

**TOWN OF HARDISTY & FLAGSTAFF COUNTY**  
**INTERMUNICIPAL DEVELOPMENT PLAN**

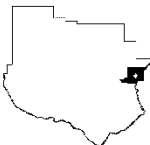
**TOWN OF HARDISTY BYLAW: 1228/18**

**FLAGSTAFF COUNTY BYLAW: 04/18**

# ACKNOWLEDGEMENTS

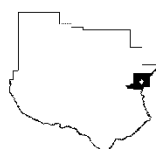
The Town of Hardisty & Flagstaff County Intermunicipal Development Plan was approved in 2010.

Beginning in 2016, Municipal Planning Services (2009) Ltd. worked with the Town and County to undertake a review of the goals and policies of the plan, as a part of the plan’s periodic review requirements.



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# 1 | INTRODUCTION

The Town of Hardisty is a bustling and vibrant community located within Flagstaff County. The Town is positioned along the railway adjacent to the Battle River, within the eastern portion of the County. The Town is located within five miles of the M.D. of Provost and the Hardisty Terminal; a large scale “tank farm” that provides employment opportunities in the commercial and industrial business sectors for the region.

In recent years, the Hardisty Terminal has been the location of significant oil and gas pipeline and tank storage developments. These developments have created economic incentives for the area, but have also resulted in some regulatory challenges for development. In light of these opportunities and challenges, the County and the Town decided that it would be beneficial for both municipalities to establish an Intermunicipal Development Plan to help guide land use and development decisions within the areas of mutual interest.

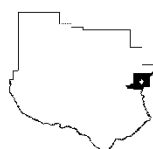
In February 2009 Flagstaff County and the Town of Hardisty approved a process to develop the Town of Hardisty and Flagstaff County Intermunicipal Development Plan (the Plan). This Plan, updated in 2018, was reviewed using the process originally identified in 2009 and in accordance with the requirements in the Plan and *the Act* to regularly review the bylaw.

The municipalities established a joint planning committee, hired a planning consultant, established a Plan Area boundary, and began the plan preparation program. The Town and County agreed that the Plan would provide policies and guidelines for the following matters within the Plan Area:

- a) the establishment of an Intermunicipal Planning Committee;
- b) the development of roads, services, infrastructure;
- c) future residential, commercial and industrial development;
- d) the dedication and establishment of municipal reserve, environmental reserve and open space locations;
- e) economic development;
- f) potential annexation;
- g) dispute resolution; and
- h) plan administration.

The municipalities also agreed that the initial Study Area would be larger than the Plan Area, thereby allowing both municipalities to consider data collected for the larger area when formulating plan policies and objectives. This data has been included for information in **Appendix A**, which does not form part of this IDP. As a result, the Study Area includes lands within Flagstaff County, the M.D. of Provost, and the Town of Hardisty. After thoughtful consideration of the Study Area data, the Town and the County defined the current Plan Area. **Map 8.1 – Study Area and Plan Area Boundaries** of the Plan shows the boundaries of the Study Area and the Plan Area.

The Intermunicipal Development Plan Area includes lands within the Town of Hardisty and all those lands within Flagstaff County extending approximately 3.2 km (2 miles) from the boundary of the Town of Hardisty. The Plan Area also includes the Hardisty Airport, which is located in Flagstaff County.



Between 2015 and 2018, the Intermunicipal Planning Committee (with assistance from the project consultant team) undertook a comprehensive review of the Plan’s policies, processes, and Future Land Use Concept. An updated Town of Hardisty and Flagstaff County Intermunicipal Development Plan, incorporating Intermunicipal Development Plan requirements within the amended *Municipal Government Act* and those amendments recommended by the Intermunicipal Planning Committee, was prepared and presented to both Councils in 2018 for adoption.

## 1.1 | 2018 CONSULTATION PROCESS

The Town of Hardisty and Flagstaff County Intermunicipal Planning Committee met during the review of this Plan between winter (February) 2017 and spring 2018 (April). In addition to the meetings of the Intermunicipal Planning Committee, the Plan was circulated to agencies and a Public Open House regarding the proposed Plan was held in March 2018. Residents of both the Town and County provided feedback at the Public Open House.

## 1.2 | PURPOSE

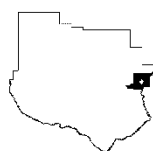
The purpose of the Town of Hardisty & Flagstaff County Intermunicipal Development Plan is to establish a coordinated and cooperative framework for building community capital within the Plan Area. For the purposes of this document, community capital includes the natural, human, social, and built capital from which a community receives benefits and on which a community relies for continued existence. To achieve this end, the Plan incorporates policies for attracting economic opportunities and managing land use, subdivision, and development within the Plan Area. The Town and County wish to minimize intermunicipal competition for development and encourage the efficient use of social and community services. Both municipalities have expressed a desire to establish consistency and to facilitate intermunicipal communication and cooperation in land development matters. Further, the municipalities want to be future-oriented and development ready in their planning efforts.

## 1.3 | APPROACH

### Comprehensive Planning Approach

The Plan utilizes a comprehensive approach to land-use planning. In practice, this means that local information, specialized viewpoints, and environmental stewardship practices are used in the decision-making process for land use and development.

The comprehensive approach takes into account both the past and present human and physical environments. Considering where the community has been, where it is presently, and where it wants to go enables both municipalities to set in place a “plan” for how to reach the desired destination. This comprehensive approach to planning assumes that plan policies and subsequent decisions will be based on careful consideration of baseline environmental data, stakeholder interests, and municipal goals and objectives. The comprehensive planning approach offers communities the opportunity to provide widely-accepted and enduring solutions to development and land use management issues.



## Watershed Planning

Considering land use planning and development at the watershed scale can help decision makers make informed decisions about future development that may have an impact on water resources within the Plan Area. The comprehensive approach to planning involves working with affected stakeholders within the watershed area to develop management alternatives that meet local development objectives.

### 1.4 | GOAL

The goal of the Town of Hardisty & Flagstaff County Intermunicipal Development Plan is to compile and analyze relevant baseline data in order to determine appropriate land use polices for the Plan Area that provide benefits to the Town of Hardisty and Flagstaff County.

### 1.5 | PLAN ASSUMPTIONS AND OBJECTIVES

Objectives for this IDP have been organized under the three types of community capital that represent the basic assumptions underlying the planning process. The three types of community capital are:

- Natural Capital;
- Human and Social Capital; and
- Built Capital.

#### Natural Capital

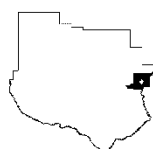
For the purpose of this document, natural capital refers to natural resources, ecosystem services, tourism and recreation resources, and the esthetic value of the natural environment.

- 1 | The following objectives have been identified to ensure the preservation and enhancement of natural capital within the Plan Area:
  - a. Protect and enhance water resources;
  - b. Protect and enhance sensitive environmental features (rivers, creeks and streams, floodplain areas, and riparian areas);
  - c. Identify and conserve valuable water resources including: municipal water wells, significant wetland areas, and Hardisty Lake;
  - d. Promote low-impact recreational opportunities in environmentally sensitive areas through open space management and recreation policies;
  - e. Support and grow existing and future recreational assets;
  - f. Support the existing and future agricultural community; and
  - g. Ensure public access to significant bodies of water.

#### Human and Social Capital

For the purpose of this document, human and social capital refers to community members, community services, communication, and cooperation.

- 2 | The following objectives have been identified to ensure the preservation and enhancement of human and social capital within the Plan Area:



- a. Promote the Plan Area as a desirable place to live, work, and play by working with regional tourism and economic development partnerships;
- b. Ensure that the Plan conforms to all master planning documents and statutory planning documents which apply to the Plan Area and, if applicable, the larger region;
- c. Outline the procedure and requirements for submitting and reviewing annexation requests;
- d. Foster and improve intermunicipal communication and cooperation through the implementation for conflict resolution, plan amendment policies, joint economic initiatives, joint servicing initiatives, and profit sharing policies;
- e. Improve the transparency and efficiency of the subdivision and development process within the Plan Area;
- f. Maintain and enhance mutually beneficial policies and relationships between the two municipalities; and
- g. Continue to develop and maintain open lines of communication to resolve misunderstandings and problems in order to capitalize on opportunities for mutual benefit.

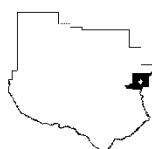
### **Built Capital**

For the purpose of this document built capital refers to human-made resources and assets such as buildings, equipment, infrastructure, and information systems.

- 3 | The following objectives have been identified to ensure the preservation and enhancement of built capital within the Plan Area:
  - a. Establish a land use concept for future development within the Town of Hardisty & Flagstaff County Intermunicipal Development Plan Area;
  - b. Ensure that future development identifies and addresses potential impacts on roads, sanitary sewer services, local water and wastewater treatment facilities, storm water management facilities, and waste disposal;
  - c. Outline a framework for more detailed implementation of land development, economic development, transportation systems, and municipal infrastructure;
  - d. Ensure that both municipalities have enough land in appropriate locations for uses and developments that are important to the future sustainability of their communities (e.g. agricultural, residential, commercial, and industrial activities);
  - e. Ensure that future land uses are compatible and complementary to existing/planned land uses; and
  - f. Identify areas most appropriate for serviced development, and identify areas that are most suitable for un-serviced development.

## **1.6 | ENACTMENT**

The policies contained within the Town of Hardisty & Flagstaff County Intermunicipal Development Plan come into force once the respective Councils of both the Town of Hardisty and Flagstaff County have each given Third Reading to bylaws adopting the Town of Hardisty & Flagstaff County Intermunicipal Development Plan.





## 1.7 | DURATION

- 1 | The Town of Hardisty & Flagstaff County Intermunicipal Development Plan will establish, in general terms, the general land use patterns, together with the conditions upon which the provision of municipal piped services may occur within the Plan Area as well as mutually agreed to policy direction for the next 25 years.
- 2 | While the Town of Hardisty & Flagstaff County Intermunicipal Development Plan is meant to be a long range planning document; it is intended that regular monitoring, review and periodic amendments may be required for policies within the Intermunicipal Development Plan to remain current with changing trends, regional growth and regional planning documents. As such, the Town of Hardisty & Flagstaff County Intermunicipal Development Plan includes a process for amendment.

