

COUNTY OF WARNER NO. 5

and

TOWN OF MILK RIVER

**INTERMUNICIPAL
DEVELOPMENT PLAN**

Bylaw No. 819-02

Bylaw No. 893

Prepared by the



OLDMAN RIVER INTERMUNICIPAL SERVICE AGENCY

October 2003

BYLAW 819-02

BEING a bylaw of the County of Warner No. 5 in the Province of Alberta, to adopt Bylaw 819-02, being the County of Warner No. 5 and Town of Milk River Intermunicipal Development Plan.

WHEREAS the municipality has been encouraged by the province to create and adopt an Intermunicipal Development Plan on land use in the fringe areas of urban areas and to work cooperatively in order to pursue joint approaches to common planning issues;

AND WHEREAS the municipal council wishes to adopt a comprehensive plan which encourages the orderly and economical development of land use in the designated fringe area in consultation with the Town of Milk River;

AND WHEREAS the purpose of the proposed Bylaw 819-02 is to adopt a land use plan which would govern the future subdivision and development of lands within the plan boundaries while supporting the ongoing consultation and cooperation that the municipalities have established;

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

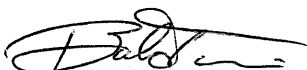
NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the County of Warner No. 5 in the Province of Alberta duly assembled does hereby enact the following:

1. Council shall adopt an intermunicipal plan in consultation with the Town of Milk River.
2. This plan, upon adoption, shall be known as the County of Warner and Town of Milk River Intermunicipal Development Plan.
3. This bylaw shall come into effect upon third and final reading hereof.


Read a first time this 17th day of December 2002.

Read a second time this 22nd day of July 2003.

Read a third time and finally passed this 16th day of September 2003.



Reeve



Administrator

BYLAW NO. 893

A BYLAW OF THE TOWN OF MILK RIVER IN THE PROVINCE OF ALBERTA, TO ADOPT BYLAW NO. 893, BEING THE COUNTY OF WARNER NO. 5 AND TOWN OF MILK RIVER INTERMUNICIPAL DEVELOPMENT PLAN.

WHEREAS the municipality has been encouraged by the province to create and adopt an Intermunicipal Development Plan on land use in the fringe areas of urban areas and to work co-operatively in order to pursue joint approaches to common planning issues;

AND WHEREAS the municipal council wishes to adopt a comprehensive plan which encourages the orderly and economical development of land use in the designated fringe area in consultation with the County of Warner No. 5;

AND WHEREAS the purposed Bylaw No. 893 is to adopt a land use plan which would govern the future subdivision and development of lands within the plan boundaries while supporting the ongoing consultation and cooperation that the municipalities have established;

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Town of Milk River in the Province of Alberta duly assembled does hereby enact the following:

1. Council shall adopt an intermunicipal development plan in consultation with the County of Warner No. 5.
2. This plan, upon adoption, shall be known as the County of Warner No. 5 and Town of Milk River Intermunicipal Development Plan.
3. This bylaw shall come into effect upon third and final reading hereof.

READ a first time this 12th day of May, 2003.


MAYOR - TERRY MICHAELIS


C.A.O. - LAVINIA HENDERSON

READ a second time this 11 th day of August, 2003.


MAYOR - TERRY MICHAELIS


C.A.O. - LAVINIA HENDERSON

READ a third time this 15 th day of October, 2003, as amended.


MAYOR - TERRY MICHAELIS


C.A.O. - LAVINIA HENDERSON

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COUNTY OF WARNER NO. 5 and TOWN OF MILK RIVER
INTERMUNICIPAL DEVELOPMENT PLAN

1. BACKGROUND

1.1 INTRODUCTION

At meetings of the urban municipalities it was determined that, with some exceptions, the concerns about fringe area development and subdivision were the same. The concerns among municipalities can be addressed by individual intermunicipal development plans agreed to independently by the five urban municipalities and the County of Warner No. 5. This level of cooperation can serve as a model for intermunicipal work.

The plans will represent an agreement among the County of Warner and the:

- Village of Coutts
- Town of Milk River
- Town of Raymond
- Village of Stirling
- Village of Warner

As a working document, this report can act as a basis for discussions with the various participants and assist in identifying the issues involved, solutions available and opportunities to take advantage of.

1.2 PURPOSE OF THIS REPORT

This report focuses on the land use and related matters requiring intermunicipal consultation and cooperation. After the participants in the planning process have reviewed this information and received some public input, an intermunicipal agreement can be developed with the intent of establishing a forum for continued intermunicipal cooperation.

The area proposed for plan applicability is shown on Map 1 and is based on the urban fringe district in the County of Warner Land Use Bylaw.

This report presents possible solutions for discussion by council and public.

1.3 PROCEDURE FOR ADOPTION

It is important to ensure any interested party has an opportunity to discuss the policies proposed in this report. This would include owners of land in the county, other affected land owners, residents of the urban areas and municipal authorities. To this end, the following procedure is suggested.

- (a) discuss issues with individual municipalities – these discussions have been part of the preparation of this document – those discussions may have follow-up meetings to clarify some points;

- (b) this initial report should be presented to the municipalities participating;
- (c) an additional draft plan containing policies revised by municipalities' comments should be presented to the land owners and advertised widely;
- (d) a public information hearing should be held – this may be held in conjunction with the County of Warner municipal development plan public information sessions;
- (e) after the public meetings, a further draft intermunicipal development plan can then be prepared for municipal review;
- (f) if councils are satisfied with the proposed plan, statutory public hearings can be conducted;
- (g) the municipal development plan and intermunicipal development plan may be adopted at the same time.

