

County of Paintearth and Town of Castor

Inter-municipal Development Plan

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1) Background and Objectives

The County of Paintearth and Town of Castor exist as neighbours in East Central Alberta in a rural prairie landscape and have decided to provide for the advance planning of urban growth within the County lands surrounding the Town. They have also valued the advantages of predetermining processes for land use and development where one municipality's border areas are affected by the other's new developments. Combined with natural geographic and topographic features, there are both significant advantages and constraints to future development. To that extent, the Intermunicipal Development Plan may strive to achieve the following objectives:

- *Having a workable agreement that can be used in moving bordering developments forward*
- *Developing proper detailed plans for the designated areas of joint planning and potential growth*
- *Protection of lands for*
 - o *existing desired uses now*
 - o *future infringement of potential undesired uses*
- *a cooperative effort where both municipalities are satisfied with the final outcome and work to see its fruition*
- *an open and transparent process for handling developments*
- *supported by the public and predominantly those within the affected areas and lands in the plan*

2) Municipal Government Act (MGA) Requirements

As established by the Municipal Government Act (MGA) an Inter-Municipal Development Plan is a statutory document and in accordance with Section 631 of the Act states that:

631(1) Two or more councils, must, by each passing a bylaw adopt an Inter Municipal development plan to include those areas of land lying within the boundaries of the municipalities as they consider necessary.”

In accordance with Section 631(2) of the Act this Plan **MUST** include:

- (i) future land uses within the area,
- (ii) the manner of, and the proposals for future development in the area,
- (iii) the provision of transportation systems for the area, either generally or specifically;
- (iv) the co-ordination of intermunicipal programs relating to the physical, social, and economic development of the area;
- (v) environmental matters within the area either generally or specifically;
- (vi) any other matter relating to the physical, social or economic development of the area that councils consider necessary.

As well, an IDP must address the following administrative features:

- (i) a procedure used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,
- (ii) a procedure to be used, by one or more municipalities to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan

3) Identification of Fringe Area

For all land descriptions – please refer to Appendix A – IDP Map contained at the end of this document.

All lands surrounding the Town of Castor for approximately ½ mile, and in some locations 1 mile, were identified as the lands comprising the “Fringe Area” and those are:

In Township 38-14-W4:

- South 1/2 of sec 3
- South 1/2 of sec 2

In Township 37-14-W4:

- NE, NW, SE of sec 35
- NE, SE, SW and portion of NW sec 26
- SE, SW, NW and portion of NE sec 27
- SW, NW, NE of sec 34

3.1 Land Use Regulations for Fringe Area

Permitted and Discretionary uses:

All uses listed in the AD - Agricultural District and RCI – Rural Commercial Industrial District of the County’s LUB are accepted for use in their Permitted or Discretionary categories in the Fringe Area with the exceptions noted below. Micro or mini wind power applications are accepted as discretionary uses.

Prohibited Uses

- auto machinery and recycling sites
- extensive agriculture
- intensive or confined feeding operations (NRCB applications)
- release and hunt operations
- large turbine wind energy facilities

4) Lands within Fringe Area

4.1 Future Town Growth Areas and Priorities

i) Current Situation

The Town has approximately 20 years or more of residential land available for growth within their boundaries, largely due to availability of land south of Highway 12. However, the Town's desired residential growth areas are in lands north of Highway 12.

The Town has a more pronounced need for industrial and commercial lands than it does for residential. Highway commercial lands immediately north of the highway may be hampered for developing as the regional waterline passes through and under the abandoned rail lands.

The Town cemetery has approximately 20 years or more of land available for use

ii) Residential Growth

The Town identified the following lands for residential growth opportunities:

- a) an urban style higher density residential growth in NE34 (County developments cautious so as not to landlock)
- b) NW35 has potential for residential and senior's housing
- c) East half of 35 is a prime area for residential developments, both urban and acreage style
- d) East of the creek in NE26 is good area for residential growth
- e) All other surrounding lands are suitable for country residential growth and developments are not discouraged

iii) Industrial Growth

The Town identified the following lands for commercial and industrial growth opportunities:

- a) East of the current industrial area in the SE corner of Town but west of creek
- b) West half of 34 (airport fringe) is preferred industrial or commercial
- c) South of town adjacent to paved road has potential for industrial or commercial
- d) Lands along Twp Rd 380 north of sec 34 are potential industrial or commercial

iv) Potential Annexation

Areas that meet long term goals and plans and are available for future development as identified above were the NE34, NW35 (including 4 developed properties which may/may not be subject to cost sharing agreement), SE35 and NE26 inside the creek as a boundary.