## 1.8 | ENABLING LEGISLATION

- 1 | The Town of Hardisty & Flagstaff County Intermunicipal Development Plan shall form part of the Town of Hardisty & Flagstaff County Intermunicipal Collaboration Framework.
- 2 | The procedure for adopting an Intermunicipal Development Plan is described in Section 631(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended (*the Act*). Section 631(1) states:

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

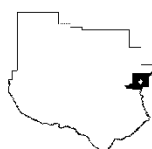
(2) An intermunicipal development plan

(a) must address:

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

(b) must include:

- (i) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that have adopted the plan,



- (ii) a procedure to be used, by one or more municipalities, to amend or repeal the plan, and
- (iii) provisions relating to the administration of the plan.

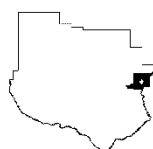
The 2018 updated Intermunicipal Development Plan is consistent with requirements for intermunicipal collaboration and Intermunicipal Development Plans identified within *the Act*.

## 1.9 | AREA OF THE INTERMUNICIPAL DEVELOPMENT PLAN

- 1 | The area affected by the Intermunicipal Development Plan is those portions of the Town of Hardisty and of Flagstaff County shown on **Map 8.1 – Study Area and Plan Area Boundaries**.
- 2 | The Study Area, as identified on **Map 8.1 – Study Area and Plan Area Boundaries**, constitutes the portions of Flagstaff County and the Town of Hardisty where spatial, environmental, and development activity information gathered for the purpose of developing this plan originated. The information collected from the Study Area helped inform policies developed for the Plan Area.
- 3 | The Plan Area, as identified on **Map 8.1 – Study Area and Plan Area Boundaries**, is the area of land within Flagstaff County and the Town of Hardisty where the land use policies and decision making processes of this plan apply.

## 1.10 | DEFINITIONS

- 1 | “**Area Structure Plan**” means a statutory document which is adopted by a bylaw of the Town of Hardisty or Flagstaff County. An Area Structure Plan (ASP) is a conceptual framework for future development which contains policy statements and preliminary engineering which demonstrate the suitability of the lands for development. The information provided in an Area Structure Plan enables a municipality to review and evaluate a specific development proposal in relation to municipal and provincial requirements and standards. All ASPs must be prepared in accordance with *the Act*;
- 2 | “**Development Concept Plan**” means a document prepared to present a comprehensive planning policy framework and a generalized future land use concept which is utilized by a municipality to promote orderly development within the area encompassed by the Plan Area boundaries; and provide guidance to Administration and Council in reviewing future land use districts, subdivision applications, and development proposals;
- 3 | “**Ex officio**” means a member of a committee, who is part of it by virtue of holding another office;
- 4 | “**Substantial Development**” means a development which has regional significance due to the size, economic value or the potential impacts to local infrastructure that a development may have. Substantial developments include, but are not limited to: multi-lot country residential development, educational establishments, hospitals and correctional centres, mining and extraction operations, tourist and recreation facilities, etc.;
- 5 | “**Multi-lot Country Residential Development**” means any subdivision which will create five (5) or more parcels on a quarter section;
- 6 | “**Plan Area**” means the land contained within the area identified on **Map 8.1 – Study Area and Plan Area Boundaries**.



## 2 | FUTURE LAND USE CONCEPT

In general, the Town of Hardisty & Flagstaff County Intermunicipal Development Plan (IDP) recognizes the existing opportunities and constraints to development within the Plan Area, both at present and for the perceived future.

Provisions have been made for a broad mix of land uses throughout the Plan Area with opportunities for many different forms of land use activities.

The IDP distinguishes between serviced (e.g. piped municipal water and sanitary sewer services) and unserved (e.g. onsite water and sanitary sewer services) development areas. Future servicing investments by the Town, County, and development proponents could be used to the region's advantage by concentrating future serviced developments near existing or planned municipal services in the Town of Hardisty.

Significant features in the Plan Area that were identified through the plan development process include:

**Hardisty Airport** – The airport lands are identified on the Future Land Use Concept Map within the Airport Overlay. The Airport presents an opportunity for future and business development.

**Hardisty Terminal** – The Hardisty terminal is a significant economic driver within the region. It provides employment opportunities to County and Town residents. Development within the terminal impacts traffic within the Plan Area and has historically resulted in a high shadow population of temporary workforce residents within the Town of Hardisty. Infrastructure within the Plan Area must address the provision of services to this industry and the temporary workforce.

**Highway 13 Corridor** – The areas along Highway 13 within the Plan Area are ideal for business development that would benefit from access to the Highway including logistics business that provide services to the Hardisty Terminal.

**Battle River** – The Battle River and its river valley are beautiful environmental features within the Plan Area that provide scenic value to community residents. The Battle River is also identified as an Environmentally Significant Area and a Historically Significant Area; plan policies have been developed to protect significant features and to ensure that new development is consistent with provincial requirements affecting environmentally and historically significant lands.

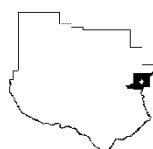
**Agricultural Development** - The majority of the Plan Area is agricultural land (identified as Agriculture on the Future Land Use Concept maps). Agricultural operations in the Plan Area are to be protected from encroachment by either competing or conflicting developments.

**Multi-Lot Country Residential Development** – Much of the land within the County in the IDP Plan Area could be considered to be suitable for low-density, multi-lot country residential development, as guided by the policies and regulations of the Flagstaff County Municipal Development Plan and Land Use Bylaw.

## 3 | LAND USE AND DEVELOPMENT POLICIES

### 3.1 | GENERAL LAND USE POLICIES

- 1 | **Map 8.2 – Future Land Use Concept** will be the primary tool for determining the Town and the County’s preferred pattern of land use and development for lands within the Plan Area.
- 2 | Future subdivision and development within the Plan Area shall occur in accordance with the objectives and policies of the Town of Hardisty & Flagstaff County Intermunicipal Development Plan, as well as the policies and regulations of the Town and County’s respective Municipal Development Plans and Land Use Bylaws. Major deviations to the Plan’s Future Land Use Concept policies shall require an amendment to this Plan. Minor relaxations may be considered without an amendment to this Plan where the proponent can demonstrate to the satisfaction of the approving body and the Intermunicipal Planning Committee that the proposed subdivision and/or development would maintain the intent of the policies of the IDP.  
If the Intermunicipal Planning Committee makes a recommendation on a proposed relaxation to this Plan to a Council or an approving authority, the Council or approving authority responsible for making a decision shall strongly consider the Intermunicipal Planning Committee’s recommendation.
- 3 | The Town and County agree to require landowners and development proponents to prepare a Development Concept Plan or Area Structure Plan in support of subdivision and development applications as per the requirements in this Plan in order to identify future land uses, development densities, phasing, environmental management requirements, and development standards. **Section 3.7** of this Plan contains further information about what types of development proposals will trigger the provision of a Development Concept Plan or Area Structure Plan.
- 4 | Significant watershed features in the Study Area shall be protected from development which could negatively impact ground water resources within the Plan Area. Significant watershed features include: current and future town water wells, peatlands, streams, tributaries, lake inlets and outlets, and aquifers which feed the Town’s water supply. Developments that may negatively impact any of these features shall not be permitted.
- 5 | The Town and County will work together to provide an adequate inventory of suitable lands to promote a broad range of commercial and industrial business opportunities, and will encourage industrial businesses that generate large volumes of traffic or substantial traffic loads (in terms of bulk, weight, or potential hazard) to locate to portions of the Plan Area where traffic impacts and safety concerns would be minimal.
- 6 | Subdivision applicants shall dedicate a minimum of 30.0 metres of environmental reserve, in accordance with the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended (*the Act*), adjacent to major bodies of water such as lakes, rivers, and wetlands (deemed by the Province of Alberta to be of high value).
- 7 | At the sole discretion of the Subdivision Authority for the affected municipality the amount of environmental reserve required may be varied to accommodate unique site conditions such as steep slopes, soil composition, bank instability, or pre-existing developments.
- 8 | New development shall be setback a minimum of 30.0 metres from bodies of water such as lakes, rivers, and high value wetlands; as well as other environmentally significant features, such as steep slopes and unstable banks.



- 9 | The full amount of Municipal Reserve owing at time of subdivision shall be provided as a condition of subdivision authority approval. The County and Town have established a jointly-administered cash-in-lieu of municipal reserve fund. Municipal reserve proceeds, dedicated within the jointly-administered municipal reserve area, shall be placed into the joint reserve fund for the purposes of:
- a. developing new park or recreational facilities within the Plan Area; or
  - b. undertaking capital works on existing park or recreational facilities within the Plan Area.

**Map 8.3 – Jointly Administered Municipal Reserve Area** identifies the jointly-administered municipal reserve area.

- 10 | The policies of the Town’s Municipal Development Plan with respect to residential, commercial, industrial, institutional, and parks space (open space) land uses shall apply to lands within the Town of Hardisty that are identified on **Map 8.2 – Future Land Use Concept**.
- 11 | The Town of Hardisty shall require that a Development Concept Plan be prepared and approved prior to the approval of any **substantial development** within that portion of the Town located within the Intermunicipal Development Plan area. That Development Concept Plan may be in the form of an Area Structure Plan, and be adopted as a statutory plan pursuant to *the Act*.

