

# Bylaw No. 454-21

## A BYLAW IN THE TOWN OF PONOKA TO ADOPT THE TOWN OF PONOKA AND PONOKA COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS Section 631(1) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, provides that two or more Councils that have common boundaries must, by each passing a Bylaw, adopt an Intermunicipal Development Plan; and

WHEREAS the Council of the Town of Ponoka deems it necessary and expedient to adopt an Intermunicipal Development Plan;

NOW THEREFORE COUNCIL OF THE TOWN OF PONOKA DULY ASSEMBLED ENACTS AS FOLLOWS:

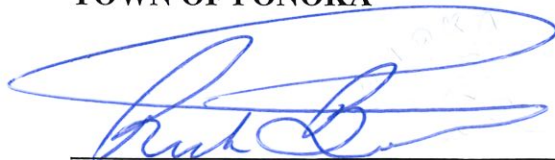
1. THAT the document titled "Town of Ponoka and Ponoka County Intermunicipal Development Plan" dated May 2021 as attached and forming Schedule A of this Bylaw be adopted.

Read Reading: May 11, 2021

Second Reading: June 8, 2021

Third Reading: June 8, 2021

**TOWN OF PONOKA**



**MAYOR**



**CHIEF ADMINISTRATIVE OFFICER**

**PONOKA COUNTY**

**BY-LAW 12-21-IDP**

A By-Law of Ponoka County, in the Province of Alberta, for the purpose of adopting an Intermunicipal Development Plan for with the Town of Ponoka pursuant to the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto.

**WHEREAS** The Councils of Ponoka County and the Town of Ponoka have recognized the need to cooperate in the planning of future land use and development along the shared common municipal boundary;

**AND WHEREAS** Section 631 of the Municipal Government Act provides for two or more municipalities to jointly prepare an intermunicipal development plan for an area of common interest or concern.

**NOW THEREFORE**, the Council of Ponoka County, duly assembled, enacts as follows:

1. This By-Law may be cited as the "Town of Ponoka/Ponoka County IDP By-Law".
2. The Intermunicipal Development Plan between Ponoka County and the Town of Ponoka, as amended on June 8, 2021, attached to this By-Law as Schedule "A", is hereby adopted.
3. This By-Law may be amended by By-Law in accordance with the Municipal Government Act, as amended.
4. This By-Law shall come into effect on the date of the third and final reading.

Given first reading this 11<sup>th</sup> day of May, 2021 and was carried unanimously.

Public Hearing conducted on June 8, 2021.

Given second reading this 8<sup>th</sup> day of June, 2021 and was carried unanimously.

By-Law 12-21-IDP was given third and final reading this 8<sup>th</sup> day of June, 2021 and was unanimously passed.

  
\_\_\_\_\_  
Reeve



  
\_\_\_\_\_  
Chief Administrative Officer

# Town of Ponoka and Ponoka County Intermunicipal Development Plan

May 2021



## Table of Contents

A.	INTRODUCTION .....	1
B.	LEGISLATIVE REQUIREMENTS .....	1
C.	IDP AREA .....	2
D.	IDP GOALS .....	2
E.	IDP INTERPRETATION AND RELATION TO OTHER PLANS.....	3
F.	CONTEXT WITHIN PLAN AREA.....	4
G.	ECONOMIC DEVELOPMENT .....	5
H.	ENVIRONMENTAL MATTERS .....	5
I.	HISTORICAL RESOURCES .....	6
J.	CONFINED FEEDING OPERATIONS .....	7
K.	TOWN POLICY AREA .....	7
L.	FUTURE TOWN EXPANSION POLICY AREA .....	7
M.	COUNTY POLICY AREA.....	9
N.	WATER, WASTEWATER AND STORM DRAINAGE SERVICES .....	9
O.	TRANSPORTATION SYSTEMS AND ENTRANCEWAYS.....	10
P.	RESOURCE DEVELOPMENT AND UTILITY CORRIDORS .....	11
Q.	ANNEXATION.....	12
R.	COMMUNICATION AND REFERRAL PROCESS .....	13
S.	PLAN ADMINISTRATION AND IMPLEMENTATION .....	15

Map 1: Context

Map 2: Policy Areas

## **A. INTRODUCTION**

- 1) The Town of Ponoka (Town) and Ponoka County (County) have a long history of working together to address areas of mutual concern. The Town and the County have agreed to prepare and adopt an Intermunicipal Development Plan (IDP) as described in the Municipal Government Act (MGA).
- 2) The Town and County have also entered into an Intermunicipal Collaboration Framework (ICF) between the Town and the County as required under the MGA.
- 3) Together, the IDP and the ICF form the basis of cooperative efforts between the Town and the County to serve the needs of their communities.
- 4) In preparing the IDP, the Town and the County recognize that all municipalities are equals and have:
  - a) the right to growth and development; and
  - b) the right to plan and build the type of community desired by their residents and ratepayers in accordance with their respective Municipal Development Plan (MDP).
- 5) The purpose of the IDP is to:
  - a) provide a policy framework for planning matters requiring coordination between the Town and County, such as future land uses, environmental matters, and transportation and infrastructure planning; and
  - b) provide processes for ongoing communication, cooperation, decision making and, if needed, dispute resolution related to land use planning matters in the IDP area.

