with an area structure plan, or intermunicipal area structure plan signed off by the Minister).
- p) All other areas within the boundaries of the IDP not included in the designations outlined above fall within the agricultural designation (roughly 19 quarter sections which is approximately one third of the land within the IDP).
- q) Along with the two areas designated in Map 8 for future Area Structure Plans, a ring road concept has been included in the IDP to highlight the south side interconnection of the two rural industrial nodes.

## **4. LAND USE AND DEVELOPMENT POLICY**

### **4.1 HOW TO USE THIS SECTION**

This section of the IDP provides the policies which should be interpreted narrowly. Variations are allowed only where they are specifically identified. The mapping included in the IDP may require further field measurements to verify any discrepancies in measurement. Refer to Maps 7 and 8 as the primary reference maps.

### **4.2 LAND USE POLICIES**

- a) Future subdivision and development shall be in accordance with this IDP and Maps 7 and 8. Major deviations to the IDP design and policies shall require an amendment to this Plan. Minor relaxations may be considered without an amendment to this Plan where the developer can demonstrate to the satisfaction of the Liaison Committee and Subdivision or Development Authority, that the reconfiguration of parcels and road design would maintain the overall intent of the IDP policies.
- b) The municipalities agree to work with landowners and Alberta Transportation to encourage the preparation of Area Structure Plans where required by the IDP to assure certainty of land use and development standards.
- c) New applications for confined feeding operations in the IDP area, or applications for the expansion of any existing confined feeding operations, shall not be supported.

- d) The Town and County will work together to provide an adequate inventory of suitable lands to attract a broad range of business and appropriate industry.
- e) Subdivision applicants will be required to dedicate, as environmental reserve, all lands in an area to be subdivided that can be defined as environmental reserve in accordance with the provisions of the Municipal Government Act. In some instances the approving authority may consider conservation easements in place of environmental reserves.
- f) Subdivision applicants will be required to dedicate the full amount of Municipal Reserve owing in the forms provided for in the Municipal Government Act. The County and Town will consider establishing a jointly-administered cash-in-lieu of municipal reserve fund into which reserve proceeds would be placed for the purposes of assembling and developing regional recreational land and facilities within the IDP area. This would not only serve the recreational needs of residents in the Vermilion region but could also be used to attract regional – even larger – sporting, recreational and cultural events as a stimulus to the local economy.
- g) Should the Vermilion airport close and become available for urban residential redevelopment, the future land use designation for the lands immediately to the east (ie. portions of Section 33 and 34-50-6-W4M) should be re-examined to determine whether the Urban Residential designation (as shown on Map 7) at that point would be premature or even unnecessary.
- h) Undeveloped land designated for urban residential (U.RES) shall be protected from uses that may have negative effects on future urban densities by virtue of excessive odour, heat, vibration, visual impact, noise or light. This does not apply to such effects that arise in the course of normal, non-intensive farm operations.

- i) Land designated for future Country Residential (CR) may be allowed to develop at a density of up to 35 parcels per quarter section, pro-rated to one parcel per 1.85 hectares (4.57ac), of the original parcel to be subdivided provided the required geotechnical and potable water conditions are present.
- j) The Town and County shall amend their respective municipal development plans and land use bylaws as required to be consistent with the policies and provisions of the IDP.
- k) Land designated in the IDP as Institutional (INST) may continue under the same land use bylaw district as currently exists at the time of IDP approval. However, new proposals for development, subdivision or rezoning should be in accordance with the policies of the IDP and not undermine the ability of the land to accommodate the future intended uses.
- l) Future uses for land designated Institutional (INST) shall be defined in collaboration with Lakeland College and in consultation with the Liaison Committee.
- m) Land designated in the IDP as Rural Industrial (R.IND), may continue under the same land use bylaw district as currently exists at the time of IDP approval. However, new proposals for development, subdivision or rezoning should be in accordance with the policies of the IDP and not undermine the ability of the land to accommodate the future intended uses.
- n) Land Designated Rural Industrial (R.IND) shall develop in accordance with the IDP policies. Land uses that may be suitable for the area may include but are not limited to:

- Natural resource extraction.
  - Natural resource processing industry.
  - Rural industrial park.
  - Grain Elevator.
  - Manufacturing, processing, packaging or assembly of goods or materials.
  - Warehousing, storage, receiving or distributing facilities.
  - Plants for the manufacture of petroleum products, chemical and allied products, pulp and paper products, fertilizer or animal by-product.
  - Metal processing or fabrication operation or storage.
  - Incinerator.
  - Salvage establishment.
  - Agricultural service facility.
  - Auctioneering establishment.
  - Bulk fuel storage and distribution.
  - Accessory use industrial office.
  - Commercial greenhouses.
  - Transportation and public utility facilities/buildings.
  - Surveillance suite.
  - Public or quasi-public use (e.g. playing field, arena, etc. common in industrial areas).
- o) Land Designated Agricultural (AG) shall develop in accordance with the IDP policies. Land uses that may be suitable for the area may include but are not limited to:
- Extensive agriculture.
  - Intensive agricultural operation – e.g. tree nursery, market

garden but not confined feeding operations).

- Farm subsidiary operation.
- Dwelling.
- Home occupation (minor/major).
- Bed and breakfast operation (minor/major).
- Surveillance suite.
- Transportation and public utility facilities/buildings.
- Natural resource extraction.
- Place of worship.
- Public or quasi-public use.
- Accessory use or building.

p) Land Designated Highway Commercial, whether HCU or HCS shall be approved in accordance with the IDP policies. Land uses that may be suitable for the area may include but are not limited to:

- Hotel and motel.
- Food/beverage establishment (minor or major).
- Gas bar/service station.
- Travel information centre.
- Car wash.
- Convenience store.
- Souvenir shop.
- Personal service establishment within a hotel/motel.
- Retail store with no more than ~2,000 ft<sup>2</sup> retail floor space.
- Vehicle or recreational equipment sales and service.
- Recreational establishment.
- Drive-through business.
- Bus depot.

- Bulk fuel storage and distribution.
- Equipment sales, service and rental.
- Mobile home sales and service.
- Public or quasi-public use.
- Surveillance suite.

#### **4.3 MUNICIPAL SERVICING AND ROAD POLICIES**

- a) The Town and County shall establish strategies and standards for the orderly, efficient and economical extension of wastewater collection, water distribution systems, stormwater management and roads within the IDP area in the context of future ASP's.
- b) The land uses within the IDP are closely connected to the ability and need for municipal servicing. The land in the IDP area but outside of the current Town boundaries is intended to be unserviced except for the land identified in the Highway 16 North ASP.
- c) Future servicing with municipal water and sewer shall be considered for the following IDP designations: U.RES, IND, HCS and INST/HCS.
- d) Future servicing with on-site servicing shall be considered for the following IDP designations: CR, HCU, REC, AG, INST, R.IND and PU.
- e) Where it is deemed appropriate, necessary and/or desirable, further to this IDP, the Town and County will endeavour to enter into agreements respecting municipal servicing and roads in the IDP area.
- f) Rights of way for any future regional water line shall be considered and anticipated in future subdivision and development approvals, Area Structure

Plans and any intermunicipal servicing agreements. The Town and County shall make representation to the Province to request assistance in determining the most favourable right of way alignment as it relates to the IDP.

#### **4.4 AREA STRUCTURE PLAN REQUIREMENTS**

##### **4.4.1 Introduction**

Two Area Structure Plans are identified in the IDP (see Map 8): the Highway 16 North ASP and the Highway 16 South ASP. The Highway 16 North ASP contains lands that may be more likely to develop as serviced lands for the most part due to proximity to the Town servicing connections. This means municipal servicing may not be immediately required. The terms of reference provides for interim unserviced development, subject to a specified time when municipal servicing will be required.