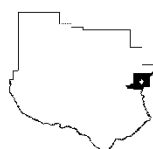
### 3.2 | AGRICULTURAL DEVELOPMENT

- 1 | Lands designated *Agriculture Area* on **Map 8.2 – Future Land Use Concept** may develop or continue to be utilized for farming.
- 2 | Land uses that may be suitable for lands identified within the *Agriculture Area* on **Map 8.2 – Future Land Use Concept** are those uses identified as permitted and discretionary in the Agricultural District in the Flagstaff County Land Use Bylaw.
- 3 | Applications for new confined feeding operations (or applications for the expansion of any existing confined feeding operations) in the Plan Area shall not be supported by the Town or the County because of potential impacts on the future growth and development of the Town of Hardisty.
- 4 | Subdivision and development regulations within this area shall be as provided for in the County’s Municipal Development Plan and Land Use Bylaw.

### 3.3 | RESIDENTIAL DEVELOPMENT

#### General

- 1 | Residential development within the Plan Area has been categorized as residential (serviced) and country residential (unserved). Serviced residential developments shall be encouraged to locate within those areas identified as *Residential (Serviced)* on **Map 8.2 – Future Land Use Concept**. *Country Residential (Unserved)* areas identified on **Map 8.2 – Future Land Use Concept** are those areas where multi-lot country residential developments are currently located or shall be encouraged to locate.
- 2 | The regulations for residential development located within the Town shall be provided by the Town of Hardisty Land Use Bylaw, as amended.
- 3 | The regulations for country residential development and multi-lot country residential development located within the County shall be provided by the Flagstaff County Land Use Bylaw, as amended.



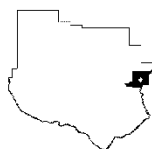
- 4 | Unserved country residential subdivision and development shall be permitted in the *Agriculture Area* on **Map 8.2 – Future Land Use Concept** as provided for within the Flagstaff County Municipal Development Plan and Land Use Bylaw.
- 5 | Undeveloped land designated *Residential (Served)* on **Map 8.2 – Future Land Use Concept** shall be buffered from uses that may have negative effects on future urban development by virtue of odour, heat, vibration, visual impact, noise, or light. This does not apply to such effects that arise in the course of normal, non-intensive farming operations.

### **Location of Unserved Multi-Lot Country Residential Development**

- 6 | New unserved multi-lot country residential development within the Plan Area (which shall be considered the development of five (5) or more country residential lots without municipal piped sewage collection and water supply services within any quarter section) may be located in those areas designated *Country Residential (Unserved)* on **Map 8.2 – Future Land Use Concept** subject to the policies of this Plan.
- 7 | Notwithstanding subsection (6), multi-lot country residential subdivision may also be allowed within the *Agriculture Area* identified on **Map 8.2 – Future Land Use Concept**, without amendment to the IDP provided that the following criteria are satisfied:
- a. multi-lot county residential development is be predominantly residential in nature;
  - b. sufficient potable water is available to service all of the proposed lots within the development;
  - c. appropriate servicing levels can be met, to the satisfaction of the County’s approving authorities; and
  - d. the proposal is consistent with the criteria identified in subsections (8) through (14) below.

### **Criteria for Unserved Multi-Lot Country Residential Developments**

- 8 | Within the Plan Area, the County will encourage unserved multi-lot country residential developments to be located on lower capability agricultural land and not on higher capability agricultural land.
- 9 | Unserved multi-lot country residential developments shall not be allowed on lands that are subject to a flood or subsidence hazard, or that are subject to high water table risk.
- 10 | Unserved multi-lot country residential development shall be allowed only after an amendment to the Flagstaff County Land Use Bylaw is made, redistricting the lands to an appropriate Land Use District.
- 11 | The regulations for unserved multi-lot country residential developments and developments which are accessory to residential development shall be provided by Flagstaff County’s Land Use Bylaw, as amended.
- 12 | The following policies shall apply to multi-lot country residential development applications and designs:
- a. internal road access shall be provided to each lot;
  - b. the minimum parcel size shall be 0.4 ha (1.0 ac.), and the normal maximum parcel size shall be 2.02 ha (5.0 ac.); and
  - c. proposals for subdivision shall indicate the location of development areas within lots as well as the natural areas on the lots.
- 13 | Amendments to the Flagstaff County Land Use Bylaw to allow for future multi-lot country residential development, and multi-lot country residential subdivision proposals shall address



potential conflicts with existing agricultural operations and proposed industrial and commercial operations that may occur on lands designated for industrial or commercial development, and how these potential conflicts will be resolved or mitigated to the satisfaction of the County’s approving Authorities.

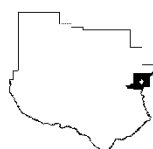
- 14 | Within the Plan Area, Flagstaff County may require an Area Structure Plan or Development Concept Plan be prepared and approved prior to the approval of any amendment to the Flagstaff County Land Use Bylaw to allow a multi-lot country residential subdivision of five (5) or more country residential lots.

### 3.4 | COMMERCIAL DEVELOPMENT

- 1 | Lands designated *Highway Commercial (Unserviced)* on **Map 8.2 – Future Land Use Concept** may develop in a range of uses that serve the motoring public. These uses include those uses which are identified as permitted or discretionary uses in the Highway Commercial District in the Flagstaff County Land Use Bylaw.
- 2 | Flagstaff County shall require a Development Concept Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a substantial highway commercial development within 1.6 km (1.0 mile) of the boundary of the Town of Hardisty. The Development Concept Plan may be in the form of an Area Structure Plan adopted as a statutory plan pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended.

### 3.5 | INDUSTRIAL DEVELOPMENT

- 1 | Land designated *Industrial (Served)* on **Map 8.2 – Future Land Use Concept** may develop in a wide range of light industrial or medium industrial uses as identified in the Town’s Land Use Bylaw.
- 2 | Land designated *Industrial (Unserviced)* on **Map 8.2 – Future Land Use Concept** may develop in a wide range of agricultural or industrial uses as identified in the County’s Land Use Bylaw. Land uses that may be suitable for the area are those uses which are identified as permitted or discretionary uses in the Agricultural District, the Rural Industrial or the Industrial District in the Flagstaff County Land Use Bylaw.
- 3 | Industrial uses will only be approved if any nuisance such as odour, noise, glare, vibration, heat, smoke, or effluent is confined to the site of the establishment or within the applicable Industrial area, or substantially mitigated in accordance with the policies and/or regulations and/or design of a Development Concept Plan, especially in those areas in proximity to existing or proposed residential areas or in proximity to the Town. In this respect, individual developments will not necessarily be precluded; however, extra precautions shall be required such as requiring a warning system or “emergency management plan” should the need arise.
- 4 | Flagstaff County shall require the preparation of a Development Concept Plan prior to the approval of any amendment to the IDP or the County’s Land Use Bylaw to allow a substantial unserved industrial subdivision or development within 1.6 km (1.0 mile) of the boundary of the Town of Hardisty. The Development Concept Plan may be in the form of an Area Structure Plan adopted as a statutory plan pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended.
- 5 | Licensed Industrial Hemp Production and Distribution Facility and/or Premises within the Plan Area shall not be permitted within 1.0 km (1.6 miles) of a school ground, or any other public place usually frequented by persons under the age of 18 years within the Town of Hardisty or Flagstaff County.



- 6 | The separation distance between Licensed Industrial Hemp Production and Distribution Facility and/or Premises and, a school ground, or any other public place usually frequented by persons under the age of 18 years shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed Licensed Industrial Hemp Production and Distribution Facility is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings.
- 7 | Licensed Cannabis Production and Distribution Facility uses within the Plan Area shall not be permitted within 100.0 m (328.1 ft.) of a school, public playground, day-care facility, provincial health care facility or other public place frequented mainly by persons under 18 years of age if the production site where cannabis is to be cultivated, harvested or propagated is located **indoors**.
- 8 | Licensed Cannabis Production and Distribution developments within the Plan Area shall not be permitted within 1.0 km (1.6 miles) of a school ground, or any other public place usually frequented by persons under the age of 18 years if the production site where cannabis is to be cultivated, harvested or propagated is located **outdoors**.
- 9 | The separation distance between the Licensed Cannabis Production and Distribution development and a school ground, or any other public place usually frequented by persons under the age of 18 years shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed Licensed Cannabis Production and Distribution development is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings.

### 3.6 | OVERLAYS

#### Airport Overlay

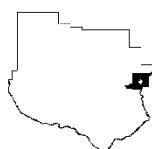
The purpose of the Airport overlay is to identify lands on which development regulations are required to ensure the continued viability of the Hardisty airport.

- 1 | Commercial and Industrial development within the vicinity of the Hardisty Airport Area shall maximize the unique business development opportunities provided by a regional airport by:
  - a. Ensuring that future developments near the Hardisty Airport area do not negatively impact the airport's operation, viability, safety, or potential for expansion/runway realignment; and
  - b. Encouraging aviation-related and supportive businesses to be located within the southwestern portion of the Plan Area.

#### Environmentally Significant Area Overlay

The purpose of the Environmentally Significant Area Overlay is to identify features within the Plan Area where either the physical characteristics of the land may make development difficult or unfeasible; or if the land has been designated as environmentally sensitive or significant.

- 2 | Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.
- 3 | The Subdivision Authority and/or Development Authority may require that any proposal for development within the Environmentally Significant Areas Overlay area be accompanied by:





- a. a flood susceptibility analysis prepared by a registered professional engineer; and/or
- b. a bank stability analysis prepared by a registered professional engineer.

These reports must provide information about the suitability of the subject site and the proposed development in relation to: flood susceptibility and/or bank stability.

- 4 | Further, if a subdivision or development is approved after such an analysis is provided, the Subdivision Authority or Development Authority may require that any recommendations within the accompanying study be implemented by the landowner/developer and registered against the title of the subject lands to provide notice to future landowners of the engineering requirements for development on the site.

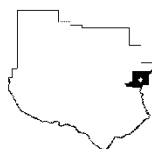
### Historically Significant Area Overlay

The purpose of the Historically Significant Area Overlay is to identify features within the Plan Area where the physical characteristics of the land suggest that the site may contain significant archaeological or palaeontological historic resources or where the Province of Alberta has identified known or potential paleontological, archaeological or historical assets that may require protection or special care when other land uses or developments are proposed nearby.

