

**COUNTY OF NEWELL NO. 4  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1730-11**

BEING a bylaw of the County of Newell No. 4 in the Province of Alberta, to adopt Bylaw No. 1730-11, to amend the County of Newell No. 4 and City of Brooks Intermunicipal Development Plan (County Bylaw No. 1656-09 and City Bylaw No. 09/04).

WHEREAS the municipality is in receipt of a request to amend *Map 3: CFO Exclusionary Area* to remove lands from within the boundary to facilitate the development of a new confined feeding operation;

AND WHEREAS lands subject to amendment are as shown on the map in Schedule 'A' attached hereto and legally described as:

**E ½ of Section 10, Township 18, Range 14, West of the 4<sup>th</sup> Meridian  
All of Section 11, Township 18, Range 14, West of the 4<sup>th</sup> Meridian  
W ½ of Section 12, Township 18, Range 14, West of the 4<sup>th</sup> Meridian**

AND WHEREAS the purpose of proposed Bylaw No. 1730-11 is to adopt a new boundary for the CFO Exclusionary Area in consultation the City of Brooks;

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 Newell No. 4 in the Province of Alberta duly assembled does hereby enact the following:

1. The lands legally described as E ½ of Section 10, Township 18, Range 14, West of the 4th Meridian' All of Section 11, Township 18, Range 14, West of the 4th Meridian, and W ½ of Section 12, Township 18, Range 14, West of the 4th Meridian shall be removed from the CFO Exclusionary Area.
2. Map 3 shall be amended to reflect the removal of the subject lands.
3. This bylaw comes into effect upon third and final reading hereof.


READ a first time this 7<sup>th</sup> day of July, 2011.

  
Reeve - Molly Douglass


  
Chief Administrative Officer - Kevin Stephenson

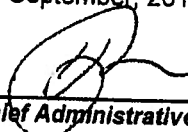
READ a second time this 8<sup>th</sup> day of September, 2011.

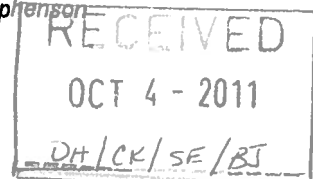
  
Reeve - Molly Douglass

  
Chief Administrative Officer - Kevin Stephenson

READ a third time and finally PASSED this 8<sup>th</sup> day of September, 2011.

  
Reeve - Molly Douglass

  
Chief Administrative Officer - Kevin Stephenson



# CITY OF BROOKS

## BYLAW NO. 11/08

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA, TO AMEND THE COUNTY OF NEWELL NO. 4 AND CITY OF BROOKS INTERMUNICIPAL DEVELOPMENT PLAN (COUNTY BYLAW NO. 1656-09 AND CITY OF BROOKS BYLAW NO. 09/04)

WHEREAS the municipality is in receipt of a request to amend *Map 3: CFO Exclusionary Area* to remove lands from within the boundary to facilitate the development of a new confined feeding operation;

AND WHEREAS lands subject to amendment are as shown on the map in Schedule 'A' attached hereto and legally described as:

**E ½ of Section 10, Township 18, Range 14, West of the 4<sup>th</sup> Meridian  
All of Section 11, Township 18, Range 14, West of the 4<sup>th</sup> Meridian  
W ½ of Section 12, Township 18, Range 14, West of the 4<sup>th</sup> Meridian**

AND WHEREAS the purpose of proposed Bylaw No. 11/08 is to adopt a new boundary for the CFO Exclusionary Area in consultation the County of Newell No. 4;

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 City of Brooks in the Province of Alberta duly assembled does hereby enact the following:

1. The lands legally described as E ½ of Section 10, Township 18, Range 14, West of the 4<sup>th</sup> Meridian' All of Section 11, Township 18, Range 14, West of the 4<sup>th</sup> Meridian, and W ½ of Section 12, Township 18, Range 14, West of the 4<sup>th</sup> Meridian shall be removed from the CFO Exclusionary Area.
2. Map 3 shall be amended to reflect the removal of the subject lands.
3. This Bylaw comes into effect upon third and final reading hereof.

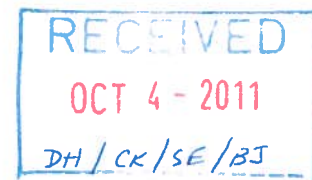
Read a first time this 4<sup>th</sup> day of July, 2011.

Read a second time this 6<sup>th</sup> day of September, 2011.