##### **4.4.2 Highway 16 North ASP Terms of Reference**

The North Highway 16 ASP is intended to identify more specific land use policy and servicing terms than the IDP. In summary, it is intended that the ASP describe an immediate servicing area and a long term servicing area. The immediate availability of municipal water and sewer connections within the Highway 16 north ASP is assumed to be key to attracting new development. However, it is also recognized that some new land uses may not require or desire immediate municipal water and sewer, may be outside cost-effective servicing and may desire a location areas of high traffic visibility. Unserved development could also be allowed under specified circumstances where the municipalities see mutual benefit. The plan should also be prepared in cooperation with and to the satisfaction of Alberta Transportation in order to facilitate subsequent decision-making in relation

to Highways Nos. 16 and 41. The following terms of reference should guide a future ASP for this area:

- a) The ASP shall specify lands suited for: i) immediate servicing; and, ii) future servicing. These servicing divisions may be the subject of intermunicipal servicing agreements.
  
- b) The long term servicing area shall generally consist of all lands identified in Map 8 in the South ½ of Sections 29 and 30-50-6-W4M and the immediate servicing area shall include all other lands within the ASP area.
  
- c) The ASP shall more clearly define logical immediate servicing areas noted above and those areas that would be serviced in the future but have, by virtue of their favourable access, topography and soil characteristics potential for unserviced development in the interim.
  
- d) Other elements that shall be referred to in the ASP include:
  - phasing;
  - general land uses;
  - applicable land use districts;
  - major access points, especially in relation to Highways Nos. 16 and 41;
  - the general location of major transportation routes;
  - conditions of servicing and servicing agreement principles;
  - signage;
  - implementation zoning districts for both municipalities;
  - other requirements as per the Municipal Government Act; and,
  - other matters the Town and County deem necessary.

#### 4.4.3 Highway 16 South ASP Terms of Reference

The South Highway 16 Area Structure Plan is intended to facilitate the development of country residential, recreational and, potentially, some commercial recreational development surrounding the existing golf course, again, in cooperation with and to the satisfaction of Alberta Transportation in terms of safe and efficient road access. The area is to develop with on-site servicing and highway access either from Highway No. 41 or from the east intersection located at Highway 16 adjacent to Section 27-51-6-W4M.

a) Other elements that shall be referred to in the ASP include:

- phasing;
- general land uses;
- applicable land use districts;
- major access points, especially in relation to Highways Nos. 16 and 41;
- the general location of major transportation routes;
- conditions of servicing and servicing agreement principles;
- signage;
- future golf course and cemetery expansion;
- implementation zoning districts for both municipalities;
- other requirements as per the Municipal Government Act; and,
- other matters the County deem necessary.

## **5. IDP IMPLEMENTATION**

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### **5.1 IMPLEMENTATION PRINCIPLES**

The County and the Town Councils agree to the following guiding principles which are utilized in implementing the policies contained in this IDP.

#### **Cost/Revenue Sharing Schemes**

- a) If and when infrastructure cost and/or tax revenue sharing agreements are established between the two municipalities, there will be a fair and equitable recognition of existing investment in roads and water and sewer infrastructure.
- b) Any agreements for cost and revenue sharing shall be to benefit future development of land in the Highway 16 North ASP.

#### **Framework Not Details**

- c) The IDP is conceptual and policies do not delve into the fine details of implementation but instead set out a framework of guidelines to be developed by the Liaison Committee and Council directives arising from the Liaison Committee recommendations.
- d) The municipalities agree to continue to cooperate in pursuing mutually beneficial economic development initiatives that would attract investment and create employment opportunities in the Vermilion region.
- e) The Future Land Use Map No. 7 will be the primary land use document supplemented by various implementation tools. The Town and County shall

amend their respective municipal development plans and land use bylaws as required to be consistent with the policies and provisions of the IDP.

- f) The IDP, ASP's and agreements are to be used by the regional economic development agency as well as the Town and the County as a positive tool to encourage the location of new business in the IDP area. The parties to the IDP should make every effort to use the IDP as a means to set the Plan area apart from other, competing municipalities in brochures, Trade shows, correspondence and other promotions.