1.4 PROVINCIAL GUIDELINES

Both the draft Land Use Policies and the Municipal Government Act encourage municipalities to create and adopt agreements on land use in the fringe areas of urban areas. A goal of the land use policies, which are yet to be formally adopted, states:

“To encourage municipalities to work co-operatively in order to pursue joint approaches to common planning issues.”

Implementation of this policy is through the Municipal Government Act in section 631 which gives considerable latitude for the preparation and adoption of an intermunicipal development plan. The policies and the boundaries of the plan are not limited and the Act only requires the following in the document:

- “(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.”*

1.5 GOALS AND OBJECTIVES OF THE INTERMUNICIPAL DEVELOPMENT PLAN

It is important to establish what is intended to be accomplished by the plan. This allows decision makers to ensure the application of the policies of the plan are consistent with the intent of the plan. After a period of time it will be necessary to evaluate the plan. Goals and objectives allow for the measurement of success. The final objectives will be the result of committee discussion, public input and council discussion.

The overall goal of this plan is to encourage orderly and economical development in the designated fringe area that has regard to the needs of all participating municipalities.

The stated objectives of the intermunicipal development plan are:

1.5.1 To identify the concerns and opportunities relevant to each municipality.

1.5.2 To clarify the land use expectations each municipality has for the fringe area.

- 1.5.3** To establish priority and policies addressing the concerns and opportunities identified.
- 1.5.4** To support the ongoing consultation and cooperation that the participating municipalities have established.
- 1.5.5** To identify possible areas of joint ventures such as the provision of municipal services.
- 1.5.6** To provide methods to both implement and amend the various plan policies.
- 1.5.7** To identify areas suitable for urban expansion.
- 1.5.8** To provide guidelines for the subdivision and development in the fringe areas of municipalities.

2. ANALYSIS OF THE STUDY AREA

2.1 BACKGROUND

An intermunicipal development plan recognizes that the fringe area of an urban area is subject to different problems and opportunities than a strictly urban or rural area. It has become increasingly clear that municipalities cannot continue to make land use decisions in isolation. Municipalities are encouraged to undertake the preparation of an intermunicipal plan in order to help avoid future land use conflicts. This is consistent with the current trend to employ such cooperative measures in many municipal activities and is part of the Provincial Land Use Policies.

It is important that urban and rural municipalities reach an agreement on fringe area issues to avoid a confrontational atmosphere which has occurred in other jurisdictions. Benefits of an agreement are apparent for both municipalities. An urban municipality benefits by having a commitment on the types of uses, development standards and subdivision that can occur in the fringe area. Benefits to the county include an understanding of where urban expansion can occur and gives their ratepayers an understanding that certain development can occur without the urban municipalities using the various methods of intervention available.

2.2 CURRENT METHODS OF DISPUTE SETTLEMENT

Intervention in land use decisions is limited since section 11(1)(b) of the Subdivision and Development Regulation is no longer operational. If municipalities are able to use intermunicipal development plans or some other forms of mediation, the only path available is through the Municipal Government Act.

For the purpose of settling disputes regarding land use bylaw amendments, the Municipal Government Act allows for the Municipal Government Board to arbitrate. Section 690 of the Municipal Government Act reads as follows:

“690(1) If a municipality is of the opinion that a statutory plan or amendment or a land use bylaw or amendment adopted by an adjacent municipality has or may have a detrimental effect on it and if it has given written notice of its concerns to the adjacent municipality prior to second reading of the bylaw, it may appeal the matter to the Municipal Government Board.”

Land use planning disputes should be settled locally. A provincially imposed solution would likely not satisfy either municipal concern.

2.3 PLAN AREA

Map 1 indicates the area affected by this plan and is generally one mile surrounding the Town of Milk River.

All of the municipal fringe areas in the county are currently outlined as fringe area land use districts and comprise approximately 23,123 acres of land as shown in Table 1. Through discussion, these proposed boundaries may vary.

**Table 1
MUNICIPAL FRINGE AREAS**

MUNICIPALITY	FRINGE AREA*	
	Acres	(Hectares)
Village of Coutts	2,579	(1,044)
Town of Milk River	5,216	(2,111)
Town of Raymond	5,699	(2,306)
Village of Stirling	5,120	(2,072)
Village of Warner	4,518	(1,829)
TOTAL	23,123	(9,362)

* All area acreages are approximate calculations.

2.4 EXISTING LAND USE

Map 1 in Appendix 1 indicates the location of various land uses in the fringe area and Table 2 indicates the totals calculated. Individual fringe area calculations are found in Appendix 1. Raymond and Stirling have more existing fragmentation and development.

Overall Trends:

- The main type of land use found in the fringe boundary areas around the municipalities is residential use, at 73.1 percent of the total. The second most prominent use is agricultural activities, at almost 10.3 percent.
- Of the residential type of land use, almost 62 percent can be classified as country residential.
- In the fringe area of Milk River, 73.3 percent of the land use is categorized as residential.
- Around the fringe area of Raymond, 82.1 percent is classified as residential, with almost 85 percent of this being country residential. (Country residential makes up 69.4 percent of the total land use in the Raymond fringe area.)
- In the Stirling fringe, 79.6 percent of land uses are categorized as residential, with 75 percent of this comprised of country residential.

**Table 2
TYPE OF LAND USE**

TYPE OF LAND USE (general description)	Number	Percent of Total
Residential	163	73.1
Agricultural	23	10.3
Commercial	6	2.7
Industrial	6	2.7
Public	5	2.2
Utilities	6	2.7
Other/Miscellaneous	14	6.3
TOTAL	223	100.0

2.5 AGRICULTURAL CAPABILITY

The County of Warner is largely agricultural in nature and the same can be said for the urban fringe areas. Much of the land in the fringe areas is high quality land suitable for crop production and held in large parcels. More detailed land assessments for the Town of Milk River are shown on Map 2 in Appendix 2.