Read a third time and finally passed this 6<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Mayor

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



**COUNTY OF NEWELL  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1762-13**

BEING a bylaw of the County of Newell in the Province of Alberta, to adopt Bylaw No. 1762-13, to amend the County of Newell and City of Brooks Intermunicipal Development Plan (County Bylaw No. 1656-09 and City Bylaw No. 09/04).

WHEREAS the County of Newell has recently adopted a new Land Use Bylaw 1755-12 wishes to align references, update numbering, ordering, and other grammatical issues;

AND WHEREAS the purpose of proposed Bylaw No. 1762-13 is to undertake a series of amendments, as shown in the attached Schedule A (proposed text shown as bold and deleted text shown as strikethrough), and summarized as follows:

- the corporate name of the County of Newell has removed "No. 4";
- names of land use districts have changes;
- area structure plan requirements have been moved from Schedule 5 to Schedule 3;
- subdivision policies have been incorporated into individual land use districts and Schedule 6 has been removed;

and to update *Map 4 Transportation* by replacing it with the map as attached in Schedule B;

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 Newell in the Province of Alberta duly assembled does hereby enact the following:

1. That the amendments to the various sections of Intermunicipal Development Plan Bylaw 1659-09 as indicated in attached Schedule A is amended accordingly (text shown in strikethrough is to be deleted from Bylaw 1659-09; underlined text is new text to be included in Bylaw 1659-09);
2. Map 4 shall be replaced with the map as attached in Schedule B;
3. This bylaw comes into effect upon third and final reading hereof.

READ a first time this 7<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
Reeve - Molly Douglass

  
\_\_\_\_\_  
Chief Administrative Officer - Kevin Stephenson

READ a second time this 7<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Reeve - Molly Douglass

  
\_\_\_\_\_  
Chief Administrative Officer - Kevin Stephenson

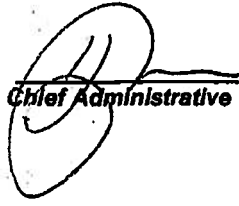


READ a **third** time and finally PASSED this 7<sup>th</sup> day of March, 2013.



*Molly Douglass*

Reeve – Molly Douglass



*Kevin Stephenson*

Chief Administrative Officer – Kevin Stephenson

**CITY OF BROOKS  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 13/02**

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA, TO ADOPT BYLAW NO. 13/02, TO AMEND THE COUNTY OF NEWELL AND CITY OF BROOKS INTERMUNICIPAL DEVELOPMENT PLAN (COUNTY BYLAW NO. 1656-09 AND CITY BYLAW NO. 09/04).

**WHEREAS** the County of Newell has recently adopted a new Land Use Bylaw 1755-12 and wishes to align references, update numbering, ordering, and other grammatical issues within the existing Intermunicipal Development Plan;

**AND WHEREAS** the purpose of proposed Bylaw No. 13/02 is to undertake a series of amendments, as shown in the attached Schedule A (proposed text shown as bold and deleted text shown as strikethrough), and summarized as follows:

- the corporate name of the County of Newell has removed "No. 4";
- names of land use districts have changes;
- area structure plan requirements have been moved from Schedule 5 to Schedule 3; subdivision policies have been incorporated into individual land use districts and Schedule 6 has been removed;

and to update *Map 4 Transportation* by replacing it with the map as attached in Schedule B;

**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 City of Brooks in the Province of Alberta duly assembled, enacts the following:

1. That the amendments to the various sections of Intermunicipal Development Plan Bylaw 09/04 as indicated in Schedule A, attached to and forming part of this Bylaw, is amended accordingly (text shown in strikethrough is to be deleted from Bylaw 09/04; bold text is new text to be included in Bylaw 09/04);




2. Map 4 shall be replaced with the map in Schedule B, attached to and forming part of this Bylaw;
3. That this Bylaw shall take effect upon final passing hereof.

Read a first time this 4th day of February, 2013.

Read a second time this 4th day of March, 2013.

Read a third time and adopted this 4th day of March, 2013.

  
\_\_\_\_\_  
**Mayor**

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

# SCHEDULE A

## County of Newell & City of Brooks INTERMUNICIPAL DEVELOPMENT PLAN

---

### PART A: INTRODUCTION

---

The County of Newell ~~No. 4~~, located in the short grass region of Alberta on the TransCanada Highway 1 halfway between the cities of Medicine Hat and Calgary, and City of Brooks, the largest urban community in the County of Newell, have experienced a significant amount of growth over the past several years. As both municipalities are closely related in terms of economic and social connections, it seems logical for them to coordinate land use as well. An Intermunicipal Development Plan recognizes that the fringe area of an urban municipality is subject to different problems and opportunities than that of a strictly urban or rural setting.