## **B. LEGISLATIVE REQUIREMENTS**

- 1) The MGA identifies the following as matters to be addressed for lands within the boundary of the IDP:
  - a) Future land use within the area;
  - b) The manner of and the proposals for future development in the area;
  - c) The provision of transportation systems for the area, either generally or specifically;

- d) The coordination of intermunicipal programs relating to physical, social and economic development of the area;
- e) Environmental matters within the area, either generally or specifically;
- f) A procedure to be used to resolve or attempt to resolve any conflict within the area;
- g) Procedures to amend or repeal the plan; and
- h) Provisions relating to the administration of the plan.

### **C. IDP AREA**

- 1) The lands that are subject to the policies and agreements under this IDP are shown on *Map 1: Context* and *Map 2: Policy Areas*.
- 2) The IDP Area includes all lands within the current Town of Ponoka boundaries and lands in Ponoka County that are generally within a 0.5 to 2 mile distance of the current Town boundaries.

### **D. IDP GOALS**

- 1) The following are goals that have been identified by the Town and the County for the IDP and planning for the IDP Area. Some of the goals are of an on-going nature while some may be seen as more time specific.
  - a) To reinforce and enhance the positive and mutually beneficial relationships between the Town and County recognizing that the town and surrounding rural area function as one diverse, mutually supporting community;
  - b) To achieve a common purpose for growth and development which recognizes the importance of agricultural land preservation, supports intermunicipal agreements, and is consistent with cooperative initiatives in the effective and efficient provision of municipal services;
  - c) To encourage dialogue to reduce the potential for land use conflicts and foster a better understanding of each other's interests and views on land use planning matters while considering the effects that development in one municipality might have on the other;
  - d) To identify future Town growth directions and protect the identified areas to enable the efficient, economic and orderly expansion of the Town;

- e) To identify future areas of County growth and protect the identified areas for their efficient, economic and orderly development;
- f) To establish a direction for attracting new economic opportunities and improve existing opportunities to secure a long-term economic base for the community;
- g) To provide for effective coordination of transportation systems and protection of required land for future road and trail network developments; and
- h) To plan for utility corridors to support future growth and development and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the IDP area.

## **E. IDP INTERPRETATION AND RELATION TO OTHER PLANS**

- 1) This IDP contains “shall”, “should” and “may” policies which are interpreted as follows:
  - a) “shall” policies must be complied with,
  - b) “should” policies mean compliance in principle is required but it is subject to the discretion of the applicable authority on a case by case basis, and
  - c) “may” policies indicate support in principle but it is subject to the applicable authority determining the level of compliance required.
- 2) In the hierarchy of statutory plans, the policies of the IDP shall take precedence over any other municipal statutory plan and document except where the IDP specifically defers to the policy direction provided under a more detailed, adopted statutory plan or Land Use Bylaw. Where there is a conflict or difference in direction between the IDP and another statutory plan, the applicable policies of the IDP prevail to the extent of the conflict or difference.

## F. CONTEXT WITHIN PLAN AREA

- 1) *Map 1: Context* offers a high level overview of features that influence future growth directions and land use assignments. Key highlights include:
  - a) The presence of the Battle River and its associated flood plain based on areas where flooding has been observed or formally modelled. This feature is an environmental asset as well as an area that is unsuitable for certain land uses;
  - b) The Provincial highway network (QE2, 2A, 53 and 815) that runs through the IDP Area and offers connections to other communities and parts of the county. The area within 1 mile of these routes is subject to Alberta Transportation's ability to require the preparation of area structure plans. Connection to the highways is subject to Alberta Transportation approval;
  - c) The grid of County Roads bisecting the IDP Area with connections to the Provincial highways;
  - d) The Ponoka Airport along Highway 2A south of the Battle River is a key transportation connection for some freight and base for aerial services. Areas north and south of the runway may face building height restrictions to avoid conflict between uses;
  - e) The presence of active and former landfills and waste transfer sites which are subject to setbacks for certain land uses and setbacks for the use of private water wells;
  - f) The presence of wastewater lagoons for the Town of Ponoka and the Centennial Centre and their associated setbacks for certain land uses;
  - g) The general alignment of the Regional Waterline that supplies the Town of Ponoka with potable water;
  - h) The CPR railway right of way bisecting the IDP Area and offering rail connections to Edmonton, Calgary and destinations beyond;
  - i) Areas where aggregate extraction activity is present; and
  - j) The lands that are subject to area structure plans adopted by Ponoka County in the northwest part of the IDP Area and the area extending south from the Town of Ponoka boundary.