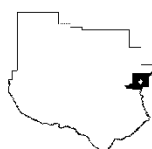
- 5 | Paleontological, archaeological, or historical sites identified pursuant to the *Alberta Historical Resources Act* (as amended or replaced) shall be protected in accordance with Provincial legislation and regulations.
- 6 | Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.
- 7 | The Subdivision Authority and/or Development Authority may require that any proposal for subdivision or development within the Historically Significant Areas Overlay area be accompanied by:
- a. A Historic Resource Impact Assessment and clearance from Alberta Culture and Tourism; or
  - b. A letter from Alberta Culture and Tourism waiving the requirement for a Historic Resource Impact Assessment and providing clearance for the development.
- 8 | Further, if a subdivision or development is approved after such an assessment and clearance have been provided, the Subdivision Authority or Development Authority may require that any recommendations within the accompanying assessment and clearance letter be undertaken prior to development of the site in order to ensure conformity with the Alberta Historical Resources Act (as amended or replaced).

### 3.7 | DEVELOPMENT CONCEPT PLANS AND AREA STRUCTURE PLANS

- 1 | A Development Concept Plan or Area Structure Plan may be requested by Flagstaff County or the Town of Hardisty to support future development and/or subdivision applications. These plans should include and/or address (to the satisfaction of the municipality within which the development or subdivision is proposed):
- a. the area affected by the plan, and any relationships to surrounding properties;
  - b. the proposed land uses and the area of each land use;
  - c. the total number of dwelling units proposed;



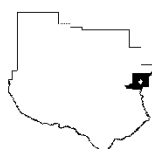
- d. policies and plans addressing buffering from adjacent land uses that may be affected by or that may affect existing or planned residential developments;
- e. policies and plans respecting environmental protection, habitat, ecological conservation, impacts on adjacent agricultural activities (including any existing or potential confined feeding operations);
- f. policies and plans addressing natural and man-made limitations to development, such as flood susceptibility, bank subsidence, erosion, railway lines, oil and gas wells, pipelines, and other facilities (including active, inactive, abandoned, and decommissioned facilities, sour gas, etc.), gravel operations or resources, airports, agricultural operations, historical resources, other nearby land uses, etc.;
- g. policies and plans respecting built form, amenities, aesthetics, landscaping, architecture, buffering from potential limiting factors, dealing with the potential for land use conflict, etc.;
- h. policies and plans for necessary water supply, sanitary sewage services, and storm water management;
- i. as required, policies relating to:
  - i. the impact on adjacent land uses;
  - ii. the impact on community services, such as fire protection;
  - iii. the municipal servicing costs associated with the development; and
  - iv. landscaping;
- j. a Phase I Environmental Assessment, describing the possibility of contamination within the Plan Area and, if the Phase I Assessment indicates potential contamination, a Phase II Environmental Assessment, describing the extent of any contamination within the Plan Area and the means of mitigation;
- k. preliminary servicing plan(s) prepared by a qualified engineering professional that indicates how the Plan Area is to be provided with potable water, sanitary sewage services, and stormwater services; if the development is to be supplied with water by means other than a municipal piped water supply system, a report which would satisfy the requirements of Section 23(3)(a) of the *Water Act*, R.S.A. 2000, c. W-3, as amended, and the *Water (Ministerial) Regulation*, AR 205/98;
- l. a determination of any flood plains relating to any water bodies within or adjacent to the subject site, including a description as to how any flood plain lands will be made suitable for development without transferring the flood hazards to other lands;
- m. a Storm Water Management Plan, prepared by a qualified engineer or other professional, which shows pre and post construction site grades, indicates how storm water will be managed on the site;
- n. an assessment of the stability of any banks (either steep slopes or watercourse valleys) within or adjacent to the subject site, including a description as to how any bank stability hazards will be mitigated without transferring the stability hazard to other lands;
- o. a Traffic Impact Assessment, prepared by a qualified professional, indicating the expected vehicular generation from the development at various stages of development, and any roadway improvements that may be necessary on adjacent and nearby roads and highways (and on their intersections) resulting from that vehicular generation;



- p. a report prepared by a qualified professional indicating how wetlands that are present on the subject site can be avoided, disrupted minimally, or replaced in accordance with the Alberta Wetland Policy;
  - q. an assessment of the site, indicating:
    - i. how Environmental Reserves, Environmental Reserve Easements, Municipal Reserves, and other land management tools are to be used to protect significant biophysical sites; and
    - ii. how all Provincial and Federal legislation and regulations are to be adhered to respecting wetlands, habitat, and environmentally sensitive lands;
  - r. an assessment of all other limitations to development, including potential and actual land use conflicts, which have been identified, indicating how the limitations and conflicts are to be accommodated, dealt with, and/or overcome; and
  - s. any other information requested by the municipality to address unique circumstances of the proposed development.
- 2 | The supporting studies and future development plan must be provided as part of an Area Structure Plan when:
- a. the proposed development affects an area greater than 8.08 ha (20.0 ac.); or
  - b. is to be constructed in phases or stages; or
  - c. is considered to be a **substantial development**.
- 3 | A Development Concept Plan may be accepted, instead of an Areas Structure Plan, when the proposed development affects an area less than 8.08 ha (20.0 ac.) and is not considered to be a **substantial development**.
- 4 | The level of detail required in a Development Concept Plan or Area Structure Plan within the Plan Area shall be as agreed upon by the consensus of Town and County administrations. If no consensus agreement is reached, the level of detail shall be considered and determined by the Intermunicipal Planning Committee.
- 5 | The process for considering a Development Concept Plan or Area Structure Plan for approval will be the same as for a **substantial development** proposal. The approving authority shall be the Council of the municipality in which the subject site is located.

### 3.8 | MUNICIPAL SERVICING AND ROAD POLICIES

- 1 | The Town and County shall establish strategies and standards for the orderly, efficient and economical extension of piped water and sanitary sewage services, stormwater management, and roads within the Plan Area.
- 2 | Future municipal piped water and sanitary sewage services will be required for the areas designated *Residential (Serviced)* on **Map 8.2 – Future Land Use Concept**. If such services are not available due to cost, capacity limitations, or other reasons, the areas shall not be developed for residential use unless it meets a minimum agreed residential development standard. As well, an amendment to the approved Intermunicipal Development Plan shall be required for any form of non-residential development in the areas designated *Residential (Serviced)* other than extensive agriculture.
- 3 | Connections to municipal piped water and sanitary sewer services may be allowed at the discretion of the County and Town within areas designated *Country Residential (Unserviced)* or *Highway Commercial (Unserviced)*, on **Map 8.2 – Future Land Use Concept** subject to cost, capacity, and



availability limitations. The Town and the County will not be responsible for costs associated with the extension or expansion of municipal piped water or sanitary sewer services to serve these areas.

- 4 | Where it is deemed appropriate, necessary, and/or desirable, further to this Intermunicipal Development Plan, the Town and County will endeavour to enter into mutually beneficial intermunicipal and regional agreements that will provide safe, reliable, and affordable municipal piped water and sanitary sewer services to serviceable lands within the Plan Area.



## 4 | INTERMUNICIPAL DEVELOPMENT PLAN IMPLEMENTATION

### 4.1 | IMPLEMENTATION PRINCIPLES

#### Annexation

- 1 | There will continue to be a boundary between the Town and County for the administration of services such as: maintenance of infrastructure, waste management, development control, and weed control.
- 2 | The County and the Town will work collaboratively towards the development of a cost and revenue sharing agreement for lands identified within the future annexation area.
- 3 | Both municipalities acknowledge that there is a need for periodic expansion of Town of Hardisty's municipal boundaries, achieved through annexation. Annexations are to occur in a positive, orderly, and timely manner with an agreed-upon process where there is a clear need presented by the Town to provide more land for urban development.
- 4 | Notwithstanding the fact that there are some undeveloped properties within the Town that are suitable for residential, commercial, and/or industrial development, the Town may at some point in the future be in short supply of readily and economically developable residential, commercial and industrial lands. The Town of Hardisty & Flagstaff County Intermunicipal Development Plan identifies areas which may be suitable for annexation to the Town to allow for residential, commercial and industrial development at urban densities with full municipal piped services.
- 5 | Future Annexation Areas have been identified on **Map 8.4 – Annexation Area & Referral Area**.

#### Future Servicing of Lands

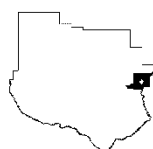
- 6 | Municipal services will not be extended within the IDP area unless it can be demonstrated by the development proponent that extension of such services will not impact the ability of the Town of Hardisty to provide services to Town residents.
- 7 | The Town and the County agree to work collaboratively on the development of a long term infrastructure plan for lands identified within the future annexation area to support economic development within the IDP area.
- 8 | The cost of providing municipal services to facilitate private development within the IDP area will be borne by the developer. Where applicable, off-site levies may be required at time of subdivision or development to ensure the efficient provision of municipal infrastructure.

#### Cost/Revenue Sharing Schemes

- 9 | Any agreements for cost and revenue sharing shall be to benefit future development of land within the Plan Area.

#### Framework Not Details

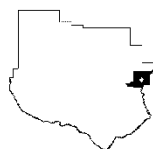
- 10 | The Town of Hardisty & Flagstaff County Intermunicipal Development Plan is conceptual. Its policies do not delve into site specific details of land use, servicing, or implementation. Instead, the Plan sets out a framework of guidelines that will be further articulated by the Intermunicipal Planning Committee.



- 11 | The Town and County will cooperate in pursuing mutually beneficial economic development initiatives that would attract investment and create employment opportunities to the Town of Hardisty & Flagstaff County region.
- 12 | The Town and County shall amend their respective Municipal Development Plans and Land Use Bylaws as necessary to be consistent with the policies, provisions, and future land use concepts of the Town of Hardisty & Flagstaff County Intermunicipal Development Plan.