## **5.2 INTERMUNICIPAL LIAISON COMMITTEE AND ADMINISTRATION COMMUNICATIONS**

- a) The Liaison Committee will come into effect upon approval of third reading of the Bylaws and will submit recommendations to the Councils, striving for consensus as much as possible.
- b) The composition of the Liaison Committee shall be identified by agreement of both municipalities and shall include representatives of Council, Administration and the regional economic development authority.
- c) The Liaison Committee has the following functions:
  - i) to clarify the intent and interpretation of the IDP;
  - ii) where necessary, refine processes to review applications for subdivision/development and/or examine draft infrastructure studies and agreements;
  - iii) to develop specific strategies related to the provision of infrastructure, provision of service levels, cost sharing, etc for proposed subdivision

- and development in the IDP area that reflect the policies and guidelines set out in the IDP;
- iv) to review and comment on applications to amend the IDP; and
  - v) to undertake such other matters as are referred to it by either Council.
- d) The Town and County agree that, once the IDP is complete, each municipality's subdivision authority or development authority will notify the Liaison Committee of applications received within the IDP area.
  - e) Each municipality's subdivision authority or development authority will respond to an application within their own boundaries in accordance with the IDP.
  - f) Depending on the nature of the proposed subdivision or development, the Liaison Committee may provide recommendations related to the proposed development or subdivision to the approving authority.
  - g) The Liaison Committee shall meet at least annually at a time identified by both municipalities through Council resolution to review the IDP policy, intermunicipal agreements, implementation processes, and any recommendations for changes to the above.
  - h) The Mayor and Reeve, together with the heads of the municipal Administrations, shall meet upon request of one of the parties and/or at the advice of municipal Administration in an effort to define and resolve concerns before they become disputes.

### 5.3 **ANNEXATION CRITERIA**

- a) There will continue to be a boundary between the Town and County for administration of services such as maintenance of infrastructure, waste management, dust suppression, weed control, etc.
- b) There is a recognition of the periodic need for urban expansion of the Town of Vermilion and the need to undertake an annexation in a positive, orderly, timely and agreed upon process where there is a clear and present need.
- c) No land in the IDP south of Hwy 16 shall be subject to annexation for the life of the IDP.
- d) No land north of the existing Town of Vermilion boundary shall be subject to annexation for the life of the IDP.
- e) For any land within the IDP not specified under 5.3 a) or b), the Town and County may establish agreements separate from, or supplemental to, this IDP, the terms of which being for the purpose of either delaying, avoiding or fixing a time-frame for annexation.
- f) Each municipality shall protect lands identified in the IDP suitable for municipal servicing and development from land use and developments which might unduly interfere with and create conflict with future urbanization.
- g) Both municipalities would prefer to avoid a large and complex annexation in favour of annexations involving smaller amounts of land occurring on an as-needed basis.

- h) Both municipalities shall follow the annexation process as outlined in the Municipal Government Act current at the time an annexation application is made.
- i) In the event of annexation where land is not currently serviced by the Town, the Town may enter into an agreement to compensate the County for the existing municipal portion of property taxes on a descending scale.
- j) When the Town and County enter into an agreement to service land in the County, the agreement shall address annexation.
- k) In determining the timing, size and location of an annexation area, the following will be considered:
  - **Justifiable and mutually agreeable current and future growth rates** - Growth rates are defined at the rate at which land is consumed for residential, commercial and industrial purposes normally expressed in acres per year over a 20-30 year time horizon.
  - **Availability and cost of servicing** - The physical and economic ability to extend Town services to specific areas within the County should be logical, reasonable and cost effective.
  - **Adequacy of transportation systems to accommodate new development** - The annexation area should be either serviced with road network or be able to be serviced with a logical extension of existing road networks.

- **Land ownership patterns** - The annexation should follow legal boundaries or natural features to avoid creating a fragmented pattern of land ownership.
- **Local support** - Annexation should as much as possible have the concurrence of the landowners involved.
- **Consistent with local plans** - The annexation should be consistent with the policies of this IDP, the respective municipal development plans and any area structure plan or other study. Planning for annexations should consider a 20-30 year time horizon for land needs.
- **Logical extension** - The annexation should be a logical expansion of the Town of Vermilion and may include developed areas.
- **Agricultural mill rates** - The annexation should not dramatically alter the taxes collected from agricultural lands in the annexation area simply because of annexation. The two municipalities may look at harmonizing their agricultural mill rates.
- Any other matter that both Councils consider necessary.

