

Intermunicipal Development Plan

Town of Gibbons / Sturgeon County

DRAFT
JANUARY 6, 2020



TABLE OF CONTENTS

TABLE OF CONTENTS	1
A. INTRODUCTION	2
B. MUNICIPAL PROFILES	2
C. LEGISLATIVE REQUIREMENTS	3
D. PLAN AREA	3
E. GOALS	3
F. FUTURE GROWTH & ECONOMIC DEVELOPMENT	4
G. LAND USE POLICIES	4
H. ENVIRONMENTAL MATTERS	7
I. MUNICIPAL SERVICES	7
J. TRANSPORTATION SYSTEMS	8
K. RESOURCE DEVELOPMENT & UTILITY CORRIDORS	8
L. SUBDIVISION AND DEVELOPMENT APPEAL BOARD	9
M. COMMUNICATION AND REFERRAL PROCESS	9
N. PLAN ADMINISTRATION AND IMPLEMENTATION	10
O. ANNEXATION	11
P. DISPUTE RESOLUTION	11
Q. CORRESPONDENCE	14
R. MAPS	15

A. INTRODUCTION

- 1) The Town of Gibbons (Town) and Sturgeon County (County) have agreed to undertake the process for preparing and adopting an Intermunicipal Development Plan (IDP).
- 2) The Town and the County recognize that all municipalities are equals and have the right to growth and development.
- 3) The purpose of the IDP is to accomplish the following within the Plan Area:
 - a) Ensure orderly development, while protecting the area surrounding the Town for future expansion;
 - b) Establish a framework for attracting economic opportunities;
 - c) Improve opportunities to secure a long-term economic base for the region;
 - d) Ensure the municipalities are development-ready and future-oriented in their efforts to attract economic activity;
 - e) Ensure that the municipalities are developed in a manner that is equitable and fair to the residents of the municipalities; and
 - f) Identify areas for County growth and development.

B. MUNICIPAL PROFILES

Town of Gibbons

The Town covers an area of approximately 750.7 hectares (1855.0 acres), with a population of 1,529 (Federal Census, 2016). Gibbons is a town located in central Alberta, approximately 35 km north of Edmonton, along Highway 28A.



Sturgeon County

Sturgeon County covers an area of approximately 214,006 hectares (528,820 acres), with a population of 20,506 (Municipal Census, 2019). The County surrounds five urban municipalities – the towns of Bon Accord, Gibbons, Legal, Morinville and Redwater. The County also contains ten hamlets/urban service areas, and one first nation, the Canadian Forces Base Edmonton and is bordered by ten additional municipalities. The County is a member of the Edmonton Metropolitan Board.



The Municipalities are located in the central Alberta, in accordance with the location indicated on Map 1: Location Map.

C. LEGISLATIVE REQUIREMENTS

- 1) The *Municipal Government Act* (MGA) identifies the following as matters to be addressed for lands within the boundary of the IDP:
 - a) Future land use;
 - b) Proposals for and the manner of future development;
 - c) Conflict resolution procedures;
 - d) Procedures to amend or repeal the plan; and
 - e) Provisions relating to the administration of the plan.

D. PLAN AREA

- 1) The Intermunicipal Development Plan Area (the Plan Area) are the lands located within the Sturgeon County surrounding the Town of Gibbons, as shown on Map 2 in Section R.

E. GOALS

- 1) The following are goals that have been identified by the Town and the County for the Plan Area. Some of the goals are of an on-going nature, while some may be seen as time specific.
 - a) Identification of the Future Land Uses in the referral area. This is the IDP Plan Area in the County, within approximately two miles of the Town, where the County will refer proposed subdivisions, land use bylaw redesignations, and statutory documents to the Town for review and comment.
 - b) Development of land use policies to provide for and in support of economic development that will benefit the two municipalities economically and socially.
 - c) Development of land use policies to protect agricultural lands from premature redesignation, subdivision and non-farm development.
 - d) Development of a Plan for the provision of utility corridors within the Plan Area to provide for future growth and development of the IDP area, and to ensure oil and gas development/pipelines do not inhibit or restrict the future development of the region.
 - e) Effective coordination of transportation systems and the protection of required land for future road and trail network developments.

