

By-Law Number 1021
Town of Castor

A BY-LAW OF THE TOWN OF CASTOR IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ADOPTING AN INTERMUNICIPAL DEVELOPMENT PLAN WITH THE COUNTY OF PAINTEARTH.

WHEREAS Pursuant to Section 631 (1) of the Municipal Government Act, R.S.A. 2000, Chapter M-26
A municipality may adopt an Intermunicipal Development Plan with another Municipality
For the lands lying within the boundaries of
The municipalities;

AND WHEREAS The Town of Castor and the County of Paintearth
Have previously entered into a Memorandum of Agreement for the purpose of the creation of an Intermunicipal Development Plan;

NOW THEREFORE The Municipal Council of the Town of Castor duly
Assembled, hereby adopts as follows:

**The Intermunicipal Development Plan with the County of Paintearth
for the lands described within.**

Introduced and Read a First Time this 11th Day of June, 2012.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a Second Time this 25th Day of June, 2012

Read a Third Time and Finally Passed this 25th Day of June, 2012



MAYOR



CHIEF ADMINISTRATIVE OFFICER

County of Paintearth and Town of Castor Inter-municipal Development Plan

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2) Municipal Government Act (MGA) Requirements

As established by the Municipal Government Act (MGA) an Inter-Municipal Development Plan is a statutory document and in accordance with Sections 631 and 636 of the Act states that:

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

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

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

In addition, Section 631(2) of the Act states that this Plan **MAY** provide for:

- (i) future land uses within the area,*
- (ii) the manner of, and the proposals for future development in the area, and*
- (iii) any other matter relating to the physical, social or economic development of the area that councils consider necessary.*

4) Lands within Fringe Area

4.1 Future Town Growth Areas and Priorities

i) Current Situation

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

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

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

ii) Residential Growth

The Town identified the following lands for residential growth opportunities:

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

iii) Industrial Growth

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

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

4.4 Agricultural Quality

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

4.5 Utility Servicing

There are currently 13 residences in the County on lands immediately surrounding Castor that are receiving town water service, 7 on Town gas service, and 3 are on Town sewer services.

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

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

5) Land Use Compatibility and Encroachment

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

8) Castor Airport

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

9) Referral Process for Applications Abutting Fringe area

The referral areas for each municipality will be as follows:

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

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

11) Dispute Resolution Process

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

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