It has become increasingly clear that municipalities cannot make fringe area land use decisions in isolation. Therefore, municipalities are encouraged to undertake the preparation of an Intermunicipal Development Plan in order to help avoid future land use conflicts. By implementing a plan that contains both dispute mechanisms and guidelines for future uses, urban and rural municipalities can reach an agreement on fringe area issues and avoid a confrontational atmosphere, which has occurred in other jurisdictions.

#### 1.0 Purpose

The intent of this Intermunicipal Development Plan, in accordance with the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA)*, is to prescribe policy for future land use and development, and any other matter relating to the physical, social or economic development of the area that the councils of the City and County consider necessary. As well, it plans for orderly and properly controlled development surrounding the City of Brooks which allows for timely urban expansion with minimal land use conflicts.

This document outlines policies that apply to lands both in the urban fringe and within the City and are to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction. Each municipality is responsible for decisions within their boundaries using the plan policies and the procedures provided in the plan.

## 2.0 Legislative Requirements

In order to foster cooperation and mitigate conflict between municipalities, the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments (MGA)* has included two mechanisms within the planning legislation which allows a municipality to:

1. include policies regarding coordination of land use, future growth patterns and other infrastructure with adjacent municipalities in their municipal development plans [section 632(3)(iii)] if no intermunicipal development plan exists with respect to those matters;
2. complete and adopt an intermunicipal development plan with adjacent municipalities to address the above matters.

Specifically, the MGA states:

**631(1)** *Two or more councils, may, by each passing a bylaw in accordance with this Part or in accordance with sections 12 and 692, adopt an intermunicipal development plan to include those areas of land lying within the boundaries of the municipalities, as they consider necessary.*

**(2)** *An intermunicipal development plan*

**(a)** *may provide for*

- (i)** *the future land use 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 the councils consider necessary,*

*and*

**(b)** *must include*

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

In addition to the MGA, Provincial Land Use Policies are in place to assist municipalities in harmonizing provincial and municipal policy initiatives at the local level. Every municipality in the province is expected to incorporate these policies into its planning decisions, practices and statutory documents as a requirement of the MGA, section 622(3):

**622(3)** *Every statutory plan, land use bylaw and action undertaken pursuant to this Part by a municipality, municipal planning commission, subdivision authority, development authority or subdivision and development appeal board or the Municipal Government Board must be consistent with the land use policies.*

The Provincial Land Use Policies are divided into sections that relate to different municipal planning responsibilities. Section 3 contains policies that relate to a municipality's general



approach to planning and its interaction with its residents, neighbouring municipalities, provincial and federal agencies and other jurisdictions:

### **3.0 Planning Cooperation**

#### **Goal**

*To foster cooperation and coordination between neighbouring municipalities and between municipalities and provincial departments and other jurisdictions in addressing planning issues and in implementing plans and strategies.*

#### **Policies**

- 3.1 Municipalities are encouraged to expand intermunicipal planning efforts to address common planning issues, especially where valued natural features are of interest to more than one municipality and where the possible effect of development transcends municipal boundaries.*
- 3.2 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 issues. 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.*

The above excerpts from the Provincial Land Use Policies are relevant to intermunicipal cooperation as they support a cooperative approach to land use planning between neighbouring municipalities. As of June, 2008 a draft of a new Provincial Land Use Framework has been released which may have a bearing on future intermunicipal cooperation and the final plan proposed for the municipalities.

### **3.0 Plan Preparation Process**

The Joint Shared Services Committee, with members from both municipalities, has engaged the Oldman River Regional Services Commission to prepare a new Intermunicipal Development Plan (IMDP). As an initial step in the larger process, a Background Report was prepared which served as a foundation from which both municipalities reviewed the existing conditions and determined if the goals, objectives, and implementation of the 2004 Intermunicipal Development Plan were still relevant under existing circumstances. The Background Report provided an analysis of the existing circumstances, attempted to identify issues and opportunities that have emerged from the analysis of the preliminary information, and acted as an agenda for discussions by the Joint Shared Services Committee.