#### 4.2 | INTERMUNICIPAL PLANNING COMMITTEE

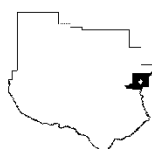
- 1 | The Intermunicipal Planning Committee will be established after the third readings of the Bylaws adopting the Flagstaff/Hardisty Intermunicipal Development Plan.
- 2 | The Intermunicipal Planning Committee will not be a decision-making body. Rather, the Committee will submit recommendations to the approval bodies and Councils of the respective municipalities, striving for consensus as much as possible.
- The Intermunicipal Planning Committee will be comprised of:
- a. two (2) members of the Council of the Town of Hardisty; and
  - b. two (2) members of the Council of Flagstaff County.
- The Chief Administrative Officer (or their designate) and the Development Officer of each municipality shall be ex-officio members of the Committee and serve on the committee exclusively in an advisory role. The Councils of each municipality may appoint alternative members, should any member not be able to attend an Intermunicipal Planning Committee meeting.
- 3 | The Intermunicipal Planning Committee shall establish its own rules of procedure, including its own schedule of meetings.
- 4 | At minimum, the Intermunicipal Planning Committee shall communicate electronically (through email) **on an annual basis** to determine if a meeting of the Committee is required to discuss issues concerning the implementation of the Intermunicipal Development Plan. If no request for a meeting is made, then a meeting of the Intermunicipal Planning Committee will be deemed unnecessary.
- 5 | The Intermunicipal Planning Committee shall not receive referrals relating to all development matters within the Plan Area. Rather, the Committee shall address only matters referred to it in the manner described below.
- 6 | The Intermunicipal Planning Committee has the following functions:
- a. to clarify the intent and interpretation of the Intermunicipal Development Plan;
  - b. to develop specific strategies related to the provision of infrastructure, service provision, cost sharing, etc. for proposed subdivision and development in the Plan Area that reflect the policies and guidelines set out in the Intermunicipal Development Plan;
  - c. to review and comment on applications to amend the Flagstaff/Hardisty Intermunicipal Development Plan;
  - d. to review and comment on development matters referred to it in accordance with the Plan; and
  - e. to undertake such other matters as it deems reasonable and as are referred to it by either Council or municipal administration.
- 7 | The Town and County agree that the Town and County's Subdivision Authorities and Development Authorities will notify Town and County administration of subdivision applications and development permit applications for discretionary uses received within the Plan Area.



- 8 | Each municipality's Subdivision Authority and Development Authority will deal with an application within their own boundaries in accordance with the Intermunicipal Development Plan.
- 9 | Depending on the nature of the proposed subdivision or development, the Intermunicipal Planning Committee may provide recommendations related to the proposed development or subdivision to the respective decision making authority, if requested.

### 4.3 | ANNEXATION CRITERIA

- 1 | The Town and County may establish agreements separate from or supplemental to this Intermunicipal Development Plan for the purpose of fixing, delaying, or avoiding a time-frame for annexation.
- 2 | Each municipality shall protect lands identified in the Town of Hardisty and Flagstaff County Intermunicipal Development Plan suitable for serviced development from land uses and developments that might unduly interfere and create conflict with future urban-style development.
- 3 | Both municipalities would prefer to avoid large and complex annexations in favour of annexations involving smaller amounts of land occurring on an as-needed basis.
- 4 | Both municipalities shall follow the annexation process as outlined in the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, in effect at the time an annexation application is made.
- 5 | In determining the timing, size and location of an annexation area, the following will be considered:
  - a. **Justifiable and mutually agreeable current and future growth rates** – Growth rates are defined as the rate at which land is consumed for residential, commercial and industrial purposes normally expressed in acres per year over a 25 year time horizon.
  - b. **Availability and cost of servicing** – The physical and economic ability to extend Town services to specific areas should be logical, reasonable and cost effective.
  - c. **Adequacy of transportation systems to accommodate new development** – The annexation area should be either serviced with a road network or be able to be serviced with a logical extension of the existing road networks.
  - d. **Land ownership patterns** – The annexation should follow legal boundaries or natural features to avoid creating a fragmented pattern of land ownership.
  - e. **Local support** – Annexation should as much as possible have the concurrence of the landowners involved.
  - f. **Consistent with local plans** – The annexation should be consistent with the policies of this Plan, the respective Municipal Development Plans and any Area Structure Plan or other studies. Planning for annexations should consider a 25 year time horizon for land needs.
  - g. **Logical extension** – The annexation should be a logical expansion of the Town of Hardisty's municipal boundaries and may include developed areas.
  - h. **Agricultural mill rates** – The annexation should not dramatically alter the taxes collected from agricultural lands in the annexation area simply because of annexation. The Town may consider implementing a tax system for its agricultural lands that is similar to the County tax system for agricultural lands, until such time as development or redevelopment occurs.
  - i. **Any other matter** that both Councils consider necessary.
- 6 | The Town and County have included lands east of the Battle River within the Intermunicipal Development Plan Area in order to emphasize their commitment to ensuring open communication



especially in relation to potential future industrial developments. Notwithstanding the other policies of this Plan regarding annexation, the lands located within the Plan Area east of the Battle River shall not be subject to annexation into the Town of Hardisty.





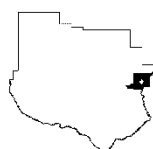
## 5 | DISPUTE RESOLUTION/MEDIATION PROCEDURES

The dispute resolution process for matters related to this Intermunicipal Development Plan 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 may have significant differences of opinion on a particular matter and that third-party assistance may be necessary to help resolve disputes.

- 1 | For the purposes of this Intermunicipal Development Plan, a dispute is defined as a disagreement between the Town of Hardisty and Flagstaff County on any statutory plan, any Land Use Bylaw, or any amendment to either of them which is given 1<sup>st</sup> reading by a Council, or any subdivision or development permit application, or any scheme for the provision of municipal services that the other municipality deems inconsistent with the goals, objectives and policies of this Intermunicipal Development Plan.
- 2 | Decisions on disputes will be made by the respective municipalities in accordance with the provisions of this Plan and the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, and reviewed as indicated in this Section.
- 3 | Subdivision and Development appeals shall be heard by the Intermunicipal Subdivision and Development Appeal Board or the Municipal Government Board on appeals arising from subdivision or development permit decisions within the Town of Hardisty and Flagstaff County Intermunicipal Development Plan area.
- 4 | Disputes shall be resolved through any of the following mechanisms either singularly or in combination with each other:
  - a. Administrative Review;
  - b. Intermunicipal Planning Committee;
  - c. Municipal Councils;
  - d. Mediation;
  - e. Appeal Process – Intermunicipal Dispute; and/or
  - f. Court Option.
- 5 | In the event of a dispute, the applicant municipality will not give approval to the matter in any way (e.g. development permit or subdivision approval, or 2<sup>nd</sup>/3<sup>rd</sup> reading of a bylaw) until the dispute is past the mediation stage.
- 6 | The time limitations and legislative requirements as may be specified in the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, will be respected in relation to the administration of this dispute resolution procedure and may supersede the time processes provided for in this Intermunicipal Development Plan.

### 5.1 | ADMINISTRATIVE REVIEW

- 1 | The municipality within which any development, subdivision, land use bylaw amendment, servicing scheme, or other matter is proposed (hereinafter referred to as “the applicant municipality”) will provide complete information concerning the matter to both the other municipality and to the Intermunicipal Planning Committee. The other municipality (hereinafter referred to as “the responding municipality”) will undertake an evaluation of the matter and provide comments to the administration of the applicant municipality.



- 2 | If there is any concern, the two administrations shall discuss the issue and attempt to resolve the matter.
- 3 | If the administrations resolve the concern, the responding municipality will formally notify the applicant municipality and the Intermunicipal Planning Committee, and the applicant municipality will take the appropriate actions to consider approving the matter.
- 4 | In the event that the issue is not resolved at the administrative level, the applicant municipality's administration shall refer the matter to the Intermunicipal Planning Committee.

## 5.2 | INTERMUNICIPAL PLANNING COMMITTEE

- 1 | Upon the referral of a matter, the Intermunicipal Planning Committee will schedule a meeting and the administrations of the County and Town will present their positions on the matter to the Committee.
- 2 | After consideration of a matter, the Committee may:
  - a. provide suggestions to both Administrations with respect to revisions to the matter that should be considered to make it more acceptable to both Municipalities;
  - b. if possible, agree on a consensus position of the Committee in support of or in opposition to the matter, to be presented to both Councils;
  - c. conclude that no initial agreement can be reached and that a consensus position of the Committee will not be presented to both Councils;
  - d. if agreed to by both Municipalities, employ a facilitator to help the Committee work toward a consensus position;
  - e. if a matter cannot be satisfactorily processed following a Committee review, refer the matter to both Councils; or
  - f. undertake any other action it deems reasonable.

## 5.3 | MUNICIPAL COUNCILS

- 1 | After receiving the recommendations of the Intermunicipal Planning Committee with respect to a particular matter, each Council will establish a position on the matter.
- 2 | If both municipal Councils are in agreement on a matter, then the consideration of approval (including, if necessary, an Intermunicipal Development Plan amendment) can be completed. If neither Council supports the matter, then no further action will be undertaken.
- 3 | If the Councils cannot agree on a matter, then the matter may be referred to a mediation process.
- 4 | In the event that the matter goes to mediation, the applicant municipality will not give any approval to the matter until mediation has been pursued.

## 5.4 | MEDIATION

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



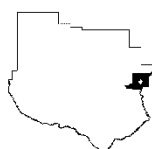
- d. approval by both municipalities of a mediation schedule, including the time and location of meetings and a deadline for the completion of the mediation process.
- 2 | If agreed to by both municipalities, any members of the Intermunicipal Planning Committee or administrative staff from either municipality who are not participating directly in the mediation process may act as information resources either directly or indirectly to the mediation process.
  - 3 | All participants in the mediation process will be required to keep details of the mediation confidential until the conclusion of the mediation.
  - 4 | At the conclusion of the mediation, the mediator will submit a mediator's report to both Councils.
  - 5 | If a mediated agreement is reached, then that agreement will be referred to both Councils for action. Both Councils will 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 and will be subject to the formal approval of both Councils.
  - 6 | If no mediated agreement can be reached, or if both Councils do not approve a mediated agreement, then an appeal process may be initiated if provided for under the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended. If there is no appeal process available, then the applicant municipality may proceed with any approvals as are allowed, should it so choose.