4.2 Environmental Sensitivities

The uniqueness and features of the surrounding creek offer the Town and County significant residential development opportunities. The potential need and development of an inter-linking trail system to these areas as a linear park could be used to attract development/investment. Future subdivision and land development should strongly consider a requirement for a Municipal Reserve portion along with an ER for such a trail system. The conclusion and resolution of the Town reservoir issue would assist future developments as Land Titles currently poses difficulty in completing survey plan registrations.

One available parcel of highway commercial land – off the main entrance into Town - may have environmental issues as it was a former service station with underground fuel storage capacity.

4.3 County Developments and Priorities

County zonings for adjacent lands were identified on the map and included CR, AF and Agricultural Districts. Both municipalities recognized Crowfoot Crossing as a great location for prime industrial serviced land, and the potential to work together in sewage handling has mandated its inclusion for referral to the Town on development applications. Outside of the Town's urban growth areas, County residential growth is to be encouraged in such a fashion as to not land lock or obstruct reasonable growth opportunities.

4.4 Agricultural Quality

The County identified the surrounding County lands as having distinct environmental attractions from the surrounding creek and waterway and the agricultural lands were of good producing quality.

4.5 Utility Servicing

There are currently 14 residences in the County on lands immediately surrounding Castor that are receiving town water service, 7 on Town gas service, and 4 are on Town sewer services.

A potential cost sharing agreement (for capital/operating expenses the Town would normally fund via taxes, not user fees) would be up for consideration by the County upon the Town presenting expense figures and/or an agreement.

Future servicing of lands on eastern edge of Town may be serviced from the Town system, or from Crowfoot Crossing reservoir lines. With a potential septic line in the future from Crowfoot Crossing, additional lands may be serviced for development thus maximizing returns on expenses.

5) Land Use Compatibility and Encroachment

As part of the mutual cooperation and respect for each municipality's jurisdiction, potential land uses and developments must recognize and be sensitive to existing landowners and incompatible developments are to be prevented. To this extent, the joint review and referral processes will ensure that proper planning will occur through the development permit and subdivision approval process to limit the adverse effects of new developments.

6) Confined Feeding Operations and NRCB Applications

Due to the nature of large scale feedlot and intensive livestock operations and the important issue of air quality and proximity, exclusion zones were identified for those operations falling under the Natural Resource and Conservation Board (NRCB) authority as established by the Agricultural Operations and Protection Act (AOPA) as well as for those operations which fall under the threshold of the NRCB limits, but still require a development permit from the County.

There will be no applications supported for any livestock operation above the NRCB thresholds and regulations within a Three (3) Mile Limit of the Town of Castor (*outer edges of purple shaded sections on Appendix A – IDP Map*).

Applications for any livestock operation under the NRCB thresholds and subject to the County LUB regulations within a Three (3) Mile Limit of the Town of Castor will be referred to the Town for review and comment prior to decision.

7) Oil and Gas Operations and ERCB Applications

The existence of oil and gas operations in close proximity to residential developments of either an urban or rural nature pose a slightly less risk of negative impacts as compared to the livestock operations above. As above, the oil and gas operations are under the authority of the Energy Resources Conservation Board as established by the Oil and Gas Conservation Act. There is potential for conflict within the Fringe Area for existing oil and gas facilities as well as the development of new facilities and operations.

This plan will request the ERCB to reject the placement and alignment of such facilities in accordance with the identified growth areas of the IDP Fringe Area as they are counter-productive and impede future growth of the Town. Further the Town and the County will jointly respond to any ERCB notification of oil and gas development within the Fringe Area that is inconsistent with this IDP's direction.

8) Transportation Networks and Castor Airport

a) Road Networks - The Town and County both agree on the importance of impacts from development on the municipal road infrastructure. To that extent, both municipalities will provide notification to each other as outlined in the referral section for any developments where access will be to or from the other municipality's road network. Both municipalities maintain their own road networks and the ability to require Road Use Agreements at their discretion. And both municipalities agree to work towards a coordinated approach to maintenance, and as required, upgrading of any shared or connected transportation systems.

Transportation Routes - Movement into the fringe area and access to the Town perimeter areas from the surroundings is both sufficient and quality. There is slight potential for the development of an existing access from Highway 12 to lands south and east of the elevator providing an additional access into the town for a potential truck route. However, indications from Alberta Transportation for approving that access are that it may be difficult in obtaining.

b) The Castor Airport and the County LUB's Airport Fringe district are within the IDP fringe area identified. All airport developments on the airport lands and surrounding AF District will be brought to the joint review committee for decision. The lands to the west of the airport will remain as zoned Airport Fringe by the County under their LUB.

