



## RED DEER COUNTY / TOWN OF INNISFAIL

## INTERMUNICIPAL DEVELOPMENT PLAN

## OCTOBER 2006





#### BYLAW N0. 1448

#### BYLAW NUMBER 1448, OF THE TOWN OF INNISFAIL, IN THE PROVINCE OF ALBERTA, BEING A BYLAW TO ADOPT THE RED DEER COUNTY/TOWN OF INNISFAIL INTERMUNICIPAL DEVELOPMENT PLAN

WHEREAS, SECTION 631(1) OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26 OF THE STATUTES OF ALBERTA, PROVIDES THAT TWO OR MORE COUNCILS MAY, BY EACH PASSING A BYLAW, ADOPT AN INTERMUNICIPAL DEVELOPMENT PLAN;

AND WHEREAS, COUNCIL DEEMS IT DESIREABLE TO ADOPT AN INTERMUNICIPAL DEVELOPMENT PLAN WITH RED DEER COUNTY;

**AND WHEREAS,** NOTICE OF THE PROPOSED BYLAW AND PUBLIC HEARING WAS GIVEN PURSUANT TO SECTION 606(2) OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26 OF THE STATUTES OF ALBERTA;

**AND WHEREAS**, THE PROPOSED BYLAW WAS PUBLICIZED IN TWO CONSECUTIVE ISSUES OF THE INNISFAIL PROVINCE;

AND WHEREAS, A PUBLIC HEARING INTO THE PROPOSED BYLAW WAS SCHEDULED FOR AND HELD ON DECEMBER 5, 2006 COMMENCING AT 7:00 PM;

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

THAT THE RED DEER COUNTY/TOWN OF INNISFAIL INTERMUNICIPAL DEVELOPMENT PLAN, AS ATTACHED AND FORMING PART OF THIS BYLAW BE ADOPTED.

READ A FIRST TIME IN OPEN COUNCIL THIS 10th DAY OF OCTOBER 2006.

READ A SECOND TIME IN OPEN COUNCIL THIS 5 DAY OF December , 2006.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS <u>5</u> DAY OF <u>December</u>, 2006.

Luca

MAYOR

ali Made CHIEF FINANCIAL OFFICER

CHIEF ADMINISTRATIVE OFFICER

### **BYLAW NO. 2006/49**

A BYLAW OF RED DEER COUNTY, IN THE PROVINCE OF ALBERTA, TO ADOPT THE RED DEER COUNTY / TOWN OF INNISFAIL INTERMUNICIPAL **DEVELOPMENT PLAN** 

Pursuant to the authority conferred upon it by the Municipal Government Act, the Council of Red Deer County hereby enacts that Bylaw No. 2006/49 be adopted as the Red Deer County / Town of Innisfail Intermunicipal Development Plan as attached hereto.

DONE AND PASSED IN OPEN COUNCIL WITH THE UNANIMOUS CONSENT OF ALL MEMBERS PRESENT.

> FIRST READING: SECOND READING: THIRD READING:

**NOVEMBER 7, 2006 DECEMBER 5, 2006 DECEMBER 5, 2006** 

REEVE Date Signed: December 7, 2006

COUNTY MANAGER Date Signed: December 7, 2006

# RED DEER COUNTY/TOWN OF INNISFAIL INTERMUNICIPAL DEVELOPMENT PLAN

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#### 1.0 INTRODUCTION

Intermunicipal planning is an ongoing effort between two or more municipalities to make land use planning decisions in a manner that reflects the mutual and individual interests of the affected municipalities. An intermunicipal development plan (IDP) is one of the main tools used in this effort.

An IDP is a broad-based policy document that is designed to ensure that development, usually in and around an urban municipality, takes place in an environmentally responsible and sustainable manner without significant unnecessary costs and unacceptable negative impacts on either municipality. It recognizes the difficult challenges facing both municipalities as they try to deal with the expectant growth pressures in a way that is mutually beneficial. An IDP is expected to provide both municipalities with a comprehensive long range land use based plan that reduces potential development conflicts, addresses community concerns and provides a framework for ongoing consultation and cooperation in areas of mutual concern.

Land use planning decisions made by the Town and County affect and influence one another. Some of the prominent planning issues include potential conflicts between urban and rural land uses in proximity to one another and coordinating infrastructure and provision of municipal services. Positive relations, achieved through communication, consultation and cooperation, can provide many opportunities to share resources, achieve economic development goals and reduce the costs of providing municipal and community services.

Some of the general benefits of intermunicipal planning and preparing an intermunicipal development plan include:

- Building positive and mutually beneficial relationships between municipalities;
- Recognizing the Town and surrounding rural areas as one diverse, mutually supporting community;
- Encouraging dialogue to reduce the potential for land use conflicts and foster a better understanding of each other's interests and views;
- Achieving a common purpose for growth and development in the broader area which is supportive of intermunicipal agreements and other cooperative initiatives in the provision of municipal services;
- Promoting certainty for rural land use and development activities by designating and safeguarding areas for continued rural development;
- Confirming future urban growth directions and land requirements and allowing for the efficient and economical expansion of the Town;
- Enabling both parties to jointly consider the effects that a specific development in one municipality might have on the other;
- Promoting effectiveness and efficiency in the delivery of services including such things as coordinating of transportation planning; and

 Obtaining certainty around the types of land use allowed within the urban fringe and the development standards that will be applied.

This plan is an Intermunicipal Development Plan between Red Deer County and the Town of Innisfail as described under the Municipal Government Act, RSA, 2000 (as amended).

#### 1.1 Role of the Plan and Relationship to Other Plans

The Intermunicipal Development Plan (IDP) is one part of the overall system of plans that guide and direct future growth and development within the Town of Innisfail and a defined portion of Red Deer County. As a policy document the IDP is, for the most part, general in nature and long range in its outlook. The Plan is based on growth and development over the next 100 years during which the population in the Plan Area is anticipated to increase from approximately 7,500 in 2005 to more than 50,000. It provides the means whereby County Council and Town Council, other decision makers, and the community can evaluate immediate situations or proposals in the context of a long range plan. Periodic amendments and revisions to the Plan will occur over the 100 year timeframe.

Both the Town and County rely on their respective Municipal Development Plans and area structure plans to provide further and more detailed guidance on land use planning decisions. These plans and the IDP must be consistent with one another. In several areas, the IDP provides the very broad direction in expectation of more detailed planning at a later date. In other cases the IDP specifically defers to these more detailed plans.

In addition to its direction on future land uses, the IDP includes policies related to and mechanisms for coordinating developments adjacent the boundaries between the two municipalities. The IDP contains policies acknowledging the Town of Innisfail's plans for long term expansion into parts of the County. It also acknowledges the County's interest in the development of lands in proximity to Innisfail. Communication and referral protocols to coordinate these two aspirations are fundamental elements of the IDP.

### 1.2 Interpretation of the Plan

The IDP is divided into a series of sections and topics for ease of reference and use. In interpreting and implementing the IDP it is important to recognize that the Plan is a long-term document and that it will take many years to reach the full extent of land use concept it sets out. Interpretation and implementation of some of the IDP policies will require the exercise of judgement, discretion and ongoing and open communication between the Town and County.

It is also important to bear in mind that the IDP works best as a comprehensive whole and should be interpreted in a holistic manner. While the Plan is structured by topic area it is important to view all of the policy directions in context with one another rather than as individual parts. In this way, the several policy statements are intended to contribute towards achieving the full essence of the land use planning framework that has been agreed upon by the two municipalities.

Finally, the IDP contains "shall", "should" and "may" policy statements. "Shall" policies are those which must be followed. "Should" policies mean compliance to the principle is required but the applicable authority has some discretion based on the circumstances of the specific case be decided upon. "May" policies indicate that the applicable authority determines the level of compliance that is required.

#### 2.0 GROWTH MANAGEMENT

Goal:

To direct future growth in a manner that is compatible with the heritage character and physical setting of the plan area and minimizes potentially negative social, fiscal and environmental impacts.

#### Objectives:

- 1. To promote compact, contiguous and accessible development provided with efficient public services while preserving open space and environmentally sensitive areas that are not currently suitable for development.
- 2. To manage future growth and development in a responsible, orderly and cost-efficient manner through the necessary degree of land use control.
- 3. To identify and recognize the potential implications of growth and development on the Plan Area.
- 4. To promote an equitable distribution of the indirect costs and benefits of growth between the two municipalities.

- 1. Major future development areas shall be planned prior to any Land Use Bylaw amendments allowing the development of the land uses shown on Map 1. Area structure plans shall be the primary tool in this regard and shall be supported by servicing studies.
- 2. Such studies as may be needed to understand the implications a proposed use or development may have on the Plan Area may be required by the municipality having jurisdiction.
- 3. The Town and County shall explore and where possible implement cost-sharing arrangements in accordance with the following principles:
  - a. Recognize, respect and address the differing needs and values of each municipality including broader rural urban differences

- b. If the ratepayers of one municipality are using a service/facility in a neighbouring municipality there is an obligation to enter into discussions for a service/cost sharing arrangement
- c. Regionally accessible and beneficial services should be financed on a regionally cost-shared basis
- d. All parties to a cost-sharing agreement must have the opportunity to participate in a board or committee established to oversee operations
- e. Councils will negotiate principles and set the parameters of cost-sharing agreements, their respective administrations will then finalize details and draft agreements for Council approval
- f. Municipal services that are subject to regional negotiations must be rationalized by the parties in long-term plans to ensure the service meets the regional need as opposed to solely a local need
- 4. Agreements for cost-sharing between the Town and County as described above shall not apply to areas that are covered by a joint development agreement between the Town and County.
- 5. Both municipalities shall seek to make efficient use of land within their jurisdiction in keeping with the character of their respective communities and life styles that they seek to accommodate.

#### 3.0 ECONOMIC DEVELOPMENT AND FISCAL HEALTH

Goal:

To enhance wealth generation and employment opportunities within the Innisfail and area local economy.

#### Objectives:

- 1. To foster economic development for the Innisfail area by recognizing the needs of both municipalities and the local economy.
- 2. To work together in providing a land base and land use pattern capable of supporting a range of appropriate economic activities.
- 3. To promote the establishment of sustainable assessment bases capable of supporting desired levels of municipal service provision.

- 1. Both municipalities shall work together to ensure a strong and stable local economy within the broader regional economy.
- 2. Both municipalities shall work towards diversification of local economic sectors.
- 3. The Town and County shall encourage and attract agriculture and value-added agricultural activity to the local area.
- 4. The Town and County shall ensure that their combined land use patterns within the Plan Area provides a suitable inventory of lands for commercial and industrial development which includes a range of choice in terms of parcel sizes and servicing.
- 5. While a broad range of commercial and industrial uses and development is desirable, those uses and developments which may detract from the community's character, quality of life for area residents, unduly impact on the environment, or cause negative social implications may not be permitted.

#### 4.0 JOINT DEVELOPMENT

Goal:

To provide the basis for future discussions on joint development by the Town and County of select areas that may be of mutual benefit and interest.

Objectives:

- 1. To identify areas where joint development may be appropriate.
- 2. To establish the broad parameters for reaching agreement on how to implement joint development initiatives.

- 1. For the purposes of this Plan the term "joint development" shall mean a development exhibiting all of the following characteristics:
  - a. Development being undertaken by a private developer/landowner or any other party except the Town or County;
  - b. Use of Town water and/or sanitary sewer services where a formal agreement has been reached between the Town and County pursuant to Policy 4.3 of this Plan.
- 2. The Town shall not seek to annex any portion of an area that is the subject of a formal written agreement between the Town and County which allows joint development in the area within the County's jurisdiction.
- 3. Considerations and issues that should be addressed in an agreement relating to joint development of an area should include:
  - a. Equitable distribution of the municipal tax proceeds, or their equivalent grant-in-lieu contributions, resulting from the assessment growth in the joint development area between the Town and County in relation to the cost of maintaining and providing infrastructure, providing services, and contribution towards the creation of an attractive location for business;
  - b. Relation of Town and County mill rates relative to establishing a level playing field and avoiding competition for development on the basis of taxation levels;
  - c. Contribution towards the capital costs of infrastructure through the collection of offsite levies or capital contributions built into the utility rate base;
  - d. Ability to guarantee available capacity in municipal utility systems to the area subject to the agreement;

- e. Standards for the design and construction of infrastructure that will apply to the joint development area;
- f. Ability to adjust mill rates that apply to the joint development area from time to time based on changing costs to provide infrastructure and services;
- g. Establishing a suitable term of the agreement in recognition of the long term nature of land use and development decisions; and
- h. Setting out a dispute resolution mechanism to be used solely in the context of the joint development agreement (which may be based on the process used for other matters under the IDP).

### 5.0 LAND USE CONCEPT

Long term future land uses and land use patterns form one of the key areas of agreement and coordination in this plan. Map 1: Land Use Concept identifies the long term land use pattern for the lands within the current boundaries of the Town of Innisfail and within that portion of Red Deer County falling within the plan area boundaries. The land uses identified are based on the predominant or main type of land use to be located in an area. More specific boundaries and information on the precise land uses is intended to be provided through each municipality's respective Land Use Bylaw and more detailed land use plans.

The major land use categories shown on Map 1 are agricultural, residential, commercial, industrial, major green space, recreation, general urban and existing area structure plan. Within each major category there are more defined types or categories of the same land use. For instance, the predominantly commercial areas may include local or neighbourhood commercial, downtown and highway commercial sub-categories.

Commercial areas identified on Map 1 represent the areas and locations that major concentrations of commercial development are considered appropriate as the predominant use. This includes intense commercial development such as the downtown area and low density commercial development such as highway commercial along Highway 54. Neighbourhood commercial sites, due to their small size, are not shown and will be identified in more detailed plans.

Industrial areas reflect both light and heavy industrial uses and show the locations this type of use is considered appropriate. The distinction between light and heavy industrial areas will be clarified through more detailed planning. In addition, Map 1 also identifies land of mutual economic development interest, which are shown on the map as the "Referral and Joint Economic Study Area."

Residential areas shown on Map 1 illustrate the location of existing and future neighbourhoods. While residential uses such as detached homes and multi-attached dwellings will be the main types of use, small scale neighbourhood commercial and institutional uses typically found in residential neighbourhoods, such as schools and religious assemblies, may also be located in these areas. More detailed plans are expected to provide more direction on the design of future neighbourhoods.

The green space areas shown on Map 1 represent the major areas that make up some of the elements of a long term park and trail system. The recreation use category represents major private recreation facilities such as the Innisfail Golf Course. Local parks and trail connections are not shown on Map 1 as these facilities are expected to be identified in more detailed plans.

Existing area structure plans shown on Map 1 denote where an adopted plan providing a more detailed land use pattern is in place. As new area structure plans are prepared and adopted it is intended that their land use patterns will start with the general patterns shown on Map 1. Once a new plan is adopted Map 1 will be changed to reflect the name, location and area covered by the more detailed plan.

General Urban uses have been identified for the more central portion of the Town of Innisfail. This reflects the existing uses and mixed land use pattern. The IDP defers to the Town's Municipal Development Plan and the direction it provides for future land uses in this area except where an area redevelopment plan has been adopted.

The major/arterial road system and relation to the Provincial highway system is shown on Map 1 to understand the relation between concentrations of land use and the need to accommodate the movement of people and goods.

Land uses shown on Map 1 account for a substantial amount of future growth within the plan area over the next 75 to 100 years. The Long Term Town Boundary encompasses lands that would accommodate a future Town population of 50,000 to 55,000. Expansion of the Town of Innisfail to take in all of the lands shown within the Long Term Town Boundary is expected to take many years. Numerous periodic annexations will occur before the Town boundary expands to what is shown on Map 1.

#### 5.1 AGRICULTURAL USES

Goal:

To ensure agriculture within the Innisfail area remains sustainable, diversified and a key contributor to the local economy.

Objectives:

- 1. To allow agricultural lands to continue to be used for a variety of agricultural activities.
- 2. To avoid the premature subdivision and conversion of agricultural land to nonagricultural use.
- 3. To minimize the impact of urban expansion on agricultural lands.
- 4. To reduce the potential for conflict between agricultural uses and other uses.

- 5.1.1 Agricultural areas identified on Map 1 shall continue to be used predominantly for agricultural activities over the long term and subdivision for non-agricultural purposes shall be discouraged.
- 5.1.2 Small agricultural holdings are considered an intensified agricultural use and may be allowed within the agricultural areas shown on Map 1.
- 5.1.3 Agricultural use may continue within all other policy areas identified on Map 1 until conversion to the non-agricultural use identified on Map 1.
- 5.1.4 New confined feeding/intensive livestock operations, or the expansion of existing operations shall not be supported by either the Town or the County.
- 5.1.5 Resource extraction activities may be allowed within the agricultural areas shown on Map 1.
- 5.1.6 Redesignation or subdivision of any lands beyond the Town boundary and currently used for agriculture shall be preceded by the preparation and adoption of an area structure plan as required by the County Municipal Development Plan.

#### 5.2 **RESIDENTIAL USES**

Goal:

To provide opportunities for residential development within the Innisfail area which are responsive to a variety of market preferences and directed to suitable locations.

#### Objectives:

- 1. To identify areas appropriate for residential development in urban and rural settings.
- 2. To allow for the replacement of existing dwellings.

- 5.2.1 Residential areas identified on Map 1 shall be used predominantly for residential purposes over the long term. Agricultural, local commercial, open space, recreational, institutional and resource extraction industrial uses may also be present based on the detailed land use concept of an approved area structure plan.
- 5.2.2 First parcel out and farmstead removal subdivisions may be allowed in all residential areas shown on Map 1 where they meet the requirements of the County Municipal Development Plan.
- 5.2.3 Unless otherwise agreed to in writing by the Town, subdivision and development of the residential areas within the Long Term Town Boundary as shown on Map 1 more intensely than first parcel out subdivisions and farmstead removals may be allowed prior to annexation into the Town where the following conditions are met:
  - a. The density of residential development shall be a minimum of 11 units per gross developable hectare. For the purposes of this plan, the term "gross developable hectare" includes all land in title less those lands to be dedicated as environmental reserve, open space in excess of the 10% Municipal Reserve mandated by the *Municipal Government Act*, and lands that will remain in agricultural use;
  - b. Use of a standard of infrastructure that meets or exceeds typical Town standards for urban residential areas internal to the development area. Without limiting the generality of the Town's standards, this includes curb and gutter, water distribution system, sanitary sewer collection system, street lights, piped storm water system, paved roadways, paved lanes, underground power, trails, playground and park equipment, landscaping, sidewalks and street signage. The standard to be used for each development shall be acceptable to the County and Town;
  - c. External extensions of the Town's water and/or sanitary sewer system shall be to a standard acceptable to the County and the Town. Alternatively, a communal water supply and/or sewage collection system to be owned and

operated by the municipality and acceptable to the County and the Town may be used; and

- d. Where there is no benefit to the Town, the Town shall not incur any costs for internal and external infrastructure needed to service the development, including contributions towards upgrades of major facilities such as water reservoirs and sewage lift stations.
- 5.2.4 In reaching agreement on the standard of infrastructure where development occurs under Policy 5.2.3, the County shall obtain the Town's written concurrence on the detailed engineering construction drawings forming part of the County's development agreement prior to entering into the development agreement with the developer.
- 5.2.5 Use of Town water and/or sanitary sewer where development occurs under Policy 5.2.3 shall not trigger immediate annexation by the Town. Future annexation of an area developed under Policy 5.2.3 shall occur when:
  - a. The Town requires the remaining undeveloped lands of the quarter section for future growth; or
  - b. The abutting lands on three sides of the partially developed quarter are already in the Town or subject of an annexation application to be brought into the Town; or
  - c. The Town and County otherwise agree that the land should be annexed to maintain a logical, contiguous boundary.
- 5.2.6 When development as contemplated by Policy 5.2.3 is to be annexed, the County shall not oppose such annexation solely on the basis of loss of tax revenue or landowner opposition to annexation.
- 5.2.7 Subdivision and development of residential areas shown on Map 1 shall be preceded by the preparation and adoption of an area structure plan as required under the respective municipality's Municipal Development Plan.

#### 5.3 COMMERCIAL AND INDUSTRIAL USES

Goal:

To promote well planned commercial and industrial development that serves local residents and contributes to regional and local economic development.

#### Objectives:

- 1. To ensure there is an adequate supply of commercial and industrial land available and capable of meeting a variety of needs.
- 2. To identify areas where commercial and industrial activities can prosper and maximize their contribution to the local area economy.
- 3. To reduce the potential for conflict between commercial uses, industrial uses and other uses.
- 4. To ensure that other uses do not place restrictions on the development of commercial and industrial areas.

- 5.3.1 Commercial areas identified on Map 1 shall be used for a variety of commercial activities over the long term.
- 5.3.2 Industrial areas identified on Map 1 shall be used for a variety of industrial activities over the long term. This includes business agriculture type uses.
- 5.3.3 Commercial uses shall be directed to areas close to the Queen Elizabeth II Highway/Highway 2 and other major roads while industrial uses shall be directed to the interior of the area.
- 5.3.4 Subdivision and development of commercial and industrial areas shown on Map 1 beyond the Town boundaries shall be preceded by the preparation and adoption of an area structure plan.
- 5.3.5 Developments shall follow the highest standard set by the Highway 2/2A Corridor Design Guidelines or the respective municipality's Land Use Bylaw.
- 5.3.6 Buffers or similar mechanisms to mitigate potential conflict between commercial, industrial and other uses shall be used where needed.
- 5.3.7 Whenever reasonable to do so, uses and developments that may pose limitations on future commercial and industrial activities shall be directed away from lands identified for commercial or industrial uses.

- 5.3.8 Subdivision and development of the commercial or industrial areas shown on Map 1 within the Long Term Town Boundary and west of the Queen Elizabeth II Highway more intensely than first parcel out subdivisions and farmstead removals may be allowed prior to annexation into the Town where the following conditions are met:
  - a. The density of development shall meet or exceed typical Town densities for commercial and industrial areas;
  - b. Use of a standard of infrastructure that meets or exceeds typical Town standards for urban commercial and industrial areas internal to the development area. Without limiting the generality of the Town's standards, this includes curb and gutter, water distribution system, sanitary sewer collection system, street lights, piped storm water system, paved roadways, paved lanes, underground power, landscaping, sidewalks and street signage. The standard to be used for each development shall be acceptable to the County and Town;
  - c. External extensions of the Town's water and/or sanitary sewer system shall be to a standard acceptable to the County and the Town. Alternatively, a communal water supply and/or sewage collection system to be owned and operated by the municipality and acceptable to the County and the Town may be used; and
  - d. All costs for internal and external infrastructure needed to service the development, including contributions towards upgrades of major facilities such as water reservoirs and sewage lift stations, shall be borne by the developer.
- 5.3.9 In reaching agreement on the standard of infrastructure where development occurs under Policy 5.3.8, the County shall obtain the Town's written concurrence on the detailed engineering construction drawings forming part of the County's development agreement prior to entering into the development agreement with the developer.
- 5.3.10 Use of Town water and/or sanitary sewer where development occurs under Policy 5.3.8 shall not trigger immediate annexation by the Town. Future annexation of an area developed under Policy 5.3.8 shall occur when:
  - a. The Town requires the remaining undeveloped lands of the quarter section for future growth; or
  - b. The abutting lands on three sides of the partially developed quarter are already in the Town or subject of an annexation application to be brought into the Town; or
  - c. The Town and County otherwise agree that the land should be annexed to maintain a logical, contiguous boundary.
- 5.3.11 When development as contemplated by Policy 5.3.8 is to be annexed, the County shall not oppose such annexation solely on the basis of loss of tax assessment base or landowner opposition to annexation.

#### 5.4 PUBLIC AND INSTITUTIONAL USES

Goal:

To ensure locations are available to provide public and institutional services to Plan Area residents.

Objectives:

- 1. To accommodate public and institutional uses which serve the Plan Area population.
- 2. To provide for essential public and private utility services serving the Plan Area population.

- 5.4.1 Public and institutional uses commonly considered compatible with and complementary to residential uses may be allowed within the areas identified for agricultural use on Map 1.
- 5.4.2 Public and institutional uses commonly considered compatible with and complementary to residential uses may be allowed within the areas identified for residential use on Map 1.
- 5.4.3 Public and institutional uses commonly considered compatible with and complementary to commercial and industrial uses may be allowed within the areas identified for commercial and industrial use on Map 1.
- 5.4.4 Essential public and private utility services may be allowed throughout the Plan Area based on the optimal location(s) to provide the desired level of service to the Plan Area. An adopted area structure plan is not required for the development of essential public services or private utility services.

#### 5.5 MAJOR GREEN SPACE, PARKS AND TRAILS

Goal:

To create an integrated system of green space that preserves natural features for their intrinsic and functional value and provide open space and trail opportunities for the community.

#### Objectives:

- 1. To promote the development of intermunicipal greenways and trails.
- 2. To ensure that adequate park dedication meeting local and community needs is available through the subdivision process.
- 3. To protect environmentally significant areas from adverse negative impacts.
- 4. To protect natural drainage courses and waterways critical to the Plan Area.

- 5.5.1 The escarpment along the Red Deer River and Buffalo Creek shall be retained in its natural state except for those measures needed for utility crossings, public access or safety.
- 5.5.2 When lands along the Red Deer River, Buffalo Creek and Waskasoo Creek are subdivided, environmental reserve shall be dedicated. Where necessary, municipal reserve shall also be dedicated to allow trail development.
- 5.5.3 A regional trail network connecting points of interest within the Town and County to major concentrations of residential development shall be addressed as part of any new area structure plan and is encouraged for any existing development areas.
- 5.5.4 First-parcel-out subdivisions and farmstead removals shall not be subject to municipal reserve dedication. In all other situations, municipal reserve dedication shall be subject to the provisions of an adopted area structure plan and in accordance with the respective Municipal Development Plan policies of the County and the Town.
- 5.5.5 Environmentally significant areas and features shall be inventoried and identified for preservation, where warranted, through the process of preparing area structure plans.

#### 5.6 RECREATION AND COMMUNITY SERVICES

Goal:

To provide a variety of recreation and community services which contribute to a high quality of life for residents in Innisfail and area.

Objectives:

- 1. To continue cooperation between municipalities in delivering recreation and community services.
- 2. To provide for private recreational uses and development within the Plan Area.

Policy Directions:

- 5.6.1 The existing golf course may continue in the area shown on Map 1.
- 5.6.2 The Town and County shall explore ways of providing services to area residents in the most cost effective manner reflecting the desired levels of service within parts or all of the Plan Area (these may include fire protection, animal control, community facilities, etc).
- 5.6.3 The Town and County shall share their plans for priorities and timing of investment in recreation facilities.

#### 5.7 EXISTING AREA STRUCTURE PLANS AND GENERAL URBAN USES

Goal:

To provide consistency between the Intermunicipal Development Plan and adopted area structure plans and the Town Municipal Development Plan.

Objectives:

- 1. To recognize the land use patterns and policies of existing and adopted area structure plans.
- 2. To recognize the land use patterns and policies of the Town Municipal Development Plan as it applies to existing built up areas.
- 3. To limit potential conflicts with the Intermunicipal Development Plan when new area structure plans are adopted or existing area structure plans and/or the Town Municipal Development are amended.

- 5.7.1 Where there is an adopted area structure plan in place and having a statutory effect on the development of land, the land use patterns and policies of the area structure plan, as amended from time to time, shall take precedence.
- 5.7.2 As new area structure plans are prepared and adopted or as existing area structure plans are amended and expanded formal amendment of Map 1 shall be required.
- 5.7.3 Land uses within the general urban area identified on Map1 shall be based on the Town Municipal Development Plan, as amended from time to time.
- 5.7.4 The Town shall consider preparing and adopting area redevelopment plans for existing built up portions of the Town currently not covered under an area structure plan. Where an area redevelopment plan is adopted, Map 1 shall be formally amended to reflect the area covered by the new plan.

#### 6.0 TRANSPORTATION

Goal:

To provide a coordinated transportation system that supports the safe and efficient movement of persons and goods within the Innisfail area.

#### Objectives:

- 1. To integrate transportation and land use considerations in all transportation decision making.
- 2. To use a system of transportation planning and management that establishes a safe and efficient transportation system.
- 3. To coordinate transportation planning among Alberta Transportation, Red Deer County and the Town of Innisfail.

- 1. The highways and major roads network as shown on Map 1 shall continue to guide the development of arterial roadways until such time as a transportation master plan/study has been undertaken for the Plan Area.
- 2. Both municipalities shall coordinate the planning and construction of major transportation links within the Plan Area. Where these links involve Provincial highways each municipality shall work in concert with Alberta Infrastructure and Transportation to provide a satisfactory level of service and safety.
- 3. Both municipalities shall share their respective plans for priorities and timing of transportation improvements to ensure better coordination respecting road upgrades.
- 4. As subdivision occurs, lands required for future major transportation corridors as identified in a transportation plan accepted by both municipalities, shall be protected.
- 5. The right-of-way requirements for roads shall be as set out in the applicable Town or County design standards.

### 7.0 UTILITY SERVICES

Goal:

To establish the broad parameters and expectations leading to the effective and costefficient provision of municipal utility services capable of supporting future growth and development.

#### Objectives:

- 1. To determine appropriate servicing standards and expectations within the Plan Area.
- 2. To provide for the coordination and integration of utility systems within the Plan Area.
- 3. To provide for the orderly and cost-effective extension of servicing systems.
- 4. To promote strategies for storm water management reflecting best management practices.

- 1. The two municipalities shall explore the potential to extend the Town's municipal water and sanitary sewer services to lands within the County.
- 2. As subdivision and development occurs, lands required for future utility and servicing rights-of-way, as identified through the mutual agreement of the Town and County, or subsequent studies, shall be protected.
- 3. Provision shall be made for storm water management throughout all of the development areas contemplated by this Plan. Best management practices, including the integration of existing water bodies and natural areas into storm water management ponds, shall be pursued. The release of storm water run-off from any development area to downstream areas shall be designed and managed in accordance with Alberta Environment requirements.
- Natural and man-made drainage courses that are critical to the overall management of storm water within the Plan Area shall be protected by the municipality having jurisdiction.
- 5. If the Town's municipal services are extended into the County, development levies or equivalent contributions shall be collected from the benefiting developments so that the cost of these extensions does not directly impact existing residents of the Town or County. The rate structure of the utilities shall also be adjusted to place no additional burden on existing Town and County residents.
- 6. Each municipality shall endeavour to protect rights-of-way extending from the Anthony Henday water treatment plant from any subdivision or development that would interfere with maintenance, increase long term maintenance costs or hinder future expansion.

#### 8.0 PLAN IMPLEMENTATION AND ADMINISTRATION

Successful implementation of this Plan will depend heavily on an ongoing commitment by the Town and the County to communicate and share information and views on land use planning matters with one another. Mutual trust and respect of one another as equals is essential. A clearly established system outlining the expectations and protocols for ongoing referrals, dialogue on planning issues, plan amendments and means of resolving any issues that arise helps to implement the goals, objective and policies of this plan.

### 8.1 INTERMUNICIPAL COMMITTEE

Goal:

To facilitate the ongoing sharing of information between the two municipality's elected officials and provide a forum to review and comment on topics of mutual interest.

#### Objectives:

- 1. To establish broad processes and procedures for ongoing intermunicipal discussions and communication.
- 2. To define the role of the Intermunicipal Committee.

- 8.1.1 An Intermunicipal Committee shall be established between the Town of Innisfail and Red Deer County. It shall comprise of the Reeve, the Mayor, two councilors from each Council and the Town and County Chief Administrative Officers.
- 8.1.2 The mandate of the Intermunicipal Committee may include discussion and consideration of the following:
  - Making recommendations on intermunicipal matters to their respective Councils
  - Monitoring the progress of the Plan including overseeing implementation actions
  - Reviewing any proposed annexations
  - Reviewing any proposed amendments to this Plan
  - Serving as an informal review body for any amendment, proposed area structure plan or applications that may have a significant impact on the Plan Area
  - Discussing any other joint issues which may arise
  - Serving as a forum for the discussion of economic development issues within or affecting the Plan Area
  - Assisting with the resolution of disputes in accordance with this Plan
- 8.1.3 The Intermunicipal Committee shall meet annually on the third Thursday of September to monitor/review the progress in plan implementation and to discuss issues of mutual interest and on an as-needed basis to discuss and/or resolve issues.

- 8.1.4 The responsibility for providing administrative support to the Intermunicipal Committee shall alternate between the two municipalities. Administrative support to be provided and procedures to be followed shall include:
  - The establishment of dates and locations for all meetings, production of agendas, distribution of pre-meeting information packages, and other matters as deemed necessary
  - Keeping a record of the Committee meetings
  - Chairing the meetings on an alternating basis between the Reeve and the Mayor
  - Convening meetings as required by the Plan

#### 8.2 COMMUNICATION AND REFERRAL PROCESSES

#### Goal:

To provide opportunities for each municipality to become informed about and have input on planning and development matters.

#### Objectives:

- 1. To maintain open and ongoing dialogue through direct and timely communication and sharing of information.
- 2. To establish processes for the referral of plans, amendments and applications affecting lands of mutual interest.

- 8.2.1 Each municipality shall share with the other information, data or studies that may have implications for the Plan Area. The referral areas that are applicable to this policy are shown on Maps 1 and 2.
- 8.2.2 Each municipality shall refer to the other proposed statutory plans, land use bylaws and amendments to either where such proposals may affect land within the Plan Area. The referral areas that are applicable to this policy are shown on Maps 1 and 2.
- 8.2.3 Each municipality shall have at least thirty (30) days to review and comment on the referrals made pursuant to Policy 8.2.2. Upon mutual agreement an extension of the initial review period may be granted.
- 8.2.4 Each 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 provision of municipal services and infrastructure. General observations on issues that have no bearing on the planning or service delivery efforts of the commenting municipality shall be avoided.

- 8.2.5 Notwithstanding the above policies, where in the judgment of the municipality having jurisdiction, any proposed plan or application is thought to have potential implications for or be of interest to the other municipality the matter shall be referred to the other municipality.
- 8.2.6 Subject to a written and signed intermunicipal memorandum of understanding, items subject to referral and their respective timelines for submitting comments may be added or deleted without the need for a formal amendment to this Plan.

#### 8.3 ISSUE IDENTIFICATION AND DISPUTE RESOLUTION

Goal:

To create a process that allows for timely resolution of differences of opinion in a manner respectful of each municipality's interests and concerns.

#### Objectives:

- 1. To establish a procedure for resolving issues and disputes if and when required.
- 2. To clarify items that may constitute a dispute and be subject to the dispute resolution process.

- 8.3.1 The following shall form the basis for initiating the dispute resolution process:
  - a. Lack of agreement on any proposed amendment to this Plan
  - b. Lack of agreement on any proposed statutory plan, land use bylaw or amendment to either located within the Plan Area or the agreed upon referral area
  - c. Lack of agreement on an interpretation of this Plan
- 8.3.2 A dispute is defined as any statutory plan, land use bylaw or amendment 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.
- 8.3.3 A dispute shall be limited to the decisions on those matters listed under Policy 8.3.1. Any other appeal shall be made to the respective approving authorities within each municipality.
- 8.3.4 The dispute resolution process shall only be initiated by Town or County Councils and shall only be used for resolving intermunicipal disputes.

- 8.3.5 Identification of a dispute and desire to go through the dispute resolution process shall occur within 30 calendar days of a decision made pursuant to Policy 8.3.2 and Policy 8.3.3. Once either municipality has received written notice of a dispute from the other, the dispute resolution process shall be started within 15 calendar days of the date the written notice was received unless otherwise agreed to by both Chief Administrative Officers or their designates.
- 8.3.6 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 concluded.
- 8.3.7 A dispute shall be addressed and may be resolved at any stage using the following process:
  - a. Stage 1: Administrative Review

Once a dispute is identified, the municipality having jurisdiction shall immediately provide the other municipality with all available information concerning the disputed matter. The disputing municipality shall evaluate the matter and provide written comments to the other municipality within 15 calendar days of receipt of all information. The administrations shall meet within 7 calendar days of receipt of written comments. Within 7 calendar days of this meeting the disputing municipality shall indicate in writing whether the dispute is resolved and indicate the nature of the outstanding items.

Every attempt shall be made to discuss the issue with the intent of arriving at a mutually acceptable resolution. If the issue is resolved, the disputing municipality shall indicate same to the other municipality in writing. If no agreement can be reached, the matter shall be referred to the Intermunicipal Committee. Each municipality shall be responsible for determining the degree of discretion to be delegated to their respective administration in reaching a resolution.

b. Stage 2: Intermunicipal Committee Review

If a dispute is referred, a meeting shall be held within 15 calendar days of receipt of written confirmation that a dispute remains to allow both administrations to present their perspectives and views on the issue. The Intermunicipal Committee may:

- Seek additional information and alternatives for consideration at a future meeting of the Intermunicipal Committee
- If possible, agree on a consensus position that resolves the issue, or
- Conclude that no initial agreement can be reached and refer the matter to a joint meeting of the Town and County Councils.

In the event that the Intermunicipal Committee reaches consensus and resolves the issue, the details of the consensus shall be provided to each municipality in writing within 7 calendar days. Each municipality shall be responsible for determining the degree of discretion to be delegated to their respective Intermunicipal Committee representatives in reaching a resolution.

c. Stage 3: Joint Council Meeting

If a dispute is referred, a meeting shall be held within 15 calendar days of receipt of written confirmation that a dispute remains to allow both administrations to present their perspectives and views on the issue. The joint Councils may:

- Seek additional information and alternatives for consideration at a future meeting of the Joint Councils
- If possible, agree on a consensus position that resolves the issue, or
- Conclude that no initial agreement can be reached and refer the matter to mediation

In the event that the Joint Councils reaches consensus and resolves the issue, the details of the consensus shall be provided to each municipality in writing within 7 calendar days.

d. Stage 4: Mediation Process

If a dispute is referred for mediation, a mediated process shall be used to reach agreement subject to agreement by both Councils that mediation is necessary. Prior to the start of the mediation process the municipalities shall:

- Appoint an equal number of representatives to participate in the mediation process
- Engage a mediator agreed to by the municipalities at equal cost to each municipality
- Approve a mediation process and schedule

If agreed to by both Councils, Administration may be used as a resource during the mediation process. All discussions and information related to the mediation process shall be held in confidence until the conclusion of the mediation process. The process is deemed to conclude once the mediator submits a report to both Councils.

The mediator's report and recommendations shall not be binding on the municipalities and shall be subject to acceptance by both Councils. If both Councils accept the mediator's report, this shall be communicated to each municipality in writing and the matter is considered resolved. The report's recommendations and reasons will be introduced through the public hearing process along with any necessary amendments to the proposed bylaw or plan.

If mediation is not undertaken or the mediator's report is not accepted by both Councils, then the disputing municipality may begin the appeal process.

e. Stage 4: Appeal Process

In the event that mediation proves unsuccessful, was not undertaken or the municipality having jurisdiction proceeds with an approval that does not reflect the accepted mediation recommendations, the disputing municipality may appeal the matter to the Municipal Government Board in accordance with the Municipal Government Act.

- 8.3.8 The municipality initiating a dispute may withdraw their objections at any time throughout the process.
- 8.3.9 Both municipalities agree that time shall be of the essence when working through the dispute resolution process. Further, both the Town and the County agree that any and all time lines set out in this section shall be binding on both parties unless and extension is mutually agreed upon in writing. The chief administrative officers of each municipality, or their designates, shall have the authority to enter into and to sign extension agreements on behalf of their municipality.

#### 8.4 URBAN EXPANSION AND ANNEXATION

Goal:

To recognize and accommodate the growth aspirations of the Town in an orderly, economical and logical manner which discourages loss and premature fragmentation of agricultural land.

#### Objectives:

- 1. To establish a process for managing and assessing annexation proposals.
- 2. To set out the criteria for timely, cooperative and strategic annexations.
- 3. To identify and protect areas to accommodate future expansion of the Town.
- 4. To promote infill options and intensification of land uses.

- 8..4.1 Areas identified for long term urban expansion and annexation into the Town shall be those lands falling between the Current Town Boundary and the Long Term Town Boundary shown on Map 1. All other areas shall not be annexed into the Town. Following an annexation, Map 1 shall be amended
- 8.4.2 There shall be a minimum of 5 years between the time land is annexed until the time the Town submits another Notice of Intent to Annex to the Province, unless otherwise agreed to in writing by the County.
- 8.4.3 Subject to successful annexation negotiations, the County shall support annexation of some or all of the following lands immediately after adoption of this Plan: Part of SW 35-35-28-4 lying west of QE2 Highway, South Half of 34-35-28-4 lying west of the QE2 Highway, South Half of 33-35-28-4, South Half of 32-35-28-4, NW 29-35-28-4, Part of NE 29-35-28-4, East Half of 19-35-28-4 and NE 18-35-28-4; as shown on Map 1.

- 8.4.4 Both municipalities agree to protect those lands identified for long term urban expansion and annexation from land uses and developments that might interfere or conflict with future urbanization.
- 8.4.5 The Town shall not pursue annexation of any land it cannot economically and reasonably service through a logical extension of municipal sanitary sewer and water systems.
- 8.4.6 Either municipality may put forward an annexation proposal or request. In the case of an annexation proposal by a landowner, the landowner shall simultaneously notify both municipalities in writing.
- 8.4.7 Where annexation is proposed by either municipality affected landowners shall be notified prior to the general public.
- 8.4.8 A request for annexation from a landowner shall not constitute the sole reason for annexation. Similarly, landowner opposition to annexation shall not constitute the sole reason to object to annexation.
- 8.4.9 Annexation proposals will be reviewed by the Intermunicipal Committee prior to submission to the respective Councils and the Municipal Government Board.
- 8.4.10 At least one joint meeting of the two Councils to discuss the rationale for the annexation shall be held prior to submission to the formal Notice of Intent to Annex to the Municipal Government Board.
- 8.4.11 In determining the appropriateness of an annexation proposal the following criteria, among others, shall be taken into account and documented in a supporting report:
  - Justifiable based on projected growth rates reflecting historic trends or anticipated economic stimulus;
  - b. Availability and cost of providing municipal services including consideration of economies of scale related to the financing of municipal service extensions;
  - c. Adequacy of transportation system and ability to expand to accommodate demands resulting from annexation including consideration of economies of scale related to the financing of transportation infrastructure;
  - d. Landowner interest in pursuing development and as high a degree of concurrence among affected landowners as possible;
  - e. Measures to mitigate the impacts of annexation relating to such aspects as change in taxation levels, service provisions and treatment of and continuation of existing, approved uses and development;
  - f. Consistency with adopted statutory plans; and
  - g. Logical extension of jurisdictional boundaries including consideration of long term responsibilities for maintenance and service delivery and the establishment of rational planning units.

#### 8.5 REFERRAL AREA AND JOINT ECONOMIC STUDY AREA

The Referral Area and Joint Economic Study Area shown on Map 1 is an area where more discussion on key planning issues between the Town and County is required. Until this discussion occurs no further land use bylaw redesignations, subdivision or development beyond what is allowed under the current Land Use Bylaw designation on each parcel shall be allowed. The main tools to facilitate future discussion shall be a joint economic development study followed by an area structure plan to be prepared and adopted by Red Deer County with input from the Town of Innisfail. The area structure plan shall reflect the study identified shared economic development potentials, as well as opportunities for extension of Town water and sanitary sewer services to this area.

#### **Policy Directions:**

- 8.5.1 No further land use bylaw redesignations, subdivision or development beyond what is allowed under the current Land Use Bylaw designation on each parcel shall be allowed by the County within the Referral Area and Joint Economic Study Area shown on Map 1 until such time as Policies 8.5.2 to 8.5.5 have been implemented.
- 8.5.2 The County shall prepare an area structure plan which includes all of the Referral Area and Joint Economic Study Area shown on Map 1 and may include lands beyond the identified area.
- 8.5.3 Until such time as an area structure plan has been adopted for the Referral Area and Joint Economic Study Area, the County shall continue to refer matters to the Town as required under this Plan.
- 8.5.4 Upon adoption of an area structure plan encompassing the Referral Area and Joint Economic Study Area and addressing the issues of detailed land use patterns, use of Town water and sanitary sewer, Long Term Town Boundaries and definition of the IDP Area, the IDP shall be amended to be consistent with the direction of the area structure plan.

#### 8.6 IMPLEMENTATION

Goal:

To promote the use of the Plan and implementation of its policies.

#### Objectives:

- 1. To implement the Plan through other statutory plans.
- 2. To implement the Plan through decisions of the subdivision and development authorities.
- 3. To provide for periodic reviews and plan amendments when deemed desirable and necessary.

#### Policy Directions:

#### Interpreting Policies

- 8.6.1 The IDP contains "shall", "should" and "may" policies which are interpreted as follows:
  - "Shall" policies must be complied with,
  - "Should" policies mean compliance in principle is required but subject to the discretion of the applicable authority on a case by case basis, and
  - "May" policies indicate support in principle subject to the applicable authority determining the level of compliance that is required.

#### Approving Authorities

- 8.6.2 In the hierarchy of statutory plans, the Intermunicipal Development Plan shall take precedence over other municipal statutory plans and documents.
- 8.6.3 The Town of Innisfail shall be responsible for the administration and decisions on all statutory plans, land use bylaws, amendments thereto, and subdivision applications falling within the boundaries of the Town.
- 8.64 Red Deer County shall be responsible for the administration and decisions on all statutory plans, land use bylaws, amendments thereto, and subdivision applications falling within the boundaries of the County.

#### Future Plans and Studies

- 8.6.5 Area structure plans shall be prepared and adopted by the municipality having jurisdiction prior to changes in land use designation or subdivision within the non-agricultural areas shown on Map 1. This requirement shall not apply to those areas within the current Town boundaries that are not presently covered by an approved area structure plan as of the date of adoption of this Intermunicipal Development Plan.
- 8.6.6 Major area structure plans, involving several quarter sections and adopted by bylaw, shall be required. Outline Plans or neighbourhood area structure plans shall generally incorporate a minimum of one quarter section and require a higher level of detail.
- 8.6.7 First-parcel-out subdivisions, farmstead removals and agricultural parcels shall not require an area structure plan.
- 8.6.8 Each municipality may establish their own processes for the preparation of new or amendments to area structure plans.
- 8.6.9 The Town and the County shall coordinate future planning efforts including potential collaboration on area structure plans, transportation plans, drainage basin studies,

and water system studies, feasibility studies relating to provision of municipal utilities and power generation and open space plans.

#### **Plan Amendments**

- 8.6.10 An amendment to this Plan may be proposed by either municipality. An amendment to this Plan proposed by a landowner shall be made to the municipality in which the subject land is located.
- 8.6.11 An amendment to the Plan has no effect if not adopted by both municipalities by bylaw pursuant to the Municipal Government Act.

#### Plan Review

8.6.12 At the end of five years from the date that this Plan is adopted by both Councils, the two municipalities shall review the Plan. If necessary, the Plan shall be updated and revised. Thereafter the Plan shall be reviewed every five years unless some alternative time is agreed to by both Councils.

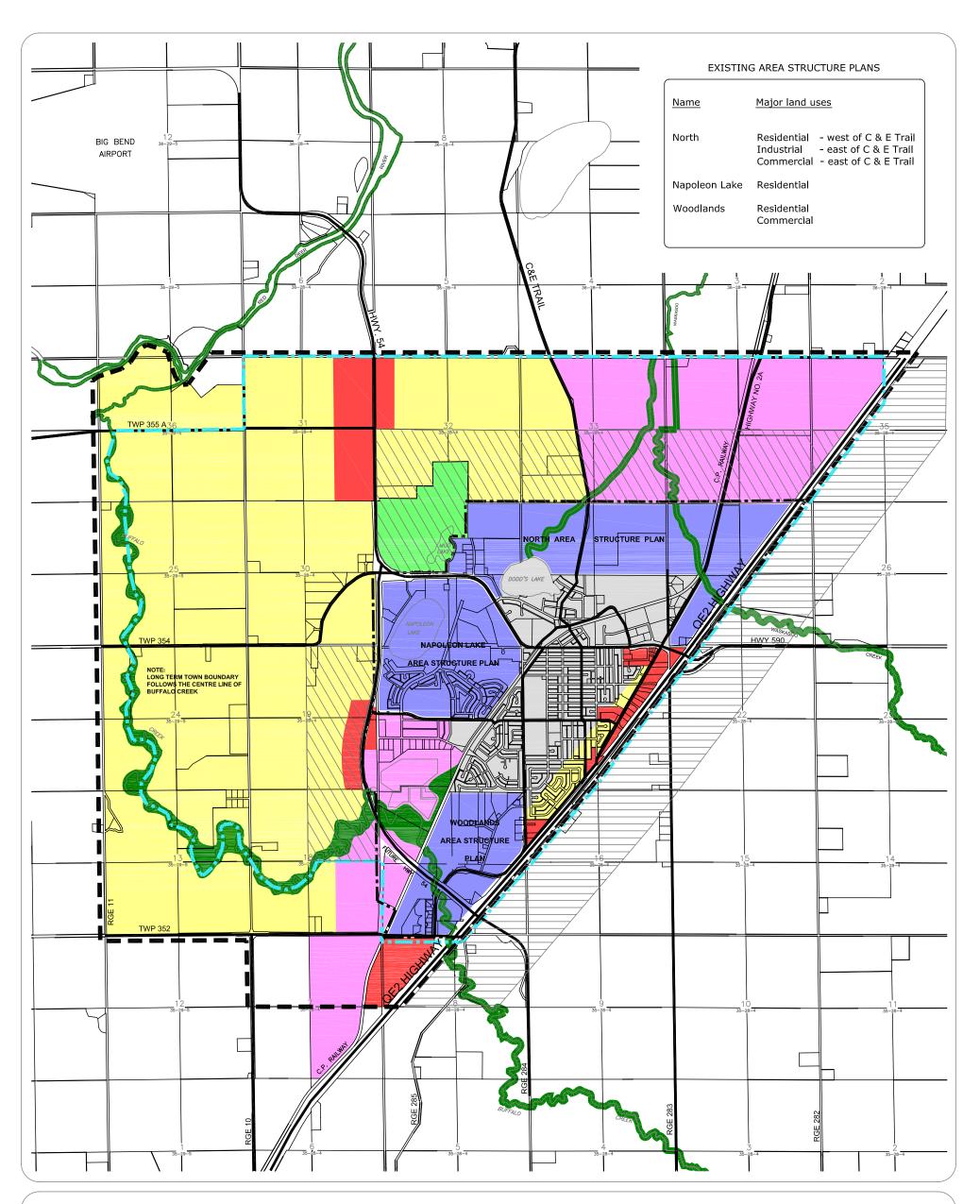
Procedure to Repeal Plan

- 8.6.13 If one municipality deems this Plan no longer workable, the municipality may initiate the repeal of the Plan. Repeal of the Plan may be accomplished by one municipality passing a bylaw in accordance with the repeal provisions of the Municipal Government Act.
- 8.6.14 The following procedure to repeal the Plan shall be followed:
  - One municipality shall give the other written notice of its intention to repeal its bylaw adopting the Plan
  - Within 30 days of the date of written notice forwarded to the other municipality, an Intermunicipal Committee meeting shall be convened
  - 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 or proceed to consider a bylaw to repeal the Plan
  - Once one municipality has passed a bylaw repealing the Plan the other municipality shall also proceed to pass a bylaw repealing the Plan
- 8.6.15 In the event that the Plan is repealed, each municipality shall amend their Municipal Development Plan to address intermunicipal issues in accordance with the Municipal Government Act. Should these required amendments not satisfy the neighbouring municipality the matter may be appealed to the Municipal Government Board.

### **APPENDIX A**

### PLAN MAPS

- Map 1 Land Use Concepts
- Map 2 Referral Area East of QE2 Highway



# RED DEER COUNTY & TOWN OF INNISFAIL INTERMUNICIPAL DEVELOPMENT PLAN

### MAP 1 - LAND USE CONCEPT