## 5.5 | APPEAL PROCESS – INTERMUNICIPAL DISPUTE

- 1 | In the event that the mediation process fails, the applicant municipality may approve the matter (e.g., a Land Use Bylaw amendment, a development permit approval, etc.).
- 2 | If the applicant municipality passes a bylaw to implement the matter, then the responding municipality may appeal that action to the Municipal Government Board under the provisions of Section 690 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, in accordance with *the Act*.
- 3 | If there is no appeal available pursuant to *the Act*, then the responding municipality may wish to pursue a Court option.

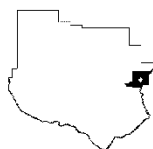
## 5.6 | COURT OPTION

- 1 | After any action by the Municipal Government Board, or the applicant municipality's Council or Subdivision and Development Appeal Board from which there is no further appeal, the responding municipality will have the option, should it so choose, of undertaking a Court challenge of the matter.



## 6 | INTERMUNICIPAL DEVELOPMENT PLAN REVIEW & Amendment

- 1 | The Town of Hardisty & Flagstaff County Intermunicipal Development Plan shall be reviewed every five years from the date on which the Intermunicipal Development Plan comes into effect to ensure that it meets the needs of the Town and County and satisfies the review requirements in *the Act*.
- 2 | The following procedure to amend the Intermunicipal Development Plan shall be followed:
  - a. The Town or County may give the other municipality written notice of its intention to amend the plan.
  - b. Within thirty days of the written notice, an Intermunicipal Planning Committee meeting shall be convened.
  - c. Following the Intermunicipal Planning Committee meeting, the municipality initiating the amendment procedure may either withdraw its intention to amend the Plan by giving written notice to the other municipality or proceed to consider a bylaw in accordance with the *Municipal Government Act* to amend the plan.
  - d. Once one municipality has passed a bylaw to amend the Plan the other municipality shall also proceed to pass a bylaw amending the plan.
  - e. In the event the Plan is amended, the Town and County shall amend their Municipal Development Plans respectively to address the intermunicipal issues in accordance with the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended. Should these required amendments not satisfy the neighbouring municipality the matter may be appealed to the Municipal Government Board.
  - f. Should the Plan be amended all other agreements relating to developments in the Plan Area will continue to be in force, unless otherwise stipulated in the agreements.



# 7 | CORRESPONDENCE

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

- a. In the case of Flagstaff County to:  
 Flagstaff County - c/o Chief Administrative Officer  
 P.O. Box 358, Sedgewick, AB TOB 4CO
  
- b. In the case of the Town of Hardisty to:  
 Town of HARDISTY - c/o Chief Administrative Officer  
 4807 - 49 Street Box 10, Hardisty, Alberta, TOB1V0

IN WITNESS WHEREOF the parties have affixed their corporate seals as attested by the duly authorized signing officers of the parties as of the first day above written.

FLAGSTAFF COUNTY

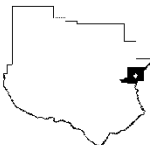
TOWN OF HARDISTY

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Mayor

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

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

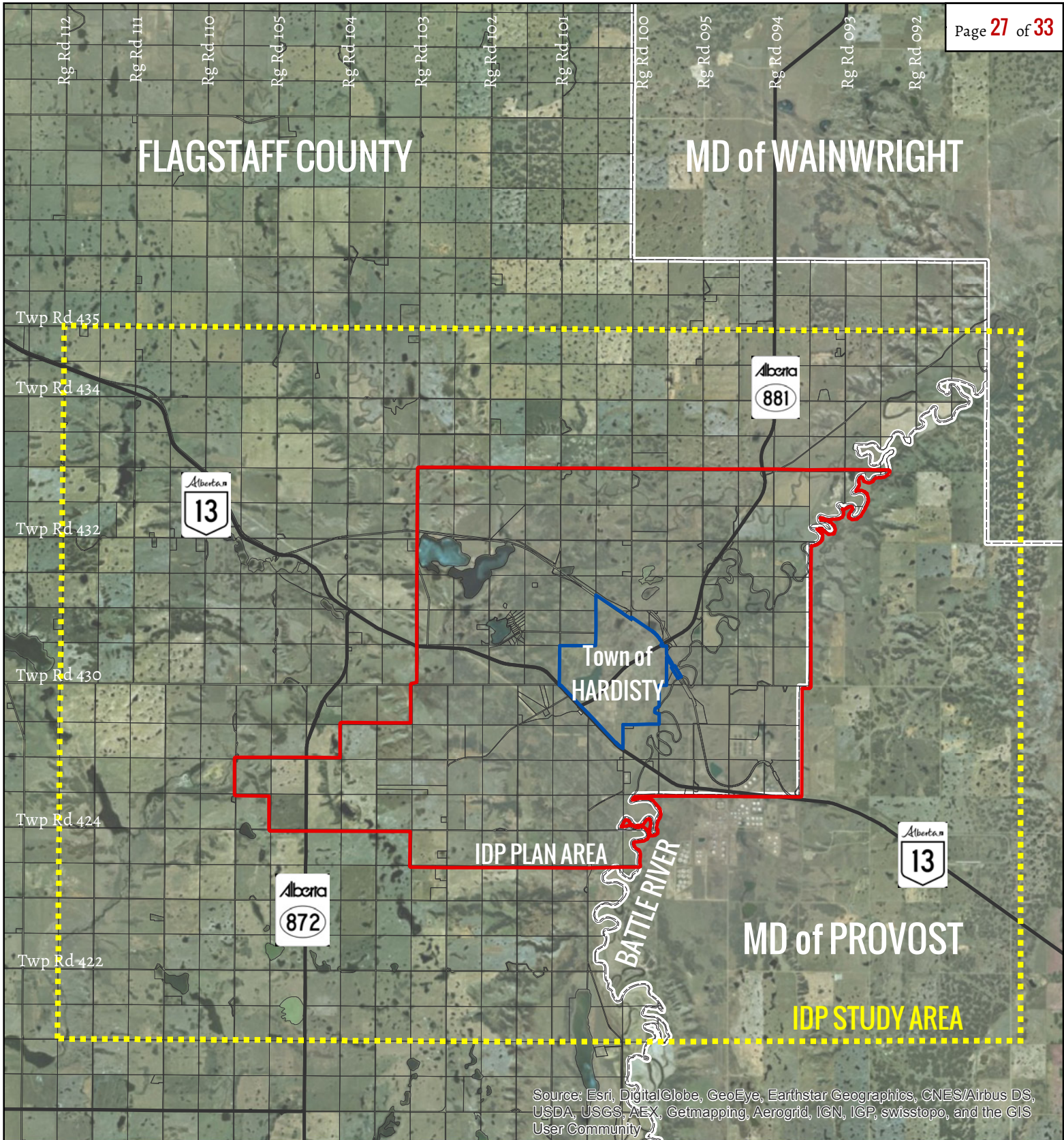


## 8 | MAPS

- 8.1 | STUDY AREA AND PLAN AREA BOUNDARIES
- 8.2 | FUTURE LAND USE CONCEPT
- 8.3 | JOINTLY ADMINISTERED MUNICIPAL RESERVE AREA
- 8.4 | ANNEXATION AREA & REFERRAL AREA





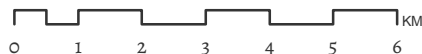


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community















# MAP 7.1 - STUDY AREA AND PLAN AREA BOUNDARIES

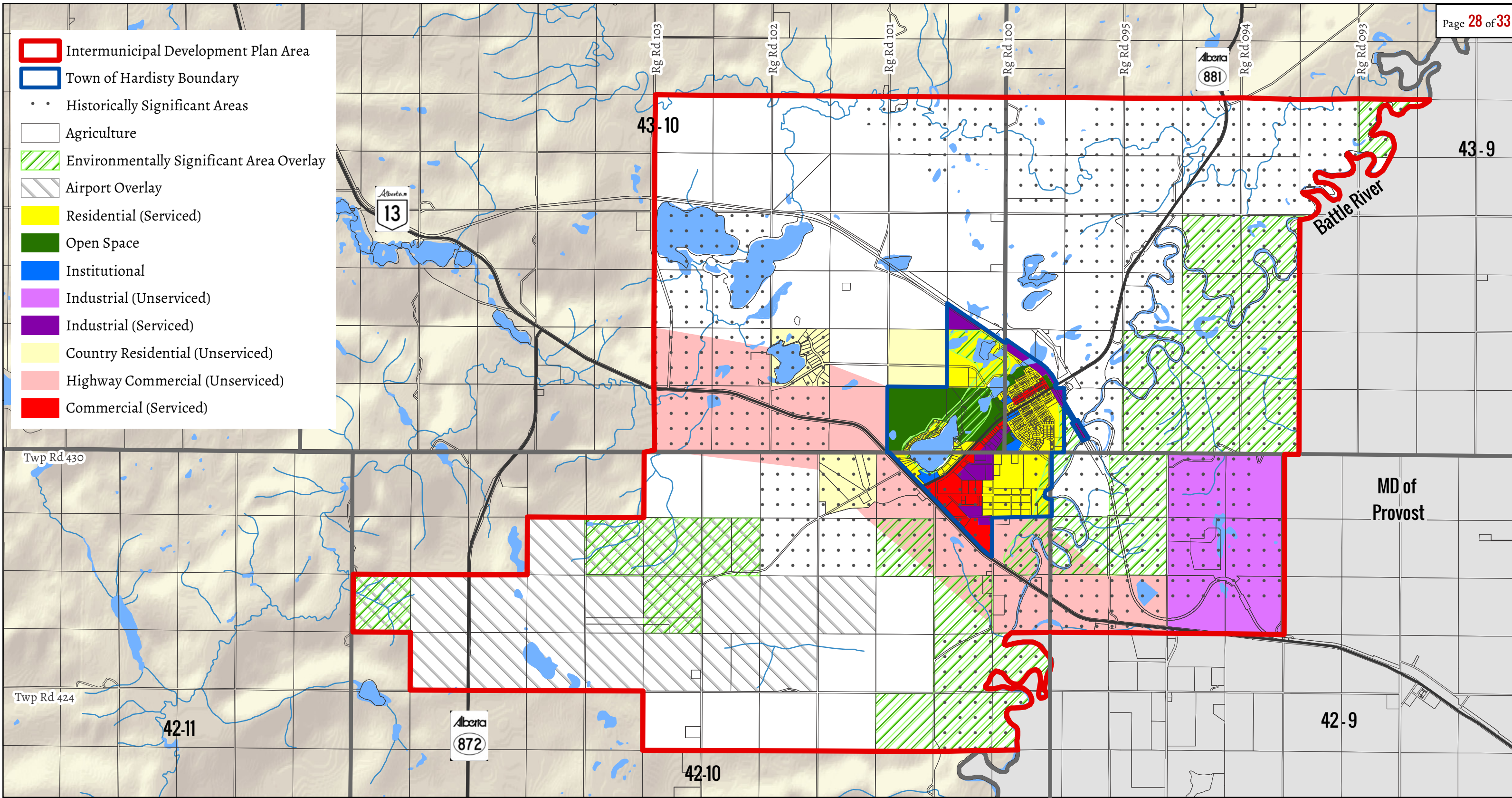
## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogratis and Altalis  
Projection: UTM NAD 83 12N