- f) Development of land use policies to ensure that future sites for schools and recreation areas are protected.
- g) Identification and protection of physical features and environmentally sensitive areas.
- h) Effective referral mechanisms and dispute resolution mechanisms.
- i) Plan administration and implementation.

F. FUTURE GROWTH & ECONOMIC DEVELOPMENT

- 1) The Town and County have agreed to work together to promote and support economic development that benefits both municipalities.
- 2) The Town and County shall continue to encourage agricultural activity in the local area.
- 3) The Town and County will work together to promote the establishment of a diversified and sustainable assessment base within the Plan Area.
- 4) To encourage a diversified assessment base, the municipalities shall promote a land use pattern within the Plan Area which provides a range of parcel sizes and servicing options for commercial and industrial development.
- 5) The Town and County agree to encourage the development of businesses that support the needs of local residents and visitors to the region.
- 6) The Town and County shall explore options and where possible, implement cost-sharing arrangements in accordance with a mutually agreed upon Intermunicipal Collaborative Framework.

G. LAND USE POLICIES

- 1) The Town of Gibbons and Sturgeon County agree that the long term land use planning concept for the Plan Area is consistent with the future land use designations depicted on Map 3. For up-to-date Land Use Designations please see Sturgeon County Land Use Bylaw.
 - a) The predominant land use shall remain Agricultural - General, as permitted by Sturgeon County's Land Use Bylaw.
 - b) No amendments to this IDP are required for land use bylaw amendments which meet the criteria of Section G(1)(a), that both municipalities agree in writing are consistent with the provisions contained within the IDP, as amended from time to time.
- 2) The County's Land Use Bylaw governs existing land uses in the Plan Area.

- 3) In considering subdivision and development proposals within the Plan Area, the County's Subdivision and Development Authorities will ensure that the proposed subdivision and/or development conforms to the intent of the Map 3 Future Land Use Concept and the land use policies contained herein.
- 4) All development permit applications approved by the County's Development Authority shall be in accordance with the Sturgeon County Municipal Development Plan, Sturgeon County Land Use Bylaw and applicable Area Structure Plans. Any disputes shall be dealt with through the procedure outlined within Section P of this document.
- 5) Multi-lot subdivisions located within 1.6km of the centre line of a provincial highway must be developed in accordance with Section 14, 15 and 16 of the Subdivision and Development Regulation. As such, Area Structure Plans may be required by Alberta Transportation for multi-lot subdivisions within this area.
- 6) Buffers or similar mechanisms to mitigate potential conflict between incompatible uses shall be required by the County where appropriate.
- 7) The Town and County agree to jointly discuss ways to cooperate with Provincial and Federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are of a mutual benefit.
- 8) Both municipalities agree that development of lands that are within the Plan Area may contain a historically significant site. Should an area be deemed to have some historical significance, the developer may be required to conduct a Historical Resource Impact Assessment (HRIA) and should contact the appropriate Provincial Government Department regarding the development.
- 9) Existing developments that were approved through a subdivision or development process prior to the approval of this Intermunicipal Development Plan shall remain in place.
- 10) No new or expanding Confined Feeding Operations within the Plan Area requiring registrations or approvals, or manure storage facilities requiring authorization under the Agricultural Operations Practices Act, shall be permitted within the Plan Area, as per the Sturgeon County Municipal Development Plan and the Sturgeon County Land Use Bylaw.
- 11) An Area Structure Plan will be required for any multi-lot subdivisions in the Plan Area. Multi-lot subdivisions shall be considered to be any subdivision which will create five or more lots in addition to the remnant parcel, on a quarter section, excluding quarter sections containing both a farmstead/undeveloped country residential site and fragmented parcel. Area Structure Plans shall meet the requirements as outlined by Alberta Transportation including, but not limited to:
 - a) Impacts on the transportation system.
 - b) Pedestrian accommodation.
 - c) Access management requirements for the provincial highways.