## **G. ECONOMIC DEVELOPMENT**

- 1) The Town and County have agreed to work together to promote and support economic development that is good for both municipalities.
- 2) The Town and County shall work towards diversification of local economic sectors to increase employment opportunities and increase the size of the non-agricultural and non-residential assessment base. Activities that are not related to the oil and gas sector, such as value added agriculture, value added manufacturing or processing of resources, and tourism, shall be strongly encouraged in addition to accommodating ongoing investment in the oil and gas sector.
- 3) Through their respective MDP, the Town and County shall ensure that their combined land use patterns provide a suitable inventory of lands for commercial and industrial development. This includes a range of choice for potential commercial and industrial activities in terms of parcel sizes, access and visibility along major travel corridors, available municipal services, and levels of servicing.
- 4) While a broad range of commercial and industrial (which includes value-added agriculture) uses and development is desirable, those uses and developments which may detract from the community's character, quality of life for area residents, unduly impact on the environment, or cause negative social implications may not be allowed.
- 5) To advance their mutual interest in economic development of the IDP Area, the Town and County shall explore options for coordination and cooperation in accordance with the Intermunicipal Collaboration Framework.

## **H. ENVIRONMENTAL MATTERS**

- 1) The Town and County shall encourage landowners, residents, agricultural operators and industry to follow water conservation practices established by each municipality and to continue efforts to maintain high standards of water quality.
- 2) The Town and County shall protect sources of potable water within their jurisdictions to meet Provincial guidelines for water quality.

- 3) The Town and County shall direct uses and development away from lands that are prone to flooding in accordance with Provincial regulations and the policies and regulations laid out in their respective municipal development plan and/or land use bylaw.
- 4) Where uses and development in the floodplain along the Battle River are considered by the host municipality, the use and development shall be regulated to avoid any negative effect on the other municipality or lands within the other municipality.
- 5) The impact of uses and development on environmentally significant areas or features shall be addressed in accordance with the policies of each municipality's respective municipal development plan, area structure plans and/or land use bylaw. This includes impacts on wetlands and areas of interest involving upland vegetation.
- 6) When lands along water bodies and/or water courses within the IDP Area are subdivided, the host municipality shall require dedication of environmental reserve and/or the provision of an environmental reserve easement in accordance with their respective municipal development plan.
- 7) Despite item 6 above, where lands along a water body or water course are needed to facilitate public access or a regional trail connection, the host municipality shall seek dedication in the form of an environmental reserve parcel.
- 8) When lands along water bodies and/or water courses within the IDP Area are proposed for development without undergoing subdivision, the Town and County shall apply development setbacks to preserve the option of obtaining environmental reserve dedication at a future date.

## **I. HISTORICAL RESOURCES**

- 1) The planning area is considered to have high potential for occurrence of historic resources. Proponents of all future development activities within the area must follow provincial guidelines to determine if a Historic Resources Application is required under the Historical Resources Act.

## **J. CONFINED FEEDING OPERATIONS**

- 1) No new or expanded confined feeding operations that require Provincial registrations or approvals or manure storage facilities that require authorization under the Agricultural Operations Practices Act shall be permitted within the IDP Area.
- 2) Confined feeding operations that are too small to fall under the Agricultural Operations Practices Act shall be allowed only if they are located at least half a mile away from the Town of Ponoka and the Future Town Expansion Policy Area shown on *Map 2: Policy Areas*.

## **K. TOWN POLICY AREA**

- 1) The Town Policy Area shown on *Map 2: Policy Areas* shall apply to and consist of all lands within the current boundaries of the Town of Ponoka.
- 2) The future intended land uses for the Town Policy Area shall be those described in the Town of Ponoka Municipal Development Plan.
- 3) All planning approvals within the Town Policy Area shall be in accordance with the Town of Ponoka Municipal Development Plan, applicable area structure plans, applicable non-statutory plans, such as outline plans, and the Town of Ponoka Land Use Bylaw.

## **L. FUTURE TOWN EXPANSION POLICY AREA**

- 1) The Future Town Expansion Policy Area shown on *Map 2: Policy Areas* is those lands within the County that have been identified for future Town growth beyond the Town's current boundaries.
- 2) The Future Town Expansion Policy Area shall be the priority areas for future annexations by the Town. It is expected that the area will be annexed to the Town in blocks (one or more quarter sections at a time) based on justified need for additional residential, commercial and industrial lands in accordance with the Annexation Section of this IDP or to access municipal water and/or wastewater services for a specific proposal. The timing and identification of areas for future annexation processes shall be determined through consultations between the Town and County.

- 3) The future intended uses in the Future Town Expansion Policy Area, once annexed into the Town, are found in the Town of Ponoka Municipal Development Plan. The land uses shown in the Town's Municipal Development Plan do not apply and have no direct bearing on planning approvals until the lands have been annexed into the Town's jurisdiction.
- 4) To preserve large blocks of land for efficient, economical design as part of a future urban area and to avoid impeding the ability of the Town to grow, further subdivision and development in the Future Town Expansion Policy Area shall be limited.
- 5) Use and development of the lands identified as Future Town Expansion Policy Area shall be based on the policies of the County's Municipal Development Plan.
- 6) Land use designations under the County's Land Use Bylaw that are in place as of the date the IDP is adopted shall be allowed to continue. Further changes in land use designations to allow a non-agricultural use shall only be approved to allow for residential first parcel out, fragmented parcel or farmstead separation.
- 7) The subdivision of land designated as Agricultural shall be limited to applications involving a first parcel out, a fragmented parcel, or a farmstead separation. For lands where a non-agricultural designation is in place under the County's Land Use Bylaw at the time that the IDP is adopted, subdivision may be allowed in accordance with the applicable land use designation.
- 8) Unless the Town requests otherwise in writing, municipal reserves due as a result of subdivision in the Future Town Expansion Policy Area shall be deferred so that they can be taken as land at the time of re-subdivision into urban size lots. A deferred reserve caveat shall be registered on the Land Title at the time of initial subdivision.
- 9) Decisions on the dedication of environmental reserves when land within the Future Town Expansion Policy Area is subdivided shall be made in consultation with the Town.
- 10) Interim uses may be accommodated within the Future Town Expansion Policy Area provided the use will not obstruct the eventual conversion of the land to urban uses and the Town has agreed to the use in writing.