2.6 MUNICIPAL GROWTH

Section 4 of this plan discusses the likely areas of growth for the applicable municipality. These areas are only for general reference as the details of expansion have not been explored. Areas are based on:

- historical growth patterns,
- type of land use proposed for expansion,
- existing uses in the fringe,
- municipal services potential.

2.7 LEGISLATIVE FRAMEWORK

Currently two legislative documents have an effect on the development of land in the fringe areas of municipalities. Those are the Provincial Land Use Policies and the County of Warner Land Use Bylaw.

The Provincial Land Use Policies state:

“In particular, adjoining municipalities are encouraged to cooperate in the planning of future land uses in the vicinity of their adjoining municipal boundaries (fringe areas) respecting the interests of both municipalities and in a manner which does not inhibit or preclude appropriate long term use nor unduly interfere with the continuation of existing uses. Adjoining municipalities are encouraged to jointly prepare and adopt intermunicipal development plans for critical fringe areas; these plans may involve lands which are in both of the adjoining municipalities.”

This outlines basic guidelines for the preparation of intermunicipal development plans.

In terms of the land use bylaw, as an interim measure the county council passed several policies affecting municipal fringe areas, including:

- (a) within the Urban Fringe districts new livestock operations or expansions to existing livestock operations are prohibited. Council has the ability to designate areas Direct Control;
- (b) Grouped Country Residential uses are a discretionary use in the Urban Fringe districts – this was implemented to allow subdivision for multi-lot residential development in fringe areas;
- (c) minimum parcel size of ten acres would be considered.

In terms of this plan, guidelines for the use of discretionary powers would be a priority.

3. GENERAL POLICY DISCUSSION

The five plans will implement policy over 10,890 hectares of land in the fringe areas of five urban municipalities. This plan will affect over 2,111 ha of land in the urban fringe district of the Town of Milk River. In order to accommodate the complexities of the landscape, policy is divided into two categories:

- general policies, applicable to all fringe areas;
- specific policy, applicable to specific areas within a fringe.

<i>THE FOLLOWING POLICIES APPLY TO ALL MUNICIPAL FRINGE AREAS</i>
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3.1 GENERAL AUTHORITY

POLICIES

- 3.1.1** This document outlines policies that apply in the urban fringe districts and provides a basis for consensus making but lands covered in this plan are located within a municipality which is mandated to make decisions.
- 3.1.2** Each municipality will be ultimately responsible for decisions within their municipal boundaries, having regard for the dispute settling process in this plan.
- 3.1.3** The Raymond Fringe district should be removed from the land use bylaw and the Urban Fringe district applied.

3.2 INTERMUNICIPAL PLAN BOUNDARIES

POLICIES

- 3.2.1** Map 1 indicates the boundaries within which the policies of this plan will apply.

3.3 AGRICULTURAL PRACTICES AND USES

It is the policy of the County of Warner to both protect agricultural lands and encourage a diversity in the urban fringe areas. In terms of agricultural production, the existing use in the fringe is largely cropland with a few feeding operations. Potentially the livestock industry could expand in the County of Warner because of:

- availability of high-quality feed;
- available water, particularly in the irrigated areas;
- quality roads;
- proximity to the United States border.

Agriculture is also protected by the provincial legislation, the “Farm Practices Protection Statutes Amendment Act” and the “Agricultural Operations Practices Act”.

Problems have traditionally occurred between agricultural uses and urban areas in terms of:

- noise from farm equipment, such as irrigation pumps;
- odour from feeding operations;
- odour from the spreading of manure;

- flies generated from feeding facilities;
- potential environmental problems from agricultural runoff; and
- dust from hauling or harvesting activities.

Urban municipalities in the County of Warner understand the positive impact of agriculture on their economies and wish also to support the farm community. Policies in this plan are intended only to affect those uses that have a very negative impact on lifestyles and property values while allowing most agricultural practices to continue unaffected.

POLICIES

Approvals of livestock operations or confined feeding operations (CFOs) lie with the Natural Resources Conservation Board (NRCB). Prior to approvals being given, the staff of the NRCB will review local plans and request comments from the municipality. The following policies will be used when making comments.

- 3.3.1** New confined feeding operations (CFOs) shall be prohibited within the intermunicipal development plan areas as designated in the land use bylaw as the Urban Fringe district.
- 3.3.2** With respect to existing confined feeding operations (CFOs), expansions should be restricted in the Urban Fringe district, except in cases where the terms of policy 3.3.5 can be met.
- 3.3.3** The Natural Resources Conservation Board (NRCB) is requested to circulate all applications for confined feeding operations approvals in the intermunicipal development plan areas to the appropriate municipality.
- 3.3.4** It is recommended to the Natural Resources Conservation Board (NRCB) that the location or expansion of confined feeding operations up to 1.6 km (1 mile) beyond the boundary of a designated fringe district of a town, village or designated hamlet shall be discouraged, except where the applicant demonstrates that it is reasonable and appropriate to do so.
- 3.3.5** Existing confined feeding operations may be allowed to limited expansion and to upgrade and modernize within the requirements of the Agricultural Operation Practices Act and Regulations, but it is recommended to the Natural Resources Conservation Board (NRCB) that this includes:
- (a) consideration of the minimum distance separation calculation contained in the Agricultural Operation Practices Act, Standards and Administration Regulation;
 - (b) demonstrating changes will reduce negative impacts to the urban area;
 - (c) additional environmental protection will be provided;
 - (d) comments from the urban municipalities are received and considered.
- 3.3.6** The Natural Resources Conservation Board (NRCB) is requested to discourage the spreading of manure in the municipal fringe areas, but in all cases the procedures outlined in the Agricultural Operation Practices Act, Standards and Administration

Regulation or the recommendations or conditions of the Natural Resources Conservation Board (NRCB) should be strictly adhered to.