#### **5.4 DISPUTE RESOLUTION / MEDIATION PROCEDURES**

**Introduction** - The dispute resolution process is outlined below. The emphasis of the dispute resolution process is mediation at the municipal level prior to an appeal to the Municipal Government Board. This process is based on an assumption that the two parties have significant differences of opinion and that third-party assistance is necessary to help resolve the disputes.

- a) A dispute is hereby defined as any statutory plan or land use bylaw or amendment thereto which is given 1st reading by a Council which the other Council deems “to be inconsistent with the goals, objectives and policies of this IDP”.
- b) Disputes can only be initiated by the Councils of either the Town or County.
- c) A dispute is limited to decisions on the above. It is agreed that decisions on subdivisions and development permits, including all appeals of same, will be made by the respective municipalities or the Municipal Government Board where appropriate, but with review by the Liaison Committee.
- d) The Town and County agree to consider the creation of an Intermunicipal Subdivision and Development Appeal Board to deal with appeals arising from subdivision or development permit decisions within the IDP area.
- e) Disputes, as identified in 5.4 (a) may be addressed and may be resolved through any of the following mechanisms either singularly or in combination with each other:
  - I. Administrative Review
  - II. Liaison Committee
  - III. Municipal Councils
  - IV. Mediation
  - V. Municipal Government Board Appeal Process
  - VI. Courts
- f) In the event of a dispute, the applicant municipality will not give approval to the matter in any way (i.e. public hearing, 2nd or 3rd reading) until the dispute is past the mediation stage.

- g) The time limitations and legislative requirements as may be specified from time to time in the Municipal Government Act will be respected in relation to the administration of this dispute resolution procedure.

#### **5.4.1 Dispute Resolution Process**

##### **a) Administrative Review**

- i) The applicant municipality (ie. the approving authority) will provide complete information concerning the disputed matter. The responding municipality (ie. the neighbouring municipality) will undertake an evaluation of the matter and provide comments to the administration of the applicant municipality.
- ii) The two Administrations shall meet to discuss the issue and attempt to resolve the matter.
- iii) If the Administrations resolve the issue, the responding municipality will formally notify the applicant municipality and withdraw the dispute notification and the applicant municipality will take the appropriate actions to address the disputed matter.
- iv) In the event that the dispute cannot be resolved at the administrative level, either Administration can refer the matter to the Liaison Committee.

**b) Liaison Committee**

- i) Upon the referral of a dispute, the Liaison Committee will schedule a meeting and the Administrations of the County and Town will present their positions on the matter to the Committee.
- ii) After considering the dispute, the Liaison Committee may, in the event that a proposal in relation to the dispute is referred to it, schedule a Committee meeting and the administrations of both municipalities will present their positions on the proposal.
- iii) After consideration of a proposal, the Committee may:
  - 1. provide suggestions back to both Administrations with revisions to the proposal making it more acceptable to both municipalities;
  - 2. if possible, agree on a consensus position of the Committee in support of or in opposition to the proposal, to be presented to both Councils; **or**
  - 3. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils.
- iv) If agreed to by both municipalities, a facilitator may be employed to help the Committee work toward a consensus position.
- v) If a proposal cannot be satisfactorily processed following a Committee review, then that proposal will be referred to both Councils.

**c) Municipal Councils**

- i) After receiving the recommendations of the Liaison Committee with respect to a particular proposal, each Council will establish a position on the proposal.
- ii) If both municipal Councils support a proposal, then the approval and/or Intermunicipal Development Plan amendment processes can be completed. If neither Council supports the proposal, then no further return will be required.
- iii) If both Councils cannot agree on a proposal, then the matter may be referred to a mediation process.
- iv) In the event that the two municipalities resort to mediation the applicant municipality will not give approval in the form of second and third readings to appropriate bylaws until mediation has been pursued.