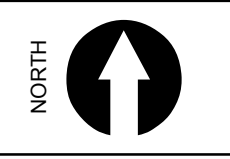
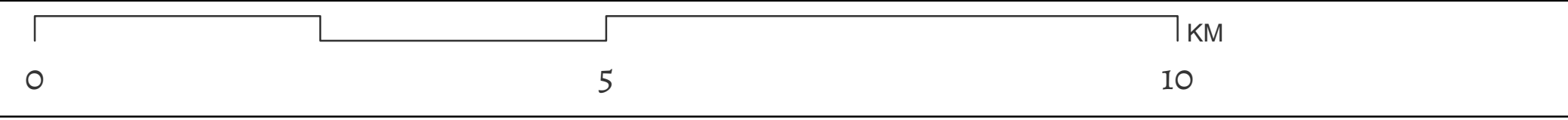
-  Intermunicipal Development Plan Area
-  Town of Hardisty Boundary
-  Historically Significant Areas
-  Agriculture
-  Environmentally Significant Area Overlay
-  Airport Overlay
-  Residential (Served)
-  Open Space
-  Institutional
-  Industrial (Unserved)
-  Industrial (Served)
-  Country Residential (Unserved)
-  Highway Commercial (Unserved)
-  Commercial (Served)



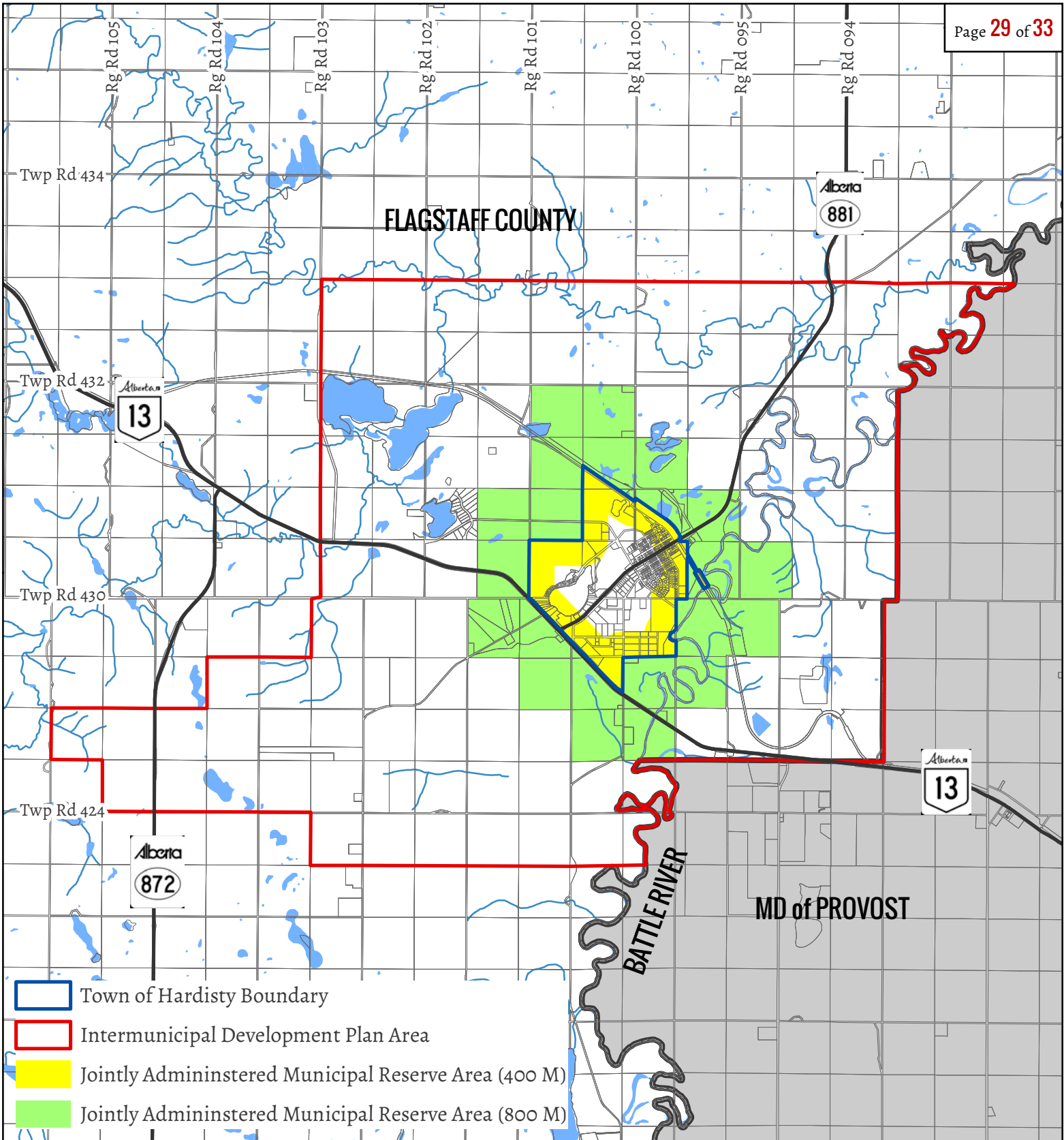
# MAP 7.2 - FUTURE LAND USE CONCEPT

## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogratis and Altalis  
 Projection: UTM NAD 83 12N



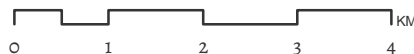


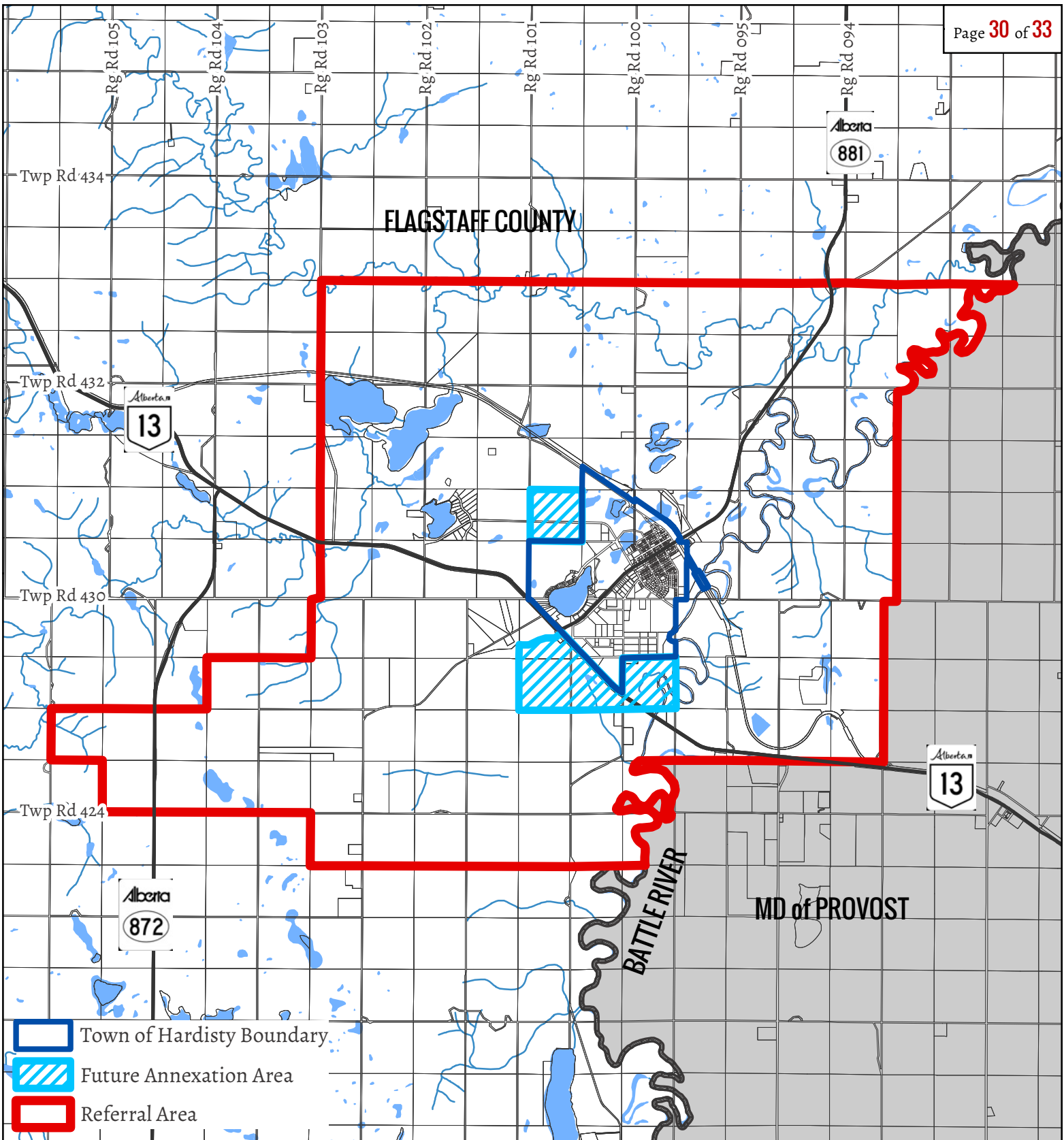


# MAP 7.3-JOINTLY ADMINISTERED MUNICIPAL RESERVE AREA

## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogratix and Altalis  
 Projection: UTM NAD 83 12N