- 3.3.7** The County of Warner shall regulate intensive livestock operations for threshold numbers that fall below the minimum threshold criteria for approvals under the mandate of the NRCB, and this shall be regulated through policies stipulated in the county's land use bylaw.
- 3.3.8** Noise, some odour and dust which are part of normal agricultural activities should be unaffected by the policies of this plan, although irrigation pumps used within the plan area should be equipped with mufflers.

3.4 SUBDIVISION AND DEVELOPMENT

Subdivision is the first step in the process of development approvals. In keeping with the goal to preserve good quality agricultural land, an attempt is made to limit the fragmenting of agricultural land into small parcels for non-agricultural uses. Usually, the larger the parcel the more likely the use will continue to be agricultural.

In the fringe area, this policy of large parcels must be balanced with county council's land use bylaw intent which encourages development and subdivision in the municipal fringe areas. These policies will in part govern subdivision and development in the fringe and are supplemented with policies from the individual municipality in this plan.

POLICIES

- 3.4.1** Non-agricultural subdivisions including for industrial and commercial uses in the fringe areas will be encouraged and guided to locations in the fringe as outlined in this plan based upon:
- municipal growth directions, which should be left in the existing parcel size allowed for in the land use bylaw for agricultural uses;
 - areas of special concern such as lagoons or recreational areas, which would be restricted to subdivision allowed for in agricultural uses;
 - land uses within the urban area, which would restrict residential uses in areas where a land use may conflict;
 - availability of municipal service connections;
 - uses would be encouraged in areas that may have services negotiated.
- 3.4.2** When an application is made for any subdivision in the urban fringe area, it shall be circulated to the appropriate urban municipality for comment in accordance with section 5(l) of the Subdivision and Development Regulation.
- 3.4.3** When an application is made for a development permit for a discretionary use or for the redesignation of a parcel of land in the fringe area, those applications shall be circulated to the appropriate urban municipality for comment.
- 3.4.4** Any discretionary use development permit, subdivision, redesignation or area structure plan located within an urban municipal boundary, adjacent to the county boundary shall be circulated to the County of Warner for comment.

- 3.4.5** At the discretion of the development officers of either the urban or rural municipality, any application for a use, subdivision, redesignation or area structure plan may be referred to another municipality for comment if the application may have an adverse effect, even if it is outside the intermunicipal plan boundary.
- 3.4.6** Subdivision and development should not occur within 300 metres of an urban municipal sewage lagoon.
- 3.4.7** When an urban municipality receives an application for a land use bylaw redesignation, an area structure plan or a subdivision on lands adjacent to the municipal boundary, that application will be sent to the County of Warner No. 5 for comments.
- 3.4.8** Any application that is made in an urban municipality not adjacent to the municipal boundary but which may have an impact on the County of Warner No. 5 should be circulated for comment.
- 3.4.9** The land use bylaw minimum parcel size of 10 acres should be reduced to 3 - 5 acres to allow for a higher density of development on lands that are suited for residential uses.

3.5 URBAN EXPANSION

Municipal growth and expansion are likely to occur with the municipalities in the county. With this is likely a growth in services which should benefit all residents of the county. Some indication of growth direction is found in the policies for individual municipalities and the following is a more general set of policies that would apply to all urban fringe areas.

The expansion of urban municipal boundaries should be orderly and employ a process to allow for uncontested annexations.

POLICIES

- 3.5.1** In advance of any annexation, urban municipalities should prepare an "Urbanization Plan" that would:
- have broad public input,
 - contain a broad design proposal,
 - discuss servicing,
 - discuss municipal budget implications,
 - propose uses of land,
 - suggest a timetable for implementation.
- 3.5.2** In addition to 3.5.1, prior to an annexation request, urban municipalities should:
- ensure land currently in the municipality has been used to a reasonable potential;
 - explore alternative means of growth that may include tax sharing;
 - prepare a growth study that reviews the issues related to growth including the financial impact to each municipality;
 - gain support from the owners of land in the county affected by the application.

- 3.5.3** Growth is encouraged in the urban fringe which may require municipal services. Each urban municipality may provide services outside its boundary if appropriate to do so.
- 3.5.4** When a new development in the urban fringe is attached to a municipal water and/or sewer system, the municipal portion of taxes generated from the development may be shared if an agreement is negotiated between the two municipalities.
- 3.5.5** Areas of future urban expansion shall be subject to the subdivision criteria applied to rural lands that is more restrictive than the general fringe area.
- 3.5.6** Any discretionary uses approved in the areas of future expansion should be compatible with the urban use proposed.
- 3.5.7** Once an “Urbanization Plan” has identified an area as suitable for industrial or commercial uses, the county should designate this land a new land use district called “Urban Expansion District”. In this new district (Appendix 3):
- dwellings would be a discretionary use,
 - urban comments would be solicited prior to approval,
 - only long-term compatible uses should be considered.

4. TOWN OF MILK RIVER POLICIES

The following policies are intended to apply to issues that affect only the Town of Milk River. These policies complement policies under section 3, in particular 3.5.5 that would have more restrictive policies applied.

POLICIES

It should be noted that the policies in this part may require amendment after decisions are made on the location of the highway.