## **M. COUNTY POLICY AREA**

- 1) The County Policy Area shown on *Map 2: Policy Areas* is those lands in the County that are intended to remain in the County. These lands are not identified as future growth areas for the Town and are included to enable coordination of land use patterns and infrastructure.
- 2) Use and development of land within the County Policy Area shall be based on the land use designations under the County's Land Use Bylaw and the land uses and the policies of the County's Municipal Development Plan.
- 3) An area structure plan may be required for any residential subdivision creating more than 5 lots. The process to prepare an area structure plan and the contents of the area structure plan shall be based on the requirements of the County's Municipal Development Plan and related planning policies.
- 4) Essential public and private utilities services may be allowed throughout the County Policy Area to provide the desired level of service to the community. An Area Structure Plan is not required for the development of essential public service or private utility services.

## **N. WATER, WASTEWATER AND STORM DRAINAGE SERVICES**

- 1) The Town and County agree that uses and/or development that requires or wishes to make use of municipally supplied water and/or wastewater services should be directed to the Town Policy Area shown on *Map 2: Policy Areas*.
- 2) Where a use or development requiring or wishing servicing with municipal water and/or wastewater services is proposed for land outside the Town Policy Area the County shall support annexation of the land.
- 3) Lands required for future utility and servicing right-of-way, as identified through the mutual agreement of the Town and County shall be protected at the time of subdivision and development. To this end, utility corridors shall be identified in future Area Structure Plans.
- 4) Should the Town require land located in the County for the expansion of municipal utilities, the County shall endeavour to protect the lands until the lands can be acquired by the Town.

- 5) The Town and County agree to manage storm water run-off and drainage issues as development occurs in their respective jurisdictions so that lands in either municipality are not negatively impacted by changes in drainage volumes and patterns.
- 6) Natural and man-made drainage courses that support the overall management of storm water within the IDP Area shall be protected at the time of subdivision or development. To this end, storm water drainage courses shall be identified within future area structure plans.
- 7) The Town and County recognize that storm water management facilities located in the Town and located in the County may require shared outfall routes and rights of way to reach an acceptable receiving body that meets Alberta Environment and Parks requirements. The Town and County agree to work together to secure outfall routes that may benefit both municipalities.
- 8) The Town and County agree to address use of the Town wastewater treatment facilities by County residents wishing to dispose of the contents of sewage holding tanks through a specific agreement under the Intermunicipal Collaboration Framework.

## **O. TRANSPORTATION SYSTEMS AND ENTRANCEWAYS**

- 1) The Town and County shall share information to ensure a safe and efficient transportation network can be developed and maintained to service the residents and businesses within the IDP Area.
- 2) Both municipalities shall share their respective capital plans for transportation improvements to coordinate road upgrades.
- 3) Both municipalities shall coordinate the planning of major transportation links. Where these links involve Provincial highways the two municipalities shall work in concert with Alberta Transportation.
- 4) The Town and County may work with Alberta Transportation to establish one or more Highway Vicinity Management Agreements that facilitate intersections and access points along Highway 2A and Highway 53.

- 5) As subdivision occurs, lands required for future transportation corridors shall be protected. This may take the form of dedication of road right-of-way, registration of land acquisition agreements on title, additional building setback requirements, or a combination of these measures.
- 6) The Town and County shall consider the impact developments may have on the aesthetic appearance of the entrance corridors to the Town and the main travel routes through the IDP Area. Each municipality shall put in place appearance guidelines for buildings and site improvements located along the highways.
- 7) Where a road or bridge has recently been built at County cost, and the land is later annexed into the Town, the Town shall reimburse the County of the depreciated cost of construction based on a 20 year amortization, unless otherwise negotiated and agreed upon.
- 8) Both municipalities shall promote opportunities that incorporate non-vehicular and pedestrian pathways throughout the plan area.

**P. RESOURCE DEVELOPMENT AND UTILITY CORRIDORS**

- 1) The Town and County acknowledge that future development within the IDP Area is dependent on access to water services. The Town and County agree to work together to ensure the corridor for the North Red Deer Water Services Commission is protected.
- 2) The County and the Town shall work together to protect municipal utility corridors that have been identified through area structure plans and/or master servicing concepts and plans.
- 3) The Town and County acknowledge that the development of the oil and gas industry has played an integral part in the development of the community. The Town and County shall endeavour to work with the oil and gas industry to ensure that the orderly development of the IDP Area is not unduly restricted by the development of oil and gas infrastructure, including pipelines.