# MAP 7.4 - ANNEXATION AREA & REFERRAL AREA

## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogris and Altalis  
Projection: UTM NAD 83 12N

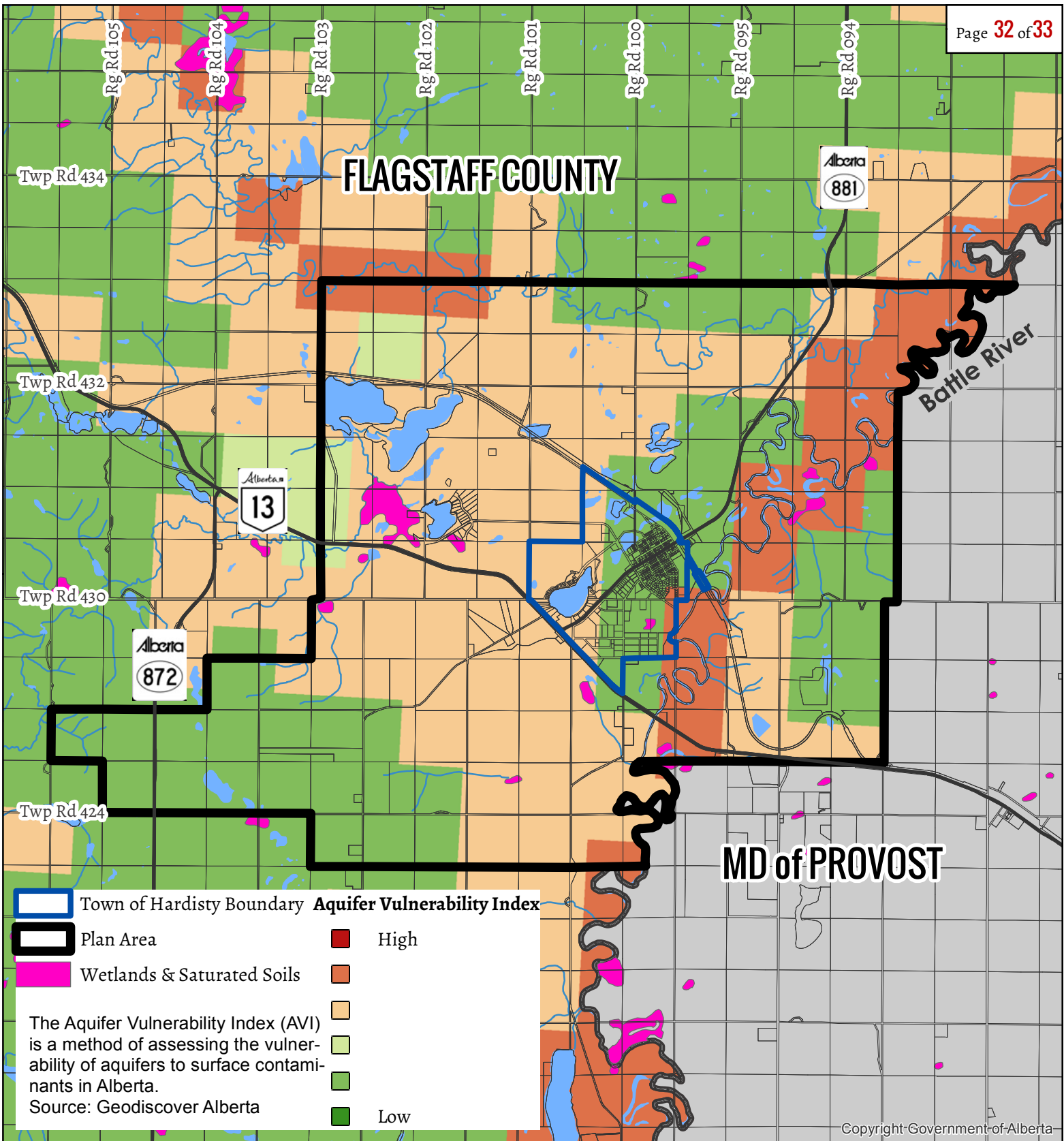


# Appendix A - Information Maps (Not approved as part of the bylaw)

ALBERTA AQUIFER VULNERABILITY INDEX

DEVELOPMENT CONSIDERATIONS

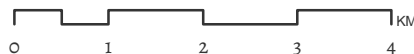




# INFORMATION MAP Alberta Aquifer Vulnerability Index (High to Low Potential)

## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogratis, Altalis, and GeoDiscover Alberta  
Projection: UTM NAD 83 12N

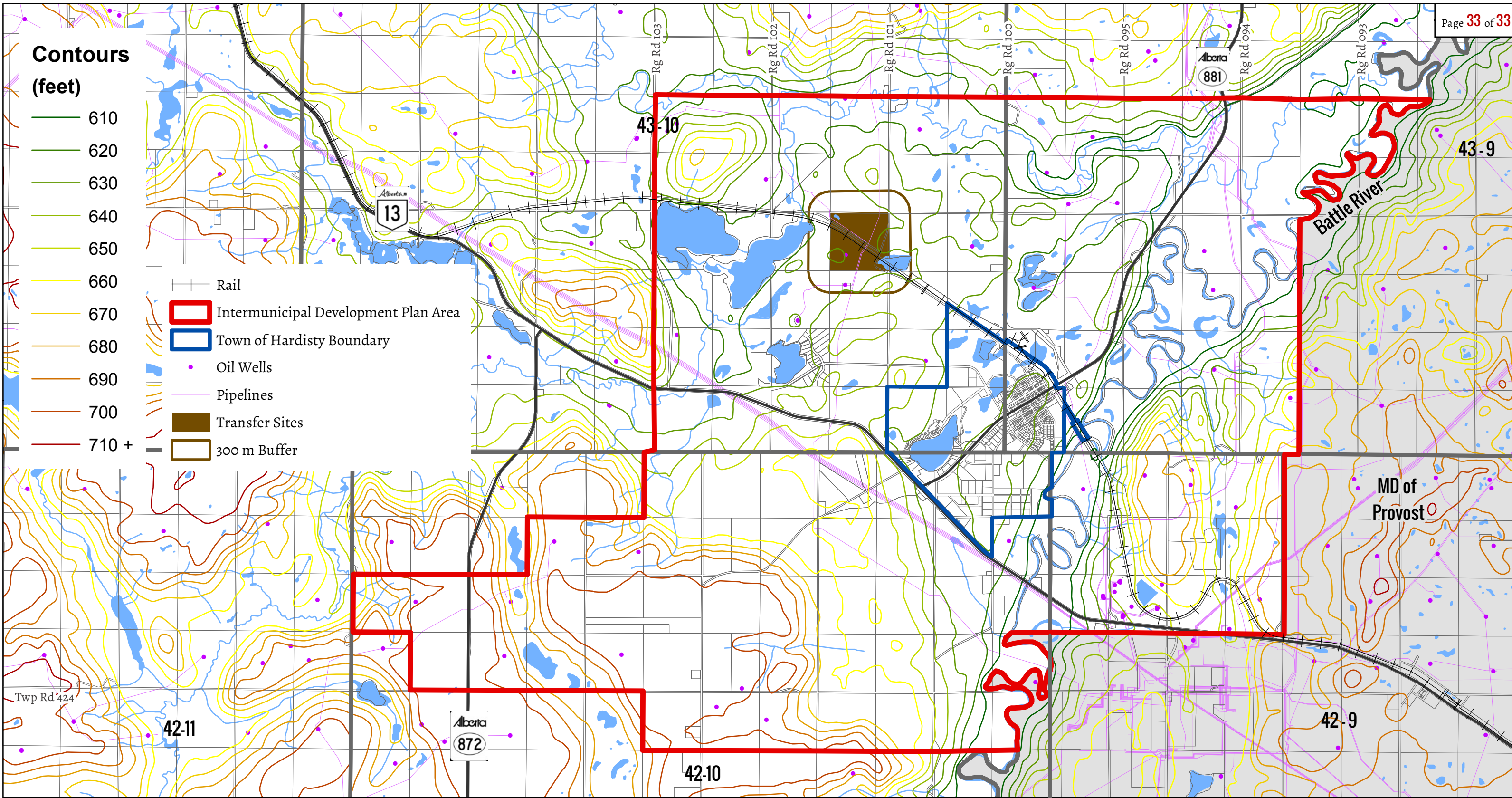




### Contours (feet)

- 610
- 620
- 630
- 640
- 650
- 660
- 670
- 680
- 690
- 700
- 710 +

- Rail
- Intermunicipal Development Plan Area
- Town of Hardisty Boundary
- Oil Wells
- Pipelines
- Transfer Sites
- 300 m Buffer



# INFORMATION MAP DEVELOPMENT CONSIDERATIONS

## Town of Hardisty & Flagstaff County IDP

Digital Information: Geogratis and Altalis  
 Projection: UTM NAD 83 12N