**d) Mediation**

- i) The following will be required before a mediation process can proceed:
  - agreement by both Councils that mediation is necessary;
  - appointment by both Councils of an equal number of elected officials to participate in a mediation process;
  - engagement, at equal cost to both municipalities, of an impartial and independent mediator agreed to by both municipalities; and

- approval by both municipalities of a mediation schedule, including the time and location of meetings and a deadline for the completion of the mediation process.
- ii) If agreed to by both municipalities, any members of the Liaison Committee or administrative staff from either municipality who are not participating directly in the mediation process may act as information resources either inside or outside the mediation room.
- iii) All participants in the mediation process will be required to keep details of the mediation confidential until the conclusion of the mediation.
- iv) At the conclusion of the mediation, the mediator will submit a mediator's report to both Councils.
- v) If a mediated agreement is reached, then that agreement will be referred to both Councils for action. Both Councils will also consider the mediator's report and the respective positions of the municipal Administrations with respect to the mediated agreement. Any mediated agreement will not be binding on either municipality until formally approved by both Councils.
- vi) If no mediated agreement can be reached or if both Councils do not approve a mediated agreement, then the appeal process may be initiated.

**e) MGB Appeal Process**

- i) In the event that the mediation process fails, the initiating municipality may pass a bylaw to implement the proposal (e.g. a bylaw amending an area structure plan).
- ii) If the initiating municipality passes a bylaw to implement the proposal, then the responding municipality may appeal that action to the Municipal Government Board under the provisions of Section 690 of the Municipal Government Act.
- iii) The responding municipality must file a notice of appeal with the Municipal Government Board and give a copy of the notice of appeal to the initiating municipality within thirty (30) days of the passage of the disputed bylaw.

**f) Courts**

- i) The process for review of a municipal dispute is defined by Provincial Legislation.

**5.5 IDP REVIEW PERIOD**

**Introduction** - The IDP sets forth, in general terms, the general patterns for land use, conditions upon which service extensions may occur, transportation matters and mutually agreed to policy directions for the next 15-20 years. 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, and growth within the region.

The IDP sets forth a process for amendment of this document when it is in the mutual interests of County and the Town to do so.

- a) The IDP is intended to be reviewed by resolution of both Councils at intervals of no more than a 6 year period. The Plan review period shall be agreed to by Council resolution of both municipalities under the understanding that the timing of the review shall be no less than one year after municipal elections.
  
- b) The Plan will stay in effect until such time as both municipalities repeal the bylaw.

## APPENDIX A

### SUMMARY OF IDP IMPLEMENTATION TASKS

The following is a list of the tasks that will be required to implement the IDP. These tasks/projects would typically be drafted and/or driven by the municipal Administrations, steered and/or reviewed by the Liaison Committee and ratified for execution by the Councils. External expertise may need to be called upon in certain areas or to undertake specific projects.

#### IDP IMPLEMENTATION TASKS

Reference section in IDP	Implementation Task	Implementation Comments
4.2(b)	Alberta Transportation Master Plan	can occur in concert with ASP's. Can also include more detailed operational and capital cost agreements between the two municipalities such as maintenance and upgrading.
4.2(f)	Municipal Reserve fund	joint administration
4.2(j)	MDP amendments to create consistency with IDP	can be done upon third reading and reviewed by Liaison committee prior to Council approval
4.2(j)	LUB amendments to create consistency with IDP – esp. HCS area in context of ASP's	can be done in conjunction with ASP process
4.3(a)	future Town plans for changes to water and sewer extensions and treatment capacity	Town terms of reference reviewable by Liaison committee
4.4.2	Highway 16 North ASP	recommended that municipalities front-end costs to prepare. Document costs can be assigned to future development.
4.4.3	Highway 16 South ASP	developer driven process