- 4) The Town and County shall work with representatives of industry and public utilities to promote infrastructure and resource development which does not negatively impact existing and/or future development within the IDP Area.
- 5) The Town and County agree to refer all oil and gas infrastructure and telecommunication infrastructure related applications in the IDP Area to the neighbouring municipality for review and comment.

## **Q. ANNEXATION**

- 1) The County recognizes and agrees that annexation of lands from the County by the Town to provide additional land for Town growth shall be needed from time to time.
- 2) Either municipality may put forward an annexation proposal.
- 3) Where annexation is proposed by either municipality, efforts shall be made to ensure that affected landowners, meaning those whose land is proposed to be transferred to the other jurisdiction, are notified prior to the general public.
- 4) Annexation proposals shall be reviewed by the Town and County prior to submission of a Notice of Intent to the respective Councils and the Municipal Government Board.
- 5) If deemed necessary, at least one joint meeting of the two Councils to discuss the rationale for the annexation shall be held prior to submission of the annexation application to the Municipal Government Board.
- 6) The Town and County shall endeavour to reach an inter-municipal agreement on the annexation prior to submitting the annexation to the Municipal Government Board.
- 7) In evaluating the appropriateness of an annexation proposal, the following criteria shall be taken into account and documented in a supporting report:
  - a) justifiable based on projected growth rates reflecting historic trends or anticipated economic stimulus;
  - b) availability and cost of providing municipal services including consideration of economies of scale related to the financing of municipal service extensions;



- c) adequacy of transportation systems and ability to expand to accommodate demands resulting from annexation including consideration of economies of scale related to the financing of transportation infrastructure;
- d) landowner interest in pursuing development and as high a degree of concurrence among affected landowners as possible;
- e) measures to mitigate the impacts of annexation relating to such aspects as change in taxation levels, service provisions and treatment of and continuation of existing, approved uses and development;
- f) consistency with adopted statutory plans;
- g) logical extension of jurisdictional boundaries including consideration of long term responsibilities for maintenance and service delivery and the establishment of rational planning units or boundaries;
- h) the financial impact on both municipalities and any means of mitigating impacts; and
- i) legislation as provided for in the Municipal Government Act Section 76 and the Municipal Government Board's Annexation Principles.

## **R. COMMUNICATION AND REFERRAL PROCESS**

- 1) The Town and County shall share information with one another related to land use and infrastructure involving land within the IDP plan area. This includes, but is not limited to:
  - a) new master plans or amendments to existing master plans;
  - b) transportation plans and functional plans for area highways;
  - c) notices regarding Federal or Provincial government projects;
  - d) technical studies related to proposed development and its potential impacts; and
  - e) each municipality's capital plan.
  
- 2) The Town of Ponoka agrees to refer planning matters to the County. The matters to be referred shall include:
  - a) subdivision applications;
  - b) land use bylaw amendments and re-designations;
  - c) new outline plans or amendments to an existing outline plan;

- d) new area structure plans or amendments to an existing area structure plan;
- e) new area redevelopment plans or amendments to an existing area redevelopment plans; and
- f) amendments to the Town's Municipal Development Plan;

where the lands subject to one or more of the items listed above is adjacent the Town boundary.

3) Ponoka County agrees to refer planning matters to the Town. The matters to be referred shall include:

- a) subdivision applications;
- b) land use bylaw amendments and re-designations;
- c) new area structure plans or amendments to an existing area structure plan;
- d) new area redevelopment plans or amendments to an existing area redevelopment plans; and
- e) amendments to the County's Municipal Development Plan;

where the lands subject to one or more of the items listed above is within the IDP plan area.

4) The Town and County have agreed that they shall not refer development permit applications to each other.

5) Notwithstanding items 2 through 4 above, either municipality may elect to circulate additional items to the neighbouring municipality for comment.

6) Referrals shall be sent to each Administration via the Chief Administrative Officer (CAO) with the expectation that comments shall be provided from an Administrative perspective. Each municipality shall offer comments from the perspective of specific implications that have a high likelihood of affecting their own planning efforts around land uses, development, and infrastructure. General observations and advice on issues that have no bearing on the planning efforts of the commenting municipality shall be avoided.

7) The Administration receiving the referral shall be given at least 14 calendar days to submit their comments and shall make their comments in writing within the 14 calendar day period. The CAO of the municipality sending the referral may agree to an extension of the review period and where an extension is provided it shall be communicated in writing.

- 8) When issues are raised through the referral process, they shall be addressed using the process steps described below. While these steps are underway, the municipality having jurisdiction over the matter should not proceed with making a decision.

Step 1: Once an issue is identified, the Administration of the municipality having jurisdiction shall provide the other municipality's Administration with all available information concerning the matter.

Step 2: The Administration of the commenting municipality shall evaluate the matter and provide written comments to the other municipality.

Step 3: Every attempt shall be made to discuss the issue with the intent of arriving at a mutually acceptable resolution.

Step 4: If an agreement or understanding on how to approach the issue is reached, the Administration of the commenting municipality shall indicate same to the Administration of the other municipality in writing. If no agreement can be reached, the matter shall be referred to each Council to determine if the dispute resolution process is to be used. This step shall not apply to referrals of subdivision applications.