- 4.1** Likely urban expansion areas for Milk River are to the east of the current boundaries, north of Secondary Highway 501 for residential use. Industrial and Commercial expansion may be considered north of the town boundary and along the east part of the new highway alignment as shown on Map 1. The town's utility system will likely expand to the existing northerly boundary of the fringe (NE 33-2-16-W4).
- 4.2** Country residential development should be restricted in areas of:
- river bank slopes,
 - flood plain,
 - location of town lagoons,
 - urban water reservoir,
 - incompatible land uses in town (i.e. existing industrial uses).
- 4.3** Commercial and industrial uses may be considered:
- in the south-westerly area of town west of the new highway alignment,
 - in the area north of the town industrial expansion area near the existing or new highway,
 - in the southeast area, south of the river for golf course expansion.

5. PLAN PROCESSES

It is intended that this plan will be a working document allowing for flexibility of decision making and giving a framework for consistent decisions. In part, this requires processes for continued coordination and cooperation. When municipalities disagree, a system to promote a consensus is also an important aspect.

5.1 As stated in section 3.4.5, applications for uses outside the fringe area may be forwarded to the appropriate municipality if the county subdivision and development authority determines the municipality has some interest.

5.2 This intermunicipal development plan bylaw is valid until (Date: 5 years after adoption) unless:

- the bylaw is reviewed and the date of expiry is extended by resolution of both councils that are involved;
- by mutual consent of participating municipalities, the bylaw adopting the plan may be totally or partly revoked.

5.3 Variance to the policies of this plan may be made by the approval authority if:

- in the opinion of the approval authority the variance is minor, and
- consider the comments of the council of the appropriate municipality is received, and
- the variance complies with other statutory plans and bylaws.

5.4 An intermunicipal development plan committee should be established and consist of three members of the County of Warner council and three members from the Town of Milk River. The committee will be advisory in nature recommending approaches to cooperative governing of land use issues in the fringe areas.

5.5 The committee should meet to consider:

- concerns regarding policies of the plan,
- amendments to the plan,
- complaints from the public regarding plan policies,
- disagreement on the implementation of plan policies,
- land use concerns that the plan has not addressed.

In general, the committee is intended to promote cooperation and resolve potential conflicts.

5.6 In the interest of avoiding delays in approvals, the development officer for the municipality may make comments on development applications circulated by municipalities. If the development officer in the responding municipality determines it necessary, then the application may be forwarded to council or the Subdivision and Development Authority for comment.

5.7 Steps in a dispute settlement system include:

- avoid any dispute by ensuring the plan is adhered to as adopted, including full circulation of any permit or application that may affect a municipality and prompt enforcement of the policies of the plan and land use bylaw;

- prior to a meeting of the intermunicipal development plan committee, ensure the facts of the dispute are investigated and information is made available to both parties;
- meet with the intermunicipal development plan committee to identify the issues and reach a consensus on a solution;
- the solution and/or dispute may have to be forwarded to a joint meeting of both councils for further discussion; and
- the two councils' meeting may be the last step in attempting to solve a conflict.

At each step it is important to fully discuss and define issues and alternative solutions and to reach a consensus.

Except as provided below, the municipality with jurisdiction will make the final decision on the issue.

The final stage of dispute settlement, if the dispute is related to a bylaw, is to use the mechanism in Division II, part 17 of the Municipal Government Act. This outlines a procedure for the municipalities to request the Municipal Government Board to solve the issue.

APPENDIX 1

**FRINGE AREA LAND USE
TABLES AND MAP**

VILLAGE OF COUTTS
FRINGE AREA LAND USE – FEBRUARY 1999

Type of Land Use		Number of Uses	Total
Residential:	Country Residence		
	Farmstead	3	
	Ancillary Farm Residence		
	Abandoned Farmstead	2	5
Agricultural:	Farm Building	2	
	Farm Equipment Storage		
	Intensive Livestock	1 (game)	3
Commercial:	Misc. Commercial Bus.		
Industrial:	Misc. Industrial Operation		
	Elevators		
	Oil Storage		
Public:	Campground/Park		
	Community Hall		
	Church		
	Cemetery		
	School		
Utilities:	Gas Well		
	Oil Well		
	Sewage Lagoons		
	Water Storage/Treatment		
	Electrical Station		
	Solid Waste Transfer		
Other:	Airport/Airstrip	1	
	Mining/Crushing Operation		
	Dump/Junkyard		
	Miscellaneous	2	3
TOTAL			11

* Fringe study area includes an approximate one-mile boundary of land uses in each east, west and north direction.

TOTAL area in the Coutts fringe boundary constitutes approximately **2,579 acres** (1,044 ha).

**TOWN OF MILK RIVER
FRINGE AREA LAND USE – FEBRUARY 1999**

Type of Land Use		Number of Uses	Total
Residential:	Country Residence	2	
	Farmstead	12	
	Ancillary Farm Residence	6	
	Abandoned Farmstead	2	22
Agricultural:	Farm Building	1	
	Farm Equipment Storage		
	Intensive Livestock		1
Commercial:	Misc. Commercial Bus.		
Industrial:	Misc. Industrial Operation		
	Elevators		
	Oil Storage	1	1
Public:	Campground/Park		
	Community Hall		
	Church		
	Cemetery	1	
	School		1
Utilities:	Gas Well		
	Oil Well		
	Sewage Lagoons	1	
	Water Storage/Treatment		
	Electrical Station		
	Solid Waste Transfer		1
Other:	Airport/Airstrip	1	
	Mining/Crushing Operation		
	Dump/Junkyard		
	Miscellaneous	1 (ammonia storage) 1(oil storage)	3
TOTAL			29

*Fringe study area includes an approximate one-mile boundary of land uses in each direction.

TOTAL area in the Milk River fringe boundary constitutes approximately **5,216 acres** (2,111 ha).