Public participation is an important feature in the plan process. As an initial step in the public process, a questionnaire was distributed to owners of land in the County within the 2004 IDP boundary and owners of land within the City who are adjacent to the City/County boundary. Once a draft plan was completed, Committee members discussed the outstanding matters with their own respective councils looking for guidance and agreement.

The initial draft was revised by planning staff and resubmitted to the Committee for its review, which resulted in a refined document being prepared, complete with maps and revised text for the Committee's final approval. An open house was scheduled in advance of the mandatory public hearing required by the Municipal Government Act. At the discretion of both councils, the document was then adopted by individual bylaws.

## **4.0 Former Intermunicipal Development Plan**

The City of Brooks (City) and the County of Newell (County) Councils adopted the *Town of Brooks/County of Newell Intermunicipal Development Plan (IDP)* on October 4, 2004, Bylaw No. 04/19 and Bylaw No. 1480-04, respectively. A Joint Planning Committee, consisting of representatives from both the County of Newell and the City of Brooks, was created as an administrative body for the plan.

The document sets out two general guiding principles. Firstly, the focus of the *"Plan is on reciprocity, communications, understanding and long-term co-operation."* Secondly, the purpose *"is to ensure that the future development in the Plan Area is planned in order to minimize potential land use conflicts and to ensure the economical and efficient development of land."*

The IDP identified an administrative process for the amendment of the plan, a dispute resolution mechanism, and the ability to repeal the plan. Beyond the case-by-case review of proposed plans or development within the boundaries of the IDP, the Committee was to do a thorough review of the plan every three years to ensure its relevance to current trends (policy 1.3.7).

The IDP outlines general land use policies for residential, commercial, industrial, transportation, confined feeding operations, municipal infrastructure, and agricultural uses. Both municipalities recognized that there may be a need in the future to identify lands within the County that would need to be annexed into the City in order to accommodate future growth.

In general the policies of the 2004 Intermunicipal Development Plan were valid and reflective of the situation during the time period for which it was written. However, the current IDP lacks many fundamental components of a modern IMDP, and without criteria of achievable goals and objectives, the current policies lack the necessary parameters for proper review and decision making. The County and the City have enviably ended up making subdivision and development decisions in isolation, which compromised the intent of the existing IDP.

## **5.0 Goals and Objectives**

Without establishing achievable goals and objectives, the policies of the Intermunicipal Development Plan lack the necessary parameters for proper review and decision making.

## 5.1 Goals

It is the intent of the councils of the City of Brooks and County of Newell ~~No. 4~~ that the objectives and policies of this plan be governed by the goals stated below:

- To address requirements of the Municipal Government Act with respect to intermunicipal conflict resolution procedures, plan administration, and plan amendment or repeal procedures.
- To provide a clear policy framework to guide future land use decisions within the plan boundaries.
- To establish an Intermunicipal transition area within which planning and development decisions are coordinated to ensure land use compatibility.
- To protect prime agricultural lands from redesignation, subdivision and development.
- To establish principles whereby both municipalities may consistently apply planning policies and land use bylaws within their respective jurisdictions.
- When practical, to harmonize both municipalities' development and subdivision standards and requirements and to protect future servicing and transportation corridors.
- To provide for a continuous and transparent planning process that facilitates ongoing consultation and cooperation among the two municipalities and affected ratepayers.

## 5.2 Objectives

The following objectives shall be used as a framework for the policies of this plan and its implementation:

- To create a plan that adds value to the planning and development process in the County of Newell and the City of Brooks, whereas the plan must not duplicate or infringe on area municipal planning efforts and must have a distinct, complementary and productive role.
- To identify the growth strategies of the City of Brooks and ensure that these growth strategies are compatible with the development and land use policies of the County of Newell ~~No. 4~~.
- To discourage the wide-spread fragmentation of agricultural land and to prevent the premature conversion of agricultural lands within the Brooks Urban Fringe to non-agricultural uses.
- To clarify the type and level of servicing required in the urban fringe for each type of development and to create a mutually agreeable harmonized schedule of development standards to be applied within the IMDP boundary.
- To identify the need for consideration of intermunicipal agreements which negotiate the terms and context of revenue/tax sharing, levies, and municipal reserve transfers.
- To direct country residential and other non-agricultural development to locations which are least disruptive to the agricultural community and to promote orderly urban

expansion and ensure development is serviced to standards appropriate to the location and type of development.

- To ensure that highway corridors and entranceways present a positive and welcoming image for the City and the County while maintaining a safe and efficient road network.
- To provide mechanisms to implement, review and amend the various policies of the plan.

## 6.0 Plan Area

Both municipalities agree that the area affected by this plan includes all lands required to ensure the cooperation and coordination of land uses around the City of Brooks. The boundary identified in this plan realistically and closely reflects the current and future needs of both the County and City.

The IMDP plan boundary encompasses approximately 16302 acres of land adjacent to the City of Brooks as illustrated in Map 1 and contains the following:

- Those lands to the northeast of Highway 1;
- Those lands north and west of the City that are fragmented by residential and non-residential uses;
- Those lands lying south of the City.

From the perspective of both municipalities, maintaining the integrity of the Intermunicipal Plan Area is critical to the preservation of their long-term interests. This plan is based upon a shared vision of a future growth framework and reflects a mutual agreement on areas of growth for each municipality.

The main purpose of the IMDP boundary is to act as a referral mechanism to ensure dialogue between the two municipalities regarding development within the fringe. It should be noted that some of the lands contained within the plan boundary are already zoned, subdivided or developed for non-agricultural uses. It is understood that existing uses within the plan boundary are permitted and will continue operations.

However, the expansion or intensification of existing uses shall be required to meet the policies of this IMDP and the applicable land use bylaw. Those lands that have been previously redesignated or subdivided or both need to be reviewed in the context of this plan and amendments may be required to ensure that future development will comply with the mutually agreed upon growth pattern.

A second boundary has been established, IMDP Focused Development Boundary, which has identified areas for limited conversion to non-agricultural uses that have the potential to complement the area's economy, promote urban expansion and growth, and minimize conflict with traditional agricultural operations (see Map 2 Future Land Use Guide Map).

The non-agricultural uses are identified by the following categories:

1. **Brooks Urban Fringe** refers to lands which are currently in found within the IMDP Boundary that are currently in agricultural production or limited non-agricultural uses. It is expected that the predominant future land use will remain agricultural production.
2. **Potential Serviced Non-Residential Development** refers to lands which are intended to be developed for industrial and commercial purposes at urban standards.
3. **Potential Serviced Urban Residential Development** refers to lands which are intended to be developed for residential purposes at urban standards.
4. **Potential Unserviced Rural Non-Residential Development** refers to lands which are intended to be developed for rural industrial and commercial purposes.

In addition, the IMDP contains policies that recognize additional interest areas of mutual concern that may extend outside of the plan boundary, namely highway corridors, the regional water project, and existing confined feeding operations.

---

## PART B: INTERMUNICIPAL LAND USE POLICIES

---

This document outlines policies that apply to lands in the intermunicipal plan boundary and are to be used as a framework for decision making in each municipality with input and cooperation of the other jurisdiction. Each municipality is responsible for decisions within their boundaries using the plan policies and the procedures provided in the plan.

This section of policy is intended to provide guidance to decision makers when considering land use approvals within the intermunicipal plan boundary. Approvals shall only be given to uses that are complementary to uses located in the adjacent jurisdiction. Other sections of this plan may also apply, for example, the requirements for referrals.

### 1.0 General

#### *Policies*

- 1.1 For the purpose of managing land use in the intermunicipal plan boundary, the area is divided into the following areas as shown on the Future Land Use Guide Map, Map 2:
  - (a) Brooks Urban Fringe (BUF),
  - (b) Potential Serviced Non-Residential Development (SNR),
  - (c) Potential Serviced Urban Residential Development (SUR),
  - (d) Potential Unserviced Rural Non-Residential Development (URNR).
- 1.2 Parcels within the IMDP boundary that are currently zoned Agricultural (A) ~~or Urban Fringe (UF)~~ shall be redesignated as ~~Brooks Urban Fringe (BUFR)~~ in the County of Newell ~~No. 4~~ Land Use Bylaw. Extensive agriculture will be the primary land use of the lands, until these lands are redesignated in a land use bylaw in accordance with this plan. Land uses will be allowed in accordance with the ~~Brooks Urban Fringe District – Brooks Overlay~~ contained within the County of Newell ~~No. 4~~ Land Use Bylaw.
- 1.3 The lands shown as potential serviced non-residential development, potential serviced urban residential development, and potential unserviced rural non-residential development on the Land Use Guide Map shall be designated from Agricultural (A) to ~~Brooks Urban Fringe (BUFR)~~ in the County of Newell ~~No. 4~~ Land Use Bylaw. Prior to developing these lands, the first step will be to commence a redesignation process.
- 1.4 Parcels within the IMDP boundary that are currently zoned to districts other than Agricultural (A) or ~~Urban Fringe (UF)~~ may continue under those districts identified in the County of Newell ~~No. 4~~ Land Use Bylaw. New applications for subdivision and development on these lands shall be subject to any policies of this IMDP.
- 1.5 It is a recommendation of this document that the County of Newell Municipal Development Plan be updated to reflect the CFO Exclusionary Area as defined by Map 3.