## **S. PLAN ADMINISTRATION AND IMPLEMENTATION**

### **Intermunicipal Development Plan Committee**

- 1) The Town and County agree to create an IDP Committee (the "Committee") to be the primary forum for discussing matters relating to the IDP.
  - a) The mandate of the Committee shall include discussion and consideration of the following:
    - b) making recommendations to both Councils on intermunicipal matters related to land use planning and development that are referred to the Committee by either municipality;
    - c) monitoring the progress of the IDP including overseeing any implementation actions and follow up identified in the IDP;
    - d) reviewing any proposed annexations;

- e) reviewing any proposed amendments to the IDP; and
  - f) if necessary, assisting with the resolution of disputes in accordance with the IDP.
- 2) The Committee shall consist of two Council members from the Town and two Council members from the County.
- a) The Chief Administrative Officers, or their designate(s), will be advisory staff to the Committee, responsible to develop agendas and recommendations on all matters, and for forwarding all recommendations from the Committee to their respective Councils.
  - b) The Committee may conduct their meetings and decision making based on the protocols and processes established by the Committee.
  - c) At least once annually, the Committee shall discuss progress on any initiatives arising out of the IDP or required to implement the full intent of the IDP and any issues and opportunities related to the IDP.

### **Approving Authorities**

- 3) The Town shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaws, amendments thereto, subdivision applications and development applications falling within the boundaries of the Town.
- 4) The County shall be responsible for the administration and decisions on all statutory plans, non-statutory plans, land use bylaws, amendments thereto, subdivision applications and development applications falling within the boundaries of the County.

### **Plan Amendments**

- 5) An amendment to the IDP 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. Any proposed amendment should first be presented to the Administration of the other municipality to facilitate review prior to discussion of the proposed amendment at a Committee meeting.
- 6) Following the conclusion of any annexation process or change in municipal boundaries, the IDP maps and text impacted by the change in municipal boundaries shall be amended.

- 7) An amendment to the IDP has no effect if not adopted by both municipalities by bylaw pursuant to the Municipal Government Act.

### **Plan Review**

- 8) Annually, the County CAO and Town CAO, or their designate(s), shall determine the advisability of any amendments to the Plan. If an amendment is deemed necessary by both municipalities then the results of the review shall be presented to the Committee. The Committee shall determine if any amendments are to be proceeded with and direct municipal administration to commence with a public plan amendment process. If the Committee does not agree that a particular amendment shall proceed then neither municipality shall proceed with that amendment.
- 9) At the end of five years from the date that the IDP is adopted by both Councils, the two municipalities shall consider the need for a review of the IDP. If deemed necessary, the IDP shall be updated and revised. Thereafter the IDP shall be considered for review every five years unless an alternative timeframe is agreed to by both Councils.

### **Procedure to Repeal**

- 10) If either municipality deems the current IDP is no longer workable or not in their interests, the municipality may initiate the process to repeal the current IDP.
- 11) The following procedure to repeal the current IDP shall be applied:
  - a) the municipality wishing to repeal the current IDP shall give the other municipality written notice of its intention to repeal its bylaw adopting the current IDP;
  - b) within 30 days of the date of written notice being forwarded to the other municipality, a Committee meeting shall be convened at which meeting the municipality initiating the repeal process shall provide its reasons for doing so;
  - c) following the Committee meeting, the municipality initiating the repeal process may either withdraw its intention to repeal the current IDP by giving written notice to the other municipality or proceed to consider a bylaw to repeal the current IDP;
  - d) once one municipality has given first reading to a bylaw repealing the current IDP, the two municipalities shall start the process to create a replacement IDP and the bylaw to repeal the current IDP shall not advance to consideration of second reading;

- e) until such time as the replacement IDP has been agreed to by both municipalities, the current IDP remains in effect;
- f) once a replacement IDP has been agreed to, the bylaws adopting the replacement IDP shall repeal the current IDP;
- g) in the event that a replacement IDP cannot be agreed upon, the municipalities shall notify the Minister of Municipal Affairs and seek guidance on how to proceed in accordance with the Municipal Government Act.

### **Dispute Resolution Process**

- 12) The Town and County agree that disputes relating to matters covered by the IDP shall be restricted to the following:
  - a) lack of agreement on any proposed amendment to the IDP;
  - b) lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within or affecting the IDP Area; or
  - c) lack of agreement on an interpretation of the IDP.
- 13) Lack of agreement on the matters listed above is defined as a statutory plan, land use bylaw or amendment to either where first reading of a bylaw is given by one Council and which the other Council deems to be inconsistent with the policies of this IDP or detrimental to their planning interests as a municipality.
- 14) A dispute on a matter not listed above may be referred to the appropriate authority or appeal board that deals with that issue.
- 15) The dispute resolution process of the IDP may only be initiated by Town Council or County Council.
- 16) Identification of a dispute and the desire to go through the dispute resolution process may only occur within 30 calendar days of first reading being given to the item that is in question. The Council wishing to go through the dispute resolution process shall provide written indication of their desire and reasons to the other Council before the end of the 30 calendar day period.