- d) Future road right-of-way requirements.
- 12) All future Area Structure Plans should also contemplate:
- a) a regional trail network, connecting points of interest within the Town and County.
 - b) Environmental Reserve locations along water bodies, water courses and natural features.
 - c) Municipal Reserve locations to ensure future provision of schools and community amenities.
 - d) Additional land use planning considerations as deemed necessary by the County and Town.
- 13) In considering subdivision and development permit applications in the Plan Area, the County will ensure the proposed development is compatible with adjacent uses.
- 14) The following land use provisions will apply to all new reserve/public service developments within the Plan Area:
- a) Future municipal reserves are intended to be either:
 - i) part of the long term useable and accessible open space, park and trail system,
 - ii) future school sites, or
 - iii) future community/institutional developments which may include recreation centers, emergency and protective service, and/or medical centers.
 - b) Unless the Town requests otherwise in writing, Municipal Reserves due as a result of subdivision in the Plan Area will be deferred so that they can be taken later, at the time of re-subdivision into urban size lots. A deferred reserve caveat shall be registered on the Land Title at the time of initial subdivision.
 - c) Should future large Municipal Reserve sites be proposed, they shall be proposed as part of a comprehensive Area Structure Plan and should be determined based on consultation with the Town of Gibbons and the local school boards.
 - d) Within the Plan Area, Environmental Reserve shall be dedicated to protect lands not suitable for development and to reduce impacts on Environmentally Significant Lands in accordance with the appropriate environmental impact assessment or alternate study prepared by a qualified professional.
 - e) Decisions on municipal reserve and environmental reserves will be made in consultation with the Town.
- 15) Essential public and private utility services may be allowed throughout the Plan Area to provide the desired level of service in the Plan Area. An Area Structure Plan is not required for the development of essential public service or private utility services.

- 16) Development standards will be applied by the County to ensure that orderly development of the Plan Area occurs.

H. ENVIRONMENTAL MATTERS

- 1) All agricultural operators and other users are encouraged to continue best practices to maintain high standards of water quality.
- 2) Land use and development in flood prone areas are generally discouraged, but where it is considered by the host municipality, it shall be carefully regulated such that there is no negative effect on the adjacent municipality.
- 3) Landowners and residents are encouraged to follow water conservation practices, as established by their respective municipality.
- 4) Both municipalities will endeavour to ensure that all sources of potable water supply within their respective jurisdictions are protected and meet provincial guidelines for water quality.
- 5) The Town and the County agree that development of lands within the Plan Area may impact environmentally significant sites. Development proposals in these areas may be required to:
 - a) conduct an environmental impact assessment (EIA); and,
 - b) contact Alberta Environment and Parks regarding the development.
- 6) Within Sturgeon County, development setbacks from waterbodies and watercourses shall be enforced, as per the Land Use Bylaw and Municipal Development Plan.

I. MUNICIPAL SERVICES

- 1) Lands required for future utility and servicing right-of-way, as identified through the mutual agreement of the Town and County shall be protected at the time of subdivision and development. To this end, utility corridors shall be identified in future Area Structure Plans.
- 2) Natural and man-made drainage courses that support the overall management of storm water within the Plan Area shall be protected at the time of subdivision or development. To this end, storm water drainage courses shall be identified within future Area Structure Plans and the municipalities may require additional studies and drainage plans.
- 3) Should the Town require land located within the County for future utility expansion, the County will endeavour to protect the lands for that purpose.
- 4) For developments located within the Plan Area requiring or proposed to require municipal services including, but not limited to, water and wastewater services from the Town, the County will submit

the relevant portions of the development agreement, including full details on the water and wastewater servicing standards and anticipated volumes, for the Town's approval.

- 5) For developments requiring water and wastewater services in the Plan Area, the Town and County agree to enter into a joint servicing agreement for said services.
- 6) The municipalities agree that potential for joint servicing and/or joint levies will be evaluated on the merits of the individual development proposal (language from Sturgeon Lawyer to be provided).