TOWN OF RAYMOND
FRINGE AREA LAND USE – FEBRUARY 1999

Type of Land Use		Number of Uses	Total
Residential:	Country Residence	66	
	Farmstead	10	
	Ancillary Farm Residence		
	Abandoned Farmstead	2	78
Agricultural:	Farm Building	9	
	Farm Equipment Storage		
	Intensive Livestock	1 (cattle)	10
Commercial:	Misc. Commercial Bus.	1, (1 abandoned)	2
Industrial:	Misc. Industrial Operation	1	
	Bulk Fertilizer	1	2
Public:	Campground/Park	1 (golf course)	
	Community Hall		
	Church		
	Cemetery		
	School		1
Utilities:	Gas Well		
	Oil Well		
	Sewage Lagoons	1	
	Water Storage/Treatment		
	Electrical Station		
	Solid Waste Transfer		1
Other:	Airport/Airstrip		
	Mining/Crushing Operation		
	Dump/Junkyard		
	Miscellaneous	1 (RID Shop)	1
TOTAL			95

*Fringe study area includes:

- an approximate one-mile boundary of land uses in each east and north direction,
- an approximate two-mile boundary in the westerly direction,
- an approximate ¾ mile boundary in the southerly direction.

TOTAL area in the Raymond fringe boundary constitutes approximately **5,699 acres** (2,306 ha).

VILLAGE OF STIRLING
FRINGE AREA LAND USE – FEBRUARY 1999

Type of Land Use		Number of Uses	Total
Residential:	Country Residence	32	
	Farmstead	7	
	Ancillary Farm Residence	1	
	Abandoned Farmstead	3	43
Agricultural:	Farm Building	3	
	Farm Equipment Storage		
	Intensive Livestock	1 (cattle), 1 (chicken)	5
Commercial:	Misc. Commercial Bus.		
Industrial:	Misc. Industrial Operation	1	
	Elevators	2	3
	Oil Storage		
Public:	Campground/Park		
	Community Hall		
	Church		
	Cemetery	1	
	School		1
Utilities:	Gas Well		
	Oil Well		
	Sewage Lagoons		
	Water Storage/Treatment		
	Electrical Station		
	Solid Waste Transfer	1	1
Other:	Airport/Airstrip		
	Mining/Crushing Operation		
	Dump/Junkyard	1	
	Miscellaneous		1
TOTAL			54

*Fringe study area includes an approximate one-mile boundary of land uses in each direction.

TOTAL area in the Stirling fringe boundary constitutes approximately **5,120 acres** (2,072 ha).

VILLAGE OF WARNER
FRINGE AREA LAND USE – FEBRUARY 1999

Type of Land Use		Number of Uses	Total
Residential:	Country Residence		
	Farmstead	5	
	Ancillary Farm Residence	1	
	Abandoned Farmstead	1	7
Agricultural:	Farm Building	2	
	Farm Equipment Storage		
	Intensive Livestock		2
Commercial:	Misc. Commercial Bus.	4	4
Industrial:	Misc. Industrial Operation		
	Elevators		
	Oil Storage		
Public:	Campground/Park		
	Community Hall		
	Church		
	Cemetery	1	
	School		1
Utilities:	Gas Well		
	Oil Well		
	Sewage Lagoons		
	Water Storage/Treatment	1	
	Electrical Station		
	Solid Waste Transfer		1
Other:	Airport/Airstrip	1	
	Mining/Crushing Operation		
	Dump/Junkyard		
	Miscellaneous	1 (shop)	2
TOTAL			17

*Fringe study area includes an approximate one-mile boundary of land uses in each direction.


















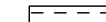


TOTAL area in the Warner fringe boundary constitutes approximately **4,518 acres** (1,829 ha).

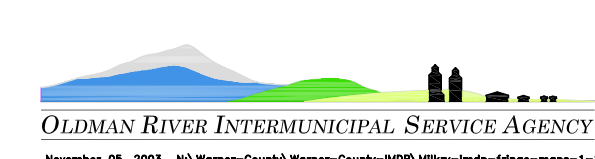
COUNTY OF WARNER No. 5 AND TOWN OF MILK RIVER INTERMUNICIPAL DEVELOPMENT PLAN

County of Warner Bylaw # 819-02, Town of Milk River Bylaw # 893

LIKELY AREA OF URBAN EXPANSION
AND FRINGE AREA LAND USE
MILK RIVER - APRIL 2000
TWP 2, RGE 16, W4M

LEGEND:

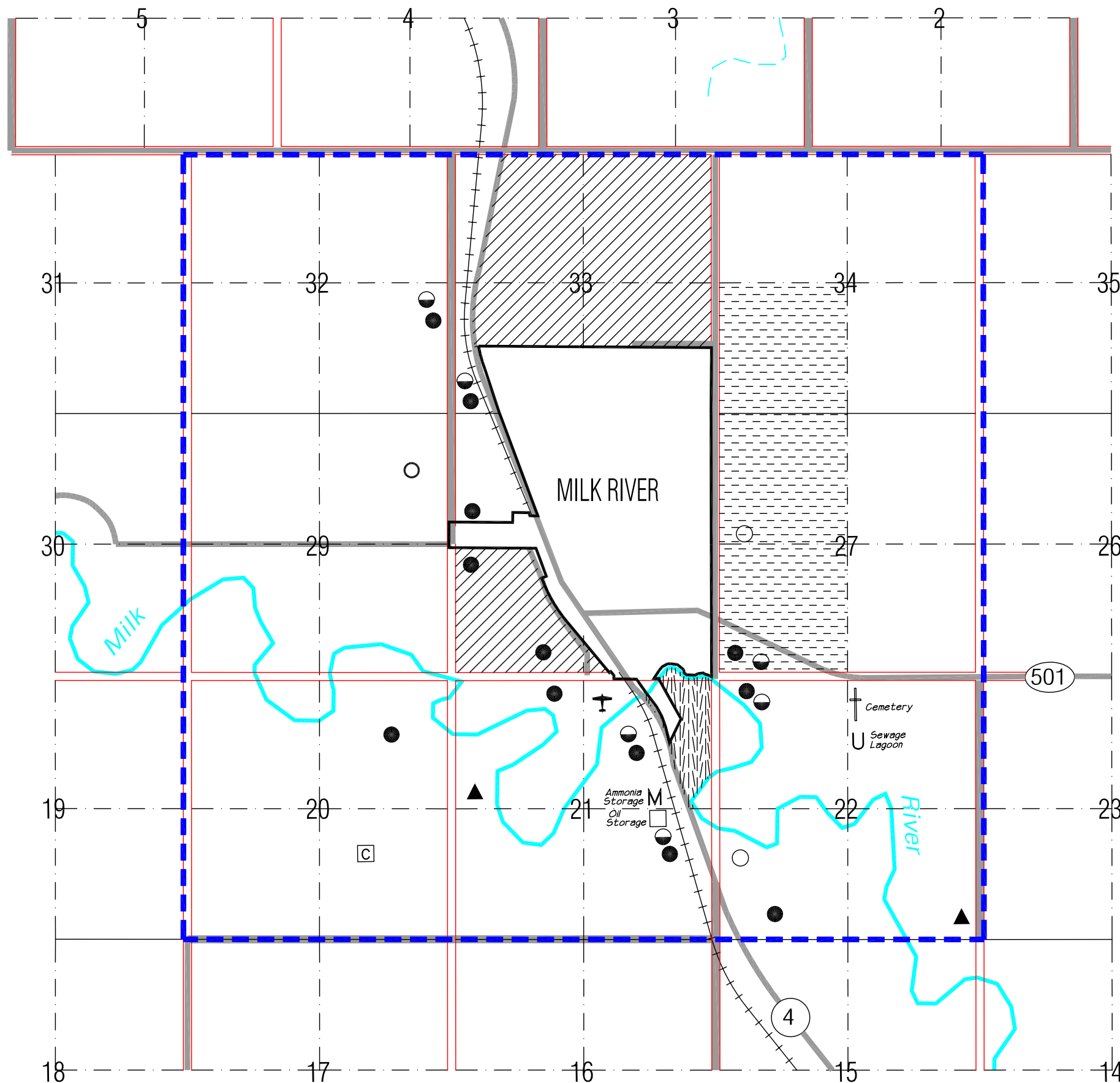
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-  HIGHWAY/ROAD
-  TOWN BOUNDARY
- 10 SECTION NUMBER
-  CPR
-  QUARTER SECTION
-  SECTION
-  FARMSTEAD
-  ANCILLARY FARM RESIDENCE
-  FARM BUILDING
-  COUNTY RESIDENCE
-  ABANDONED FARMSTEAD
-  INDUSTRIAL
-  INTENSIVE LIVESTOCK
-  MISC
-  UTILITIES
-  AIRPORT
-  CEMETERY
-  LIKELY AREA OF RESIDENTIAL EXPANSION
-  LIKELY AREA OF INDUSTRIAL AND COMMERCIAL EXPANSION
-  LIKELY AREA OF PUBLIC AND INSTITUTIONAL EXPANSION



November 05, 2003 N:\Warner-County\Warner-County-IMDP\Milkrv-Imdp-fringe-maps-1-2.dwg



MAP 1



APPENDIX 2

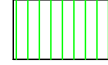
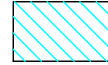
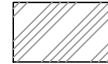