## 2.0 Brooks Urban Fringe

### *Intent*

The intent of the Brooks Urban Fringe area is to acknowledge that lands within the intermunicipal plan boundary are influenced by the proximity to the City of Brooks. The area is the focus of pressures for conversion of traditional agricultural lands to non-agricultural uses such as grouped residential or industrial uses.

This document has the objective to discourage the wide-spread fragmentation of agricultural land and to prevent the premature conversion of agricultural lands within the Brooks Urban Fringe to non-agricultural uses. Therefore, landowners cannot assume that all applications for land use, subdivision or development will be approved. It is also recognized that much of the plan area is composed of good quality agricultural land of which the best and highest use will continue to be agriculture within the time horizon of this plan.

### *Policies*

- 2.1 In accordance with the Provincial Land Use Policy 6.1.2, both municipalities shall limit the fragmentation of good quality agricultural lands as defined in the applicable land use bylaw until it is required for urban-style development.
- 2.2 All future land use, subdivision and development in the IMDP plan boundary shall comply with the policies of this plan and Map 2. The County of Newell ~~No. 4~~ Municipal Development Plan should be consulted for additional policies that would apply to this area.
- 2.3 Both councils recognize and acknowledge the main use of land found within the County portion of the Intermunicipal Development Plan area and much of the vacant land near the City's boundary is extensive agriculture (cultivation and grazing). These activities and other agricultural activities are protected under the Agricultural Operation Practices Act.
- 2.4 Both municipalities shall limit the fragmentation of agricultural lands and their premature conversion to other uses by resisting pressure to redesignate agricultural lands to other uses unless applications comply with the policies of this plan.
- 2.5 No new confined feeding operations will be allowed to locate nor will expansions of animal numbers in existing confined feeding operations be allowed to occur within the Intermunicipal Development Plan boundary.
- 2.6 New applications for subdivision and development on parcels within the IMDP boundary designated as ~~Brooks Urban Fringe (BUF)~~ in the County of Newell ~~No. 4~~ Land Use Bylaw shall be subject to any policies of this IMDP.

- 2.7 Existing land uses with valid development permits that exist as of the date of approval of this plan may continue to operate in accordance with the provisions of the Land Use Bylaw and the Municipal Government Act.
- 2.8 All subdivision shall comply with the County of Newell subdivision criteria found in Schedule ~~62~~, ~~Fringe – FR~~, County of Newell ~~No.4~~ Land Use Bylaw ~~1626-07~~ 1755-12 for:
- agricultural uses,
  - existing and fragmented parcels,
  - single lot developed country residential (farmstead), and
  - single lot vacant country residential.
- 2.9 All applications for redesignation shall be accompanied by an area structure plan or concept plan containing the information requirements as prescribed in Schedule ~~35~~, County of Newell ~~No.4~~ Land Use Bylaw ~~1626-07~~1755-12.
- 2.10 Home occupations ~~2~~ shall be a discretionary use within the Brooks Urban Fringe District and that policy shall be reflected in the County of Newell ~~No.4~~ Land Use Bylaw ~~Schedule 2~~.

### 3.0 Potential Serviced Non-Residential Development

#### *Intent*

The intent of the Potential Serviced Non-Residential Development area is to acknowledge that:

- pressures for non-agricultural uses such as industrial and commercial are occurring within the plan boundary, and
- the development of such uses, depending on the proposed use, may require communal water and sewer services at an urban standard rather than a rural standard.

This document has the objective to discourage the development of grouped industrial or commercial uses in areas that cannot be easily serviced by municipal infrastructure and to minimize and limit the fragmented development of these types of uses that has already occurred. Therefore, landowners shall be required to either include proposals for communal services with their applications or provide detailed plans for future connections to the City's infrastructure.

#### *Policies*

- 3.1 The area identified as Potential Serviced Non-Residential Development on the Future Land Use Guide Map (Map 2) currently designated as Agricultural (A) ~~or Urban Fringe (UF)~~ shall be redesignated to ~~Brooks Urban Fringe (BUFR)~~