J. TRANSPORTATION SYSTEMS

- 1) The Town and County will work together to ensure that a safe and efficient transportation network is developed and maintained to service residents and businesses within the IDP area. The Town and County will also cooperate on the development of all future Transportation Master Plans.
- 2) When subdivisions are approved in the Plan Area, all right-of-way requirements will be secured to ensure that long-term transportation and road plans can be implemented when warranted.
- 3) In order to create more efficiently planned communities with less highway impacts, a Transportation Master Plan for the Plan Area may be developed in coordination with the Town of Gibbons, Sturgeon County and Alberta Transportation.
- 4) Prior to subdivision and/or development Alberta Transportation may require the preparation of an Area Structure Plan and/or Traffic Impact Assessment for developments located 1.6 km of the centre line of a highway and within the Plan Area.
- 5) The Town and County agree to plan regional roads collaboratively. Road closure applications and road realignments will be discussed jointly prior to municipal approval.

K. RESOURCE DEVELOPMENT & UTILITY CORRIDORS

- 1) The municipalities will work with representatives from industry including, but not limited to, oil and gas and telecommunication industries to promote resource infrastructure development which does not negatively impact existing and/or future development within the Plan Area.
- 2) Both municipalities agree to refer all oil and gas infrastructure and telecommunication infrastructure related applications in the Plan Area to the other municipality for review and comment.
- 3) The municipalities support the development of broadband and communications infrastructure in the Plan Area and region. As such, the municipalities will work collaboratively to promote and encourage broadband and communications infrastructure.

L. SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 1) All appeals of developments and subdivisions within the Plan Area will be considered by the Sturgeon County’s Subdivision and Development Appeal Board.

M. COMMUNICATION AND REFERRAL PROCESS

- 1) All Municipal Development Plan amendments, subdivision applications, Land Use Bylaw redesignations, Area Structure Plans and development permit applications for discretionary uses within the Referral Area will be referred to the other municipality for comment. All development permit applications approved by the Sturgeon County’s Development Authority shall be in accordance with the provisions of this Plan. Any disputes shall be dealt with through the procedure outlined in Section P of this document.
- 2) The Town of Gibbons & the Sturgeon County agree that the County will refer and respond to the following planning proposals within the Plan Area, as per the following chart:

Planning Proposal Type	Maximum Response Period
a) Municipal Development Plans and Municipal Development Plan amendments	21 calendar days
b) Area Structure Plans, Area Redevelopment Plans and amendments	21 calendar days
c) Land Use Redesignations	21 calendar days
d) Subdivisions	21 calendar days
e) Discretionary Development Permits	21 calendar days
f) Road Access/Use, Road Closures and Road Realignment	21 calendar days

- 3) The Town of Gibbons & the Sturgeon County agree that the Town will refer to Sturgeon County the following planning proposals as per the following chart:

Planning Proposal Type	Maximum Response Period
a) Municipal Development Plans and Municipal Development Plan amendments	21 calendar days
b) Area Structure Plans, Area Redevelopment Plans and amendments within 1.6km of the municipal boundary	21 calendar days
c) Discretionary Development Permits directly adjacent to the municipal boundary	21 calendar days
d) Road Access/Use, Road Closures and Road Realignment	21 calendar days

- 4) The response period indicated in Section M(1) and Section M(2), may be extended upon notification in writing by the responding municipality.

- 5) Notwithstanding Section M(1) and Section M(2), either municipality may elect to circulate additional items to the neighbouring municipality for comment.
- 6) The responding municipality shall offer comments from the perspective of specific implications that have a high likelihood of impacting their own efforts around land use planning and provisions of municipal services and infrastructure.
- 7) Both municipalities shall strive, to the best of their ability and knowledge, refer all notices of government projects within the Plan Area to the other municipality.
- 8) Within the Plan Area, both municipalities are encouraged to share with the other the results of all publicly available technical analysis; submitted as part of development applications.