- 17) 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.
- 18) 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 an attempt to reach a mediated resolution has been concluded.
- 19) A dispute shall be addressed using the process described below. At any stage the dispute may be resolved:

Stage 1: Committee Review - The Committee shall convene to consider and attempt to resolve the dispute. Both Administrations shall present their perspectives and views on the issue. The Committee may:

- a) provide suggestions to both Administrations on how to address the issue and refer the matter back to both Administrations for further discussion between them;
- b) seek additional information and alternatives for consideration at a future meeting of the Committee;
- c) if possible, agree on a consensus position that resolves the issue and provide the details of the consensus to each municipality in writing; or
- d) conclude that no initial agreement can be reached and communicate their conclusion to the two Councils.

Stage 2: Mediation – If the Committee Review does not resolve the dispute, the dispute shall then be referred to mediation. The services of an independent mediator shall be retained to mediate/facilitate discussions by the Committee based on an approved mediation process and schedule. The costs of mediation shall be shared equally between the Town and County. The mediator shall present written recommendations to both Councils.

- 20) In the event mediation does not resolve the dispute, the municipality that gave first reading to the item in question, may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality may appeal to the Municipal Government Board.

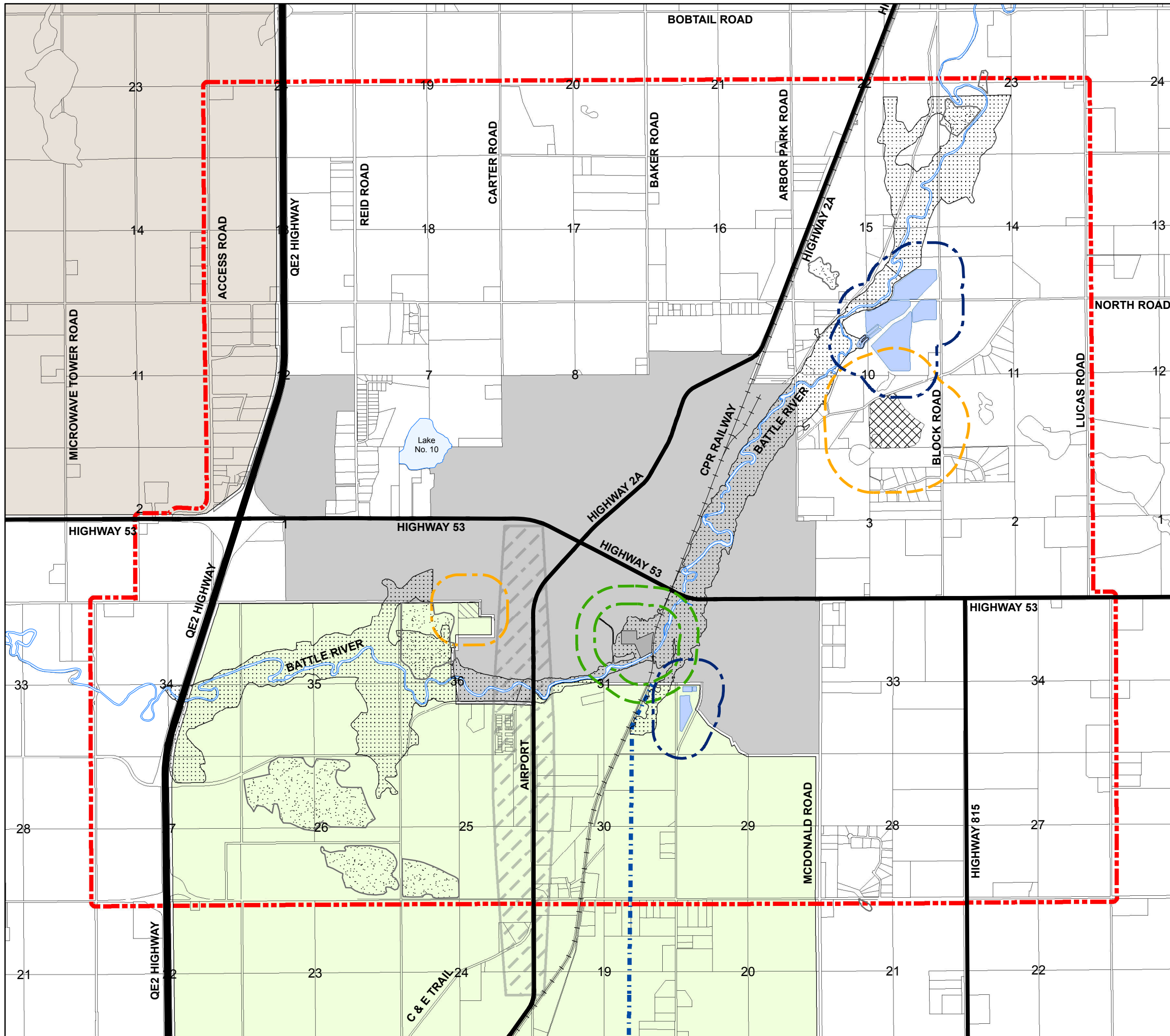
- 21) The municipality initiating a dispute may withdraw their objections at any time. The municipality initiating the dispute shall provide written confirmation that the dispute is withdrawn to the other municipality.
  
- 22) Both municipalities agree that time shall be of the essence when working through the dispute resolution process.