**IMPLEMENTATION TASKS (Concl.)**

<b>Reference section in IDP</b>	<b>Implementation Task</b>	<b>Implementation Comments</b>
5.1(f)	strategies and actions to promote IDP as a development incentive	Economic development authority to prepare implementation strategy to use document and agreements to greatest advantage
5.2	Liaison committee organization, composition and mandate	details to be sorted out by Liaison committee and ratified by Councils
5.4(d)	consideration of Intermunicipal SDAB	recommendation by Liaison committee
5.5	establish IDP review period	held one year after every second municipal election
Appendix B	Intermunicipal servicing agreement template	to be developed as required by Administrations upon direction from the Liaison committee

## APPENDIX B

### OPTIONS FOR COLLABORATIVE SERVICING MODELS

**Introduction** - Cost and revenue sharing has been experimented with in a number of municipalities in Alberta. The level of agreement and ability to implement a mutually agreeable understanding has been site-specific. The challenge is in defining what is being shared and under what circumstances. There appears to be no universal formula applicable to most cases.

The steering committee has discussed this matter in the context of a “Business Model”. The following options are for review by the municipalities. The options apply specifically to the land defined as the Highway 16 North Area Structure Plan (herein after referred to as the ASP). As development proceeds within the ASP designation, each municipality may have development proposals that require land to be serviced or unserviced depending upon the designation in the North Highway 16 Area Structure Plan.

The ASP shall specify lands suited for immediate servicing and future servicing. Land proposed for development shall follow one of these two servicing designations whether the land is located in the Town or the County. “*Servicing*” shall mean the provision of piped water and/or piped sanitary sewage disposal to a parcel within the ASP area and may include stormwater management infrastructure.

The options noted below while intended for discussion, should be considered for implementation prior to promoting the IDP area as development ready. This servicing capacity provides a fundamental attraction to developers who often view servicing capacity as a key consideration in whether to locate in one locale over another.

### **OPTION 1 – STRAIGHT FEE FOR SERVICE AGREEMENT**

- a) The municipalities may choose to enter into an agreement to encourage the Town to supply a developer with water and/or sewer service on lands in the County at a time and cost that is mutually agreeable. The developer on County land would be responsible for the installation of the servicing unless the County agrees to an alternative servicing agreement.
- b) The Town would levy a service charge that accounts for off-site costs at a minimum and would be in accordance with Division 3 of the Municipal Government Act. This act of servicing would not trigger an annexation until such time as land adjacent to the serviced parcel was required for urban development as per the annexation criteria.
- c) Property taxes would continue to be collected by the host municipality.
- d) This option recommends that all future development in the ASP area be serviced either immediately or within a time specified under an agreement contained in the IDP, the ASP or a stand-alone agreement.

### **OPTION 2 – SERVICING FUND AGREEMENT**

- a) The Town and County agree to establish an annual contribution to a mutually administered fund to share on-site trunk and off-site infrastructure costs to service any land in the ASP area in accordance with the defined servicing levels.
- b) The fund would be added to equally by both municipalities annually and would be used as an incentive to facilitate land development opportunities that can benefit both municipalities. The fund would be used on County or

Town land depending upon the ASP and the developer's locational preferences and willingness of landowners to sell.

- c) The Town would levy a service charge that accounts for off-site costs and would be in accordance with Division 3 of the Municipal Government Act. This act of servicing would not trigger an annexation until such time as land adjacent to the serviced parcel was required for urban development as per the annexation criteria.
- d) Property taxes would continue to be collected by the host municipality.

### **OPTION 3 – COST/REVENUE SHARING**

- a) The Highway 16 North ASP identifies lands that are suitable for an intermunicipal servicing agreement that may include a tax-sharing revenue agreement.
- b) In all cases, servicing, where required, shall be constructed by the developer.
- c) Land proposed for development that is adjacent to Town servicing shall be serviced with Town water and sewer.
- d) Land proposed for development that is not adjacent to municipal servicing and is of a land use type that may not require servicing may be considered under the conditions of the ASP for interim use until such time as servicing is established within close proximity to the development.
- e) A proposed development that is in the Town and is in the “*immediate servicing*” area shall be serviced and all tax revenue will accrue to the Town.