9) Intermunicipal Initiatives, Services, and Collaboration

The Town and County have a strong history of intermunicipal cooperation and have undertaken a number of intermunicipal initiatives and programs together for the benefits of their residents and the overall region. Below is a listing of the many services (and their related agreements) that are provided either by a jointly cooperated service, or by one or the other municipalities on behalf of the region and the mutual benefits arising from:

Disaster Services Mutual Aid	East Central Ambulance Association
Fire Services Agreement	East Central 911 Call Center
County Recreation Grants	Castor Municipal Library
Castor and District FCSS	Paintearth Economic Partnership Society
Palliser Regional Planning Services	Physician Recruitment and Retention
Paintearth Regional Waste	Paintearth Lodge
Coronation/Consort Victim Services	Paintearth Community Adult Learning Council
Battle River Economic Opportunity Committee	

10) Plan Administration

The Town and County will work together to implement and monitor this plan, with the County performing the administrative work due to the fringe area all being County lands and potential developments.

a) Referral Process for Applications Abutting Fringe area

The referral areas for each municipality will be as follows:

- i) The Town will refer to the County for comment prior to adjudicating all development permit, subdivision or other planning applications that are directly adjacent to or abut the Fringe Area.
- ii) The County will refer to the Town for comment prior to adjudicating all development permit, subdivision or other planning applications that are:
 - directly adjacent to or abut the Fringe Area
 - applications proposed within the County's Crowfoot Crossing subdivision
 - applications within 2 miles of the Town of Castor municipal boundaries
- iii) The County will refer to the Town for comment prior to adjudicating specifically those land uses identified below if within 3 miles of the municipal boundary:
 - auto, machinery and recycling sites
 - extensive agriculture operations and accessory buildings
 - release and hunt operations
 - large turbine wind energy facilities
 - natural resource extractive industries

A few discretionary uses will trigger a more thorough review due to sensitivity and proximity to an urban area.

b) Adjudication Process for Applications within Fringe Area

The IDP calls for the joint review of all subdivision, development, and planning applications within the Fringe Area. The particulars of the review process include the following:

- 1) Joint review committee would adjudicate all subdivision applications and development permit applications - that meet the requirements of Section 3.1 of this plan - within the fringe area

- 2) Joint review committee would include 1 administrative member and 2 elected officials from each municipality
- 3) Permits would be issued by the County as long as the Fringe Area is still within County jurisdiction
- 4) Appeals to decisions from joint review committee would be forwarded onto a joint Subdivision and Development Appeal Board consisting of 1 councillor from each municipality and 3 people jointly appointed from at large within either or both municipalities
- 5) Each municipality will retain its right to appeal any developments as per the MGA
- 6) Timelines for all such reviews to be in accordance with the respective LUB for the land's jurisdiction

c) Dispute Resolution Process

This is a mandatory component of the IDP as per the MGA. While the intent is to avoid municipal appeals of decisions to the joint SDAB, an irresolvable split within the joint review committee, or proceeding to an appeal to the MGB, there may be issues or applications that still need to be administered. Where the joint review committee is unable to render a decision the following process will occur in respect to the decision:

- 1) A meeting of joint review committee with CAO's of each municipality. If unable to render a decision then
- 2) A meeting of Councils of both Town and County less the individual Councillors who sit on the joint SDAB. If unable to render a decision then
- 3) A meeting of Councils of both Town and County less the individual Councillors who sit on the joint SDAB facilitated by a member of the Alberta Arbitration Society. If unable to render a decision then
- 4) The processing municipality may proceed as it chooses and the other municipality shall pursue relevant avenues of appeal available to it.
- 5) Third parties may appeal decisions on subdivisions or development permits to the joint SDAB, or MGB in accordance to MGA.

d) Implementation, Review, Amendments and Repeal of IDP

This is a mandatory component of the IDP as per the MGA. The IDP is seen as a living document, in that it is open to review, amendment and effect without term as per the noted details below:

- 1) The IDP will be an indefinite plan with no set termination date
- 2) Upon adoption the IDP will supercede previous policies, studies or resolutions for the Fringe Area contained within.
- 3) The IDP will be reviewed annually together by both municipality's CAOs with development staff for possible amendments, which may be suggested at any time from the joint review committee
- 4) Amendments to the IDP require approval from both councils and must follow the amending process as required by the MGA
- 5) Repealing the IDP or withdrawing from it requires both municipalities to go through the Dispute Resolution Process steps 1-3.
- 6) All other planning documents by both municipalities will be reviewed and amended to conform with the content of the IDP and shall not be in conflict. Should any contradictory issue arise, the IDP will be the authoritative planning document of reference.