N. PLAN ADMINISTRATION AND IMPLEMENTATION

1) Approving Authorities:

- a) In the hierarchy of statutory plans, the Intermunicipal Development Plan shall take precedence over the other municipal statutory plans.
- b) Each Municipality shall be responsible for the administration and decisions on all statutory plans, land use bylaws, and amendments thereto within their boundaries.

2) Plan Amendments & Repeal:

- a) An amendment to this Plan may be proposed by either municipality. An amendment to the Plan proposed by a landowner shall be made to the municipality in which the subject land is located.
- b) An amendment to this Plan has no effect, unless adopted by both municipalities by bylaw in accordance with the Municipal Government Act, R.S.A., c M-26, as amended.
- c) In the event that either the Town or the County determines this Plan is no longer acceptable, either municipality may initiate the process to repeal this Plan. The following shall be followed to repeal the Plan:
 - i) The Town or County may give the other municipality written notice of its intention to repeal the plan.
 - ii) Within thirty days of the written notice, an Intermunicipal Committee meeting shall be convened.
 - iii) Following the Intermunicipal Committee meeting, the municipality initiating the repeal procedure may either withdraw its intention to repeal the Plan by giving written notice to the other municipality.
 - iv) Once notice is given, the Town and County shall initiate the development of a subsequent Intermunicipal Development Plan in accordance with the Municipal Government Act.

- v) The subsequent Intermunicipal Development Plan shall be adopted at the same time as the original Intermunicipal Development Plan is repealed.
- vi) Once one municipality has passed a bylaw to adopt the subsequent Intermunicipal Development Plan and repeal the original Intermunicipal Development Plan the other municipality shall also proceed to pass the bylaws.

3) Intermunicipal Cooperation:

- a) The Intermunicipal Committee established under the Intermunicipal Collaboration Framework is the forum for reviewing the Intermunicipal Development Plan.

4) Plan Review:

- a) Annually, the County CAO and Town CAO, or designates, shall determine the advisability of any amendments to the Plan. If an amendment is deemed necessary by both municipalities, then the results of the review shall be presented to the Committee, within one month of the anniversary of the adoption of this Plan. The Committee review shall be done in a manner consistent with the process identified in the ICF. If an amendment is deemed necessary at the Committee level, the Committee shall direct municipal administration to commence with a public plan amendment process. If the Committee does not agree that a particular amendment shall proceed, then neither municipality shall proceed with that amendment.
- b) Once every five years, commencing no later than 2025, the IDP will be formally reviewed by the Committee in conjunction with the Intermunicipal Collaboration Framework in order to confirm or recommend amendment of any particular policy contained herein. The Committee will prepare recommendations for consideration by the municipal Councils.
- c) The IDP may be reviewed earlier than 2025, in accordance with Section N(4)(a).

O. ANNEXATION

- 1) At the time of this IDP preparation it was determined that the Town of Gibbons had sufficient land within its currently boundaries to support anticipated growth for the next 20 years. However, should circumstances change the Town may propose an annexation based on demonstrated need through the development of a Growth Study. The Town and County will endeavour to reach an intermunicipal agreement on the annexation prior to submitting the annexation application to the Municipal Government Board. The annexation request must comply with the requirements of the MGA and the process outlined by MGB and shall be submitted by the annexing municipality.

P. DISPUTE RESOLUTION

- 1) The Town and County agree that the following process shall be used to resolve or attempt to resolve disputes between the Municipalities arising from the following:

- a) Lack of agreement on proposed amendments to the Plan;
 - b) Lack of agreement on any proposed statutory plan, land use bylaw or amendments thereto for lands located within or affecting the Plan Area; or
 - c) Lack of agreement on an interpretation of this Plan.
- 2) Lack of agreement pursuant to Section P(1)(a) or (b) is defined as a statutory plan, land use bylaw or amendments to either which is given first reading by a Council which the other Council deems to be inconsistent with the policies of this Plan or detrimental to their planning interests as a municipality.
 - 3) A dispute shall be limited to the decisions on the matters listed in Section P(1). Any other appeal shall be made to the appropriate approving authority or appeal board that deals with that issue.
 - 4) The dispute resolution process may only be initiated by Town or County Councils.
 - 5) Identification of a dispute and the desire to go through the dispute resolution process may occur at any time regarding a Section P(1)(c) dispute matter and may only occur within 30 calendar days of a decision made pursuant to Section P(2). Once either municipality has received written notice of a dispute, the dispute resolution process must be started within 15 calendar days of the date the written notice was received, unless both Chief Administrative Officers agree otherwise.
 - 6) In the event that the dispute resolution process is initiated, the municipality having authority over the matter shall not give any further approval in any way until the dispute has been resolved or the mediation process has been concluded.
 - 7) In the event that mediation does not resolve the dispute, the Municipality may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.
 - 8) The Intermunicipal Committee will be the forum used in relation to any disputes.

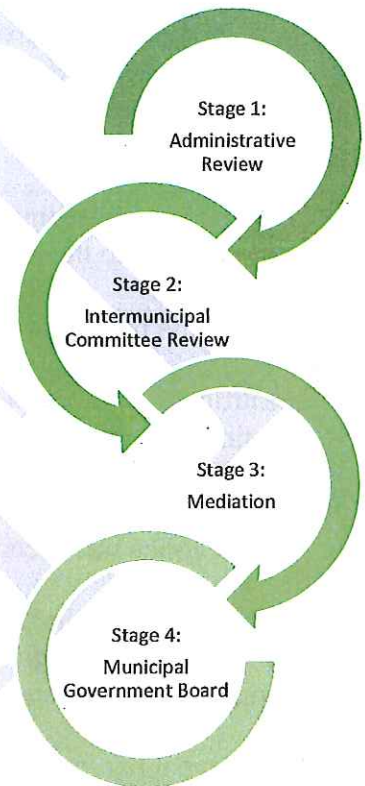
Dispute Resolution Process

Stage 1 Administrative Review - The Chief Administrative Officers of both municipalities will meet in an attempt to resolve the issue first within 30 days. Failing resolution, the dispute will then be referred to the Intermunicipal Committee. In the event that a resolution is not achieved by the 30th day following the first meeting of the Chief Administrative Officer of both Municipalities, either municipality may refer the dispute to the Intermunicipal Committee.

Stage 2 Intermunicipal Committee Review – The Committee will convene to consider and attempt to resolve the dispute within 30 days. In the event that a resolution is not achieved by the 30th day following the first meeting of the Intermunicipal Committee, either municipality may refer the dispute to mediation.

Stage 3 Mediation – The services of an independent mediator will be retained, with the mediator required to present a written recommendation to both Councils. The costs of mediation shall be paid on a proportional basis by the municipalities. Each municipality’s proportion of the costs must be determined by dividing the amount of that municipality’s equalized assessment by the sum of the equalized assessments of all of the municipalities’ equalized assessments as set out in the most recent equalized assessment.

Stage 4 Municipal Government Board – In the event that the mediation process does not resolve the dispute, the Municipality may proceed to adopt the bylaw and, in accordance with the Municipal Government Act, the other municipality will have the right to appeal to the Municipal Government Board.



Q. CORRESPONDENCE

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

a. In the case of the Sturgeon County to:

**Sturgeon County
c/o Chief Administrative Officer
9613-100 Street
Morinville, Alberta T8R 1L9**

b. In the case of the Town of Gibbons to:

**Town of Gibbons
c/o Chief Administrative Officer
4807 50 Avenue, Box 68
Gibbons, Alberta T0A 1N0**

2) In addition to Section Q(1), notices may be sent by electronic mail to the Chief Administrative Officer of each municipality.

IN WITNESS WHEREOF the parties have affixed their corporate seals as attested by the duly authorized signing officers of the parties as of the date the Intermunicipal Development Plan bylaw is passed.

STURGEON COUNTY

TOWN OF GIBBONS

Mayor

Mayor

Chief Administrative Officer

Chief Administrative Officer

Bylaw No. _____

Bylaw No.: _____

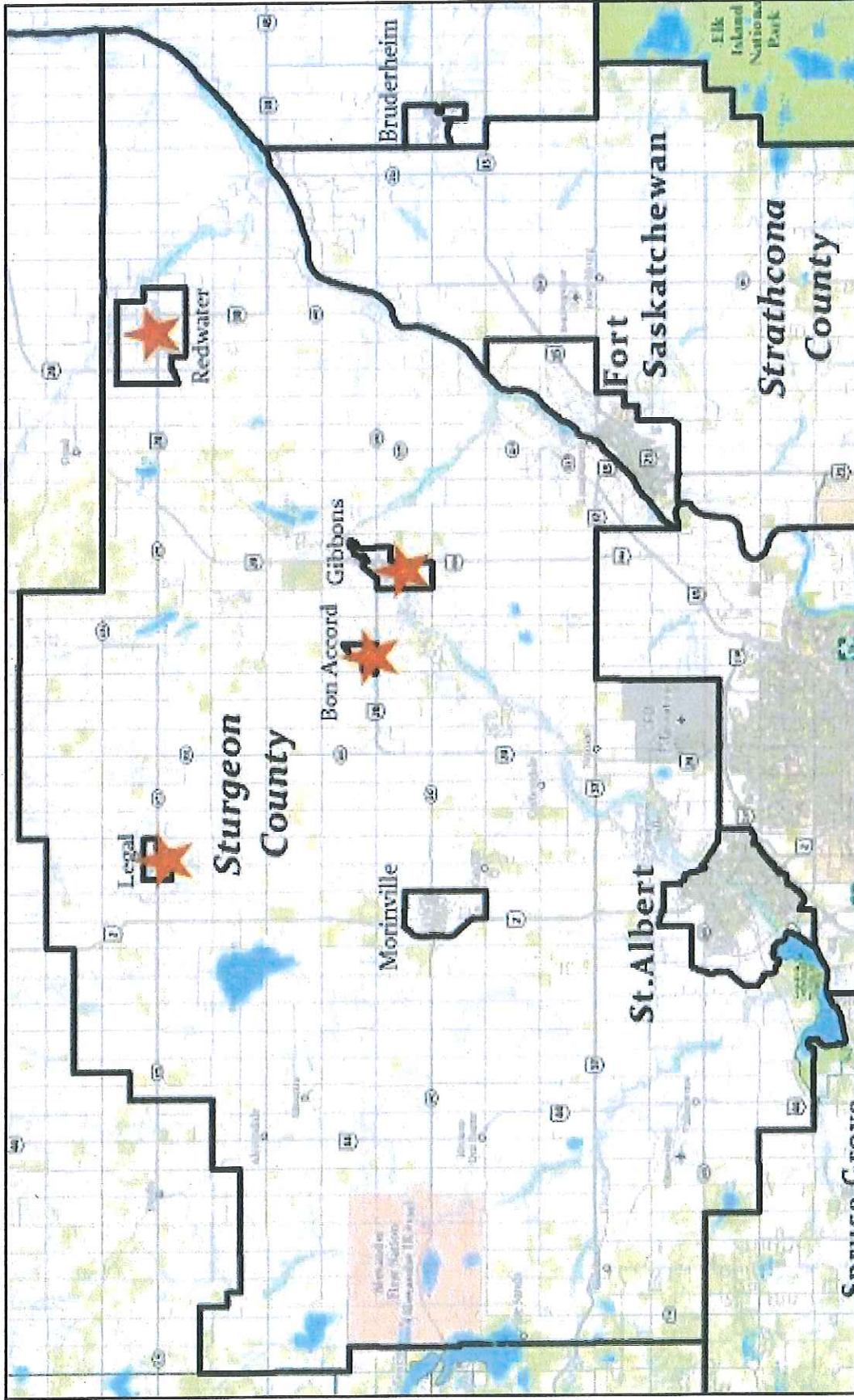
R. MAPS

Map 1: Location Map

Map 2: Plan Area Map

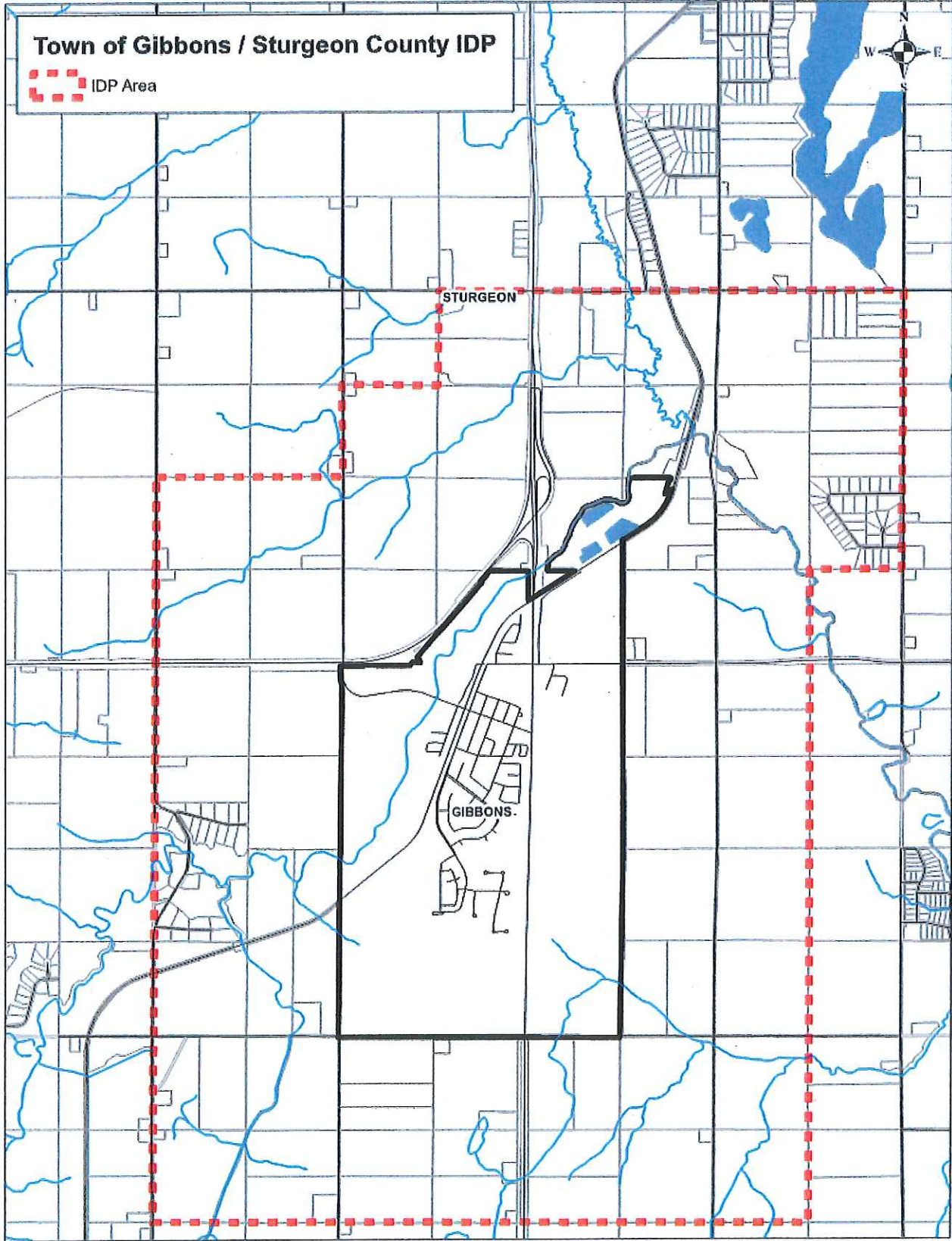
Map 3: Future Land Use Concept (for up-to-date Land Use Designations please see Sturgeon County's Land Use Bylaw)

Map 1: Location Map



To Be Replaced.

Map 2: Plan Area Map



Map 3: Land Use Concept Map