- f) A proposed development that is on either County or Town land and is located in a “*future servicing*” area will be serviced either at a time
  - i) requested by a developer or
  - ii) when logical servicing is extended in proximity to the unserviced development or
  - iii) when the Town and/or County are prepared to connect servicing to the developer.
  
- g) Half of all annual municipal tax revenue accrued from new development in the ASP area, regardless of whether the land is in the Town or the County and regardless of whether the land is serviced or unserviced, will be placed into a servicing fund that will be used to assist the payment of trunk servicing (ie. oversizing pipes, new mains) and off-site costs (upgrade or amortization of municipal treatment facilities) to assist in servicing the entire ASP area.
  
- h) The servicing fund will be administered by both municipalities. The Liaison Committee shall make recommendations towards awarding any funding request and shall create criteria regarding when and where the funding shall be used.
  
- i) The Town and County will enter into an agreement regarding the amount of funding to be disbursed and the conditions for funding allocation.

## APPENDIX C

### A FUTURE VISION FOR THE IDP AREA

**CONTEXT** - The following future vision is derived from the discussions of the Vermilion IDP steering committee meetings held in January to March, 2003. The vision is a tool to help those reading the Plan to understand how the end product may look if all the pieces fall into place as the Plan intends. The vision will change as circumstances change and therefore, this vision should be re0visited at each Plan review period or more often as required.

### THE VISION

**IT IS 2013.** The Vermilion IDP area has had 10 years of implementation experience and the results have borne positive results.

**New Development Opportunities** - As a result of the intermunicipal, regional-focus economic development program in place, some new businesses have been attracted to both County lands and Town lands. The County and Town have exploited the strategic advantages of the area including proximity to major highway intersections, its role as an agricultural hub and its stable, diverse and educated work force. They have also capitalized upon the buzz created by Fireworks – The Canadian Fire Discovery Centre. New motels have been established to serve new visitors. Interest in a truck stop has turned into reality. Expanded golf opportunities have been established for local enjoyment. Other business inquiries continue at an increasing pace.

**New amenities** - The amenities of the area have expanded with new rural residential lots-with-a-view coming on stream north of the river and in close proximity to the Town. Other rural residential has been integrated with the existing golf course. Rural industrial uses have developed in section 19 and section 27 using the Nilsson yards and the Agricore site as nodes assisted by the new ring road linking the two nodes.

**Landowner and public perceptions** – While not unaware, residents in the IDP area do not remark on the effects of the IDP except to notice additional commercial/industrial development and some new acreage residences on the north bank of the Vermilion River.

**Certainty of process** - Developers refer to the IDP and the Area Structure Plans (ASP's) that assist in the interpretation of the IDP as the first step in assessing their development plans. More development readiness has resulted in speed of processing, clarity of vision, and certainty of approval. Compliance with the IDP means the approval process is more administrative and less political. Variation from the IDP means a clear and transparent referral and review process, leading to good decisions when flexibility is required.

**Resolving issues and visioning** - Mechanisms are in place to resolve issues that still arise and the Liaison Committee has evolved past the function of reacting to/reviewing proposals to serving an anticipatory/future visioning/facilitation function. The up-front sharing of knowledge through the economic development office and the two Administrations has reduced misunderstandings which could have otherwise affected development opportunities.

**Key Infrastructure** – Municipal water and sewer availability, the key factor in development capacity in the Hwy 16 north ASP, has been addressed incrementally over the past 10 years. What started out as a modest agreement for mutual

contribution to on-site oversizing and off-site water and sewer treatment capacity and roads, has grown to the point where capacity is less of a constraint and more of an incentive for developers. The regional water line currently under construction will further enhance capacity and allow the contributions to focus on piped sanitary sewage disposal.

Road upgrades and maintenance, a major cost for any municipality, has been coordinated through the ASP's, a master transportation plan and joint agreements within the IDP area. Endorsed by Alberta Transportation, it has resulted in not only savings for both municipalities but improved leverage when jointly applying for Provincial grants. Regional thinking such as this has been held up by the Province as a model to be promoted.