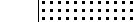















# TOWN OF PONOKA - PONOKA COUNTY INTERMUNICIPAL DEVELOPMENT PLAN

## MAP 1: CONTEXT



-  Intermunicipal Development Plan Area Boundary
-  Land Within Town Boundaries
-  Area Included in the Morningside Area Structure Plan
-  Area Included in the North-West Ponoka Area Structure Plan
-  Areas Prone to Possible Flooding
-  Wastewater Lagoon
-  300m Setback from Wastewater Lagoon
-  Former Landfill
-  300m Setback from Former Landfill
-  500m Setback from Former Landfill
-  Existing Waste Transfer Station
-  300m Setback from Waste Transfer
-  Existing Waste Transfer Station/Formal Land
-  500m Setback from Waste Transfer Station/Formal Landfill
-  Airport Restricted Building Height Area
-  Aggregate Extraction Site
-  Regional Waterline



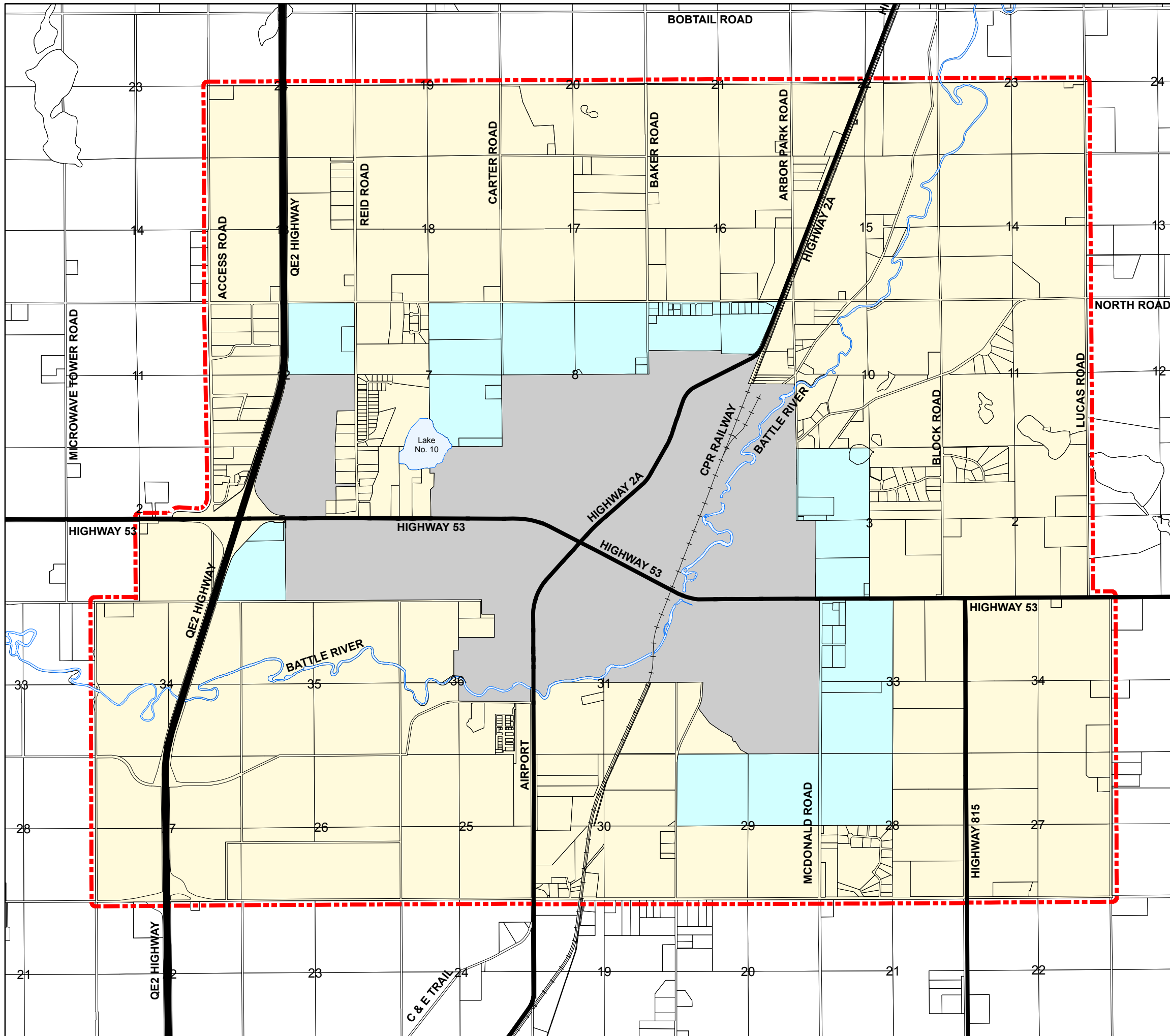
MAY 2021



TOWN OF PONOKA - PONOKA COUNTY  
INTERMUNICIPAL DEVELOPMENT PLAN

## MAP 2: POLICY AREAS

-  Intermunicipal Development Plan Area Boundary
-  Town Policy Area
-  Future Town Expansion Policy Area
-  County Policy Area



MAY 2021