CANADA LAND INVENTORY MAP

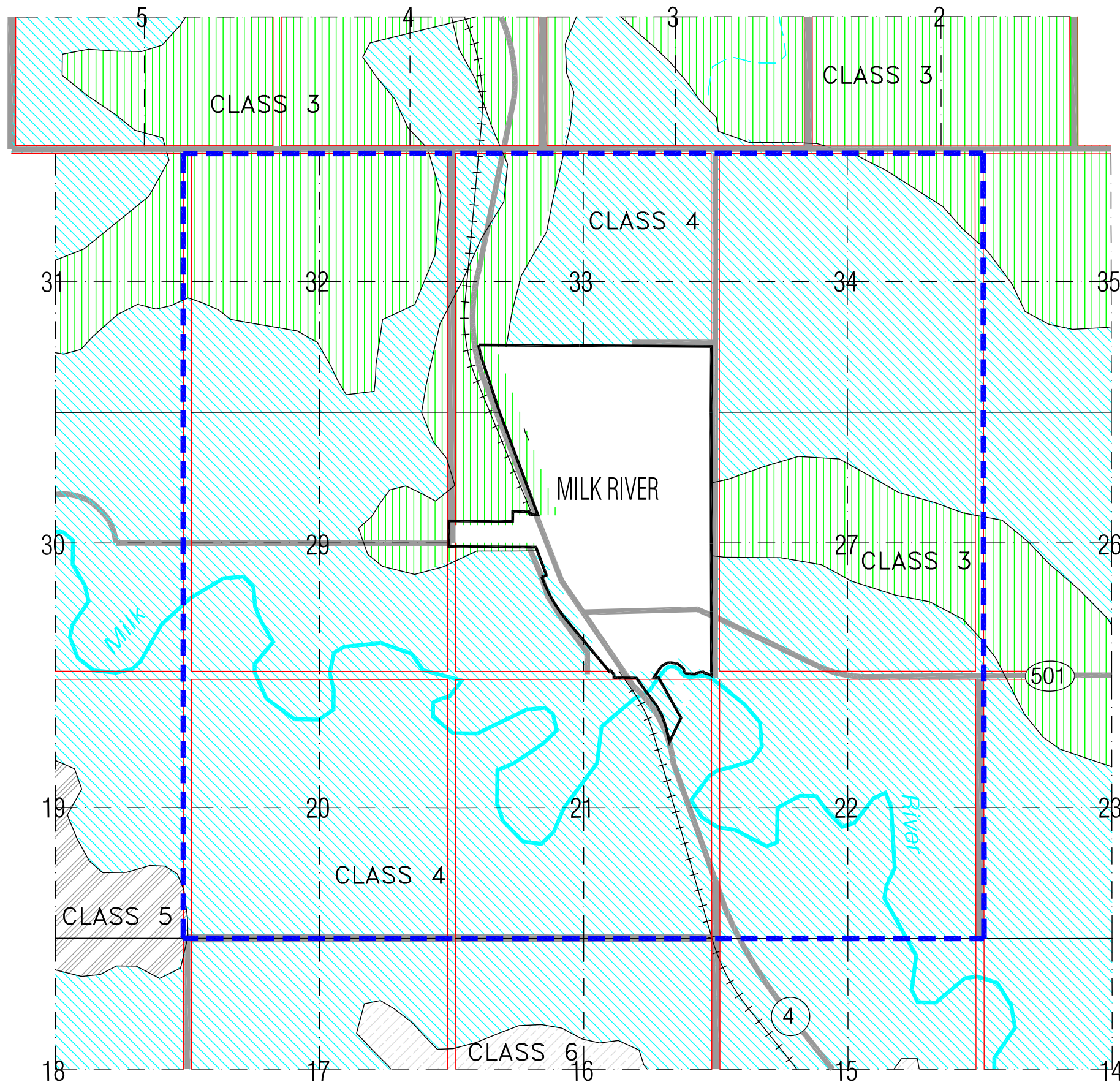
COUNTY OF WARNER No. 5 AND TOWN OF MILK RIVER INTERMUNICIPAL DEVELOPMENT PLAN

County of Warner Bylaw # 819-02, Town of Milk River Bylaw # 893

CANADA LAND INVENTORY DATA
MILK RIVER - APRIL 2000
TWP 2, RGE 16, W4M

LEGEND:

-  CLASS 3
-  CLASS 4
-  CLASS 5
-  CLASS 6



APPENDIX 3

URBAN EXPANSION DISTRICT

URBAN EXPANSION – UE

1. PURPOSE

This land use district is intended for use on lands that have been identified in a statutory plan as being likely locations for urban expansion. Applications for uses, development or subdivision in this district are to be circulated and evaluated for the impact on future urban growth.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

Ancillary buildings and uses

(b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

Abattoirs

Agricultural services

Automotive uses

Boarding stables

Breeding farms

Farm produce stands

First farm residence, including a mobile home as a first farm residence

Highway commercial uses

Intensive horticulture

Isolated single lot commercial

Isolated single lot country residential

Isolated single lot industrial

Kennels

Private recreation

Public/institutional

Second farm residence or mobile home

Signs of more than 0.9 m² (10 sq. ft.)

Stockpiles (inside the distances in section 5(a) of this district)

Utilities

(c) Prohibited Uses

The following uses are **prohibited** within this land use district:

Hazardous and noxious uses

Intensive livestock operations

Resource extraction and associated works

Stripping and sale of topsoil

3. SUBDIVISION CRITERIA – See Schedule 4.

4. MINIMUM PARCEL SIZE

- (a) The minimum parcel size for grouped country residential uses shall be 4 hectares (10 acres).
- (b) The minimum parcel size for other than grouped country residential use shall be 0.4 hectare (1 acre) in area.

5. MINIMUM SETBACK REQUIREMENTS

- (a) No part of a building or structure shall be located within:
 - (i) 45.7 metres (150 ft.) of the centre line of any public roadway which is not designated as a secondary road or primary highway under the Highway Development Control Regulation;
 - (ii) 53.3 metres (175 ft.) from the centre line of any road designated as a secondary road under the Highway Development Control Regulation;
 - (iii) 71.0 metres (233 ft.) of the centre line or 40.5 metres (133 ft.) from the right-of-way (whichever is greater) of roads designated as primary highways under the Highway Development Control Regulation.
- (b) Where any parcel or part of a parcel has frontage on a controlled primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and Utilities and the Highway Development Control Regulation.
- (c) Where it appears that side yard setbacks may be necessary, the Subdivision and Development Authority may impose such a requirement as a condition of a development permit.
- (d) No veterinary clinic, kennel or riding stable shall be located within 304.8 metres (1,000 ft.) of a residential building excepting a Subdivision and Development Authority approved farm dwelling ancillary to the designated use.

6. SITE COVERAGE

The amount of area of a site to be covered or occupied by a use may be limited by the Subdivision and Development Authority.

7. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.

8. LANDSCAPING AND SCREENING – See Schedule 5.

9. STANDARDS OF DEVELOPMENT – See Schedule 5.

10. SIGN REGULATIONS – See Schedule 8.

11. COMPREHENSIVE DEVELOPMENT PLANS, AREA STRUCTURE PLANS AND DESIGN SCHEMES

Where it becomes apparent to the designated officer or municipality that too much development is being concentrated in one area:

- (a) the Subdivision and Development Authority may, with the approval of the council, require that future development applications for the area be accompanied by a comprehensive development plan which has been approved by council; or
- (b) the council may require applicants proposing development in the area to undertake the preparation of an area structure plan or design scheme.

12. DEVELOPMENT APPLICATION REFERRALS

Any development application within this land use district shall be referred to the appropriate urban municipality for comments before a decision by the County of Warner Subdivision and Development Authority is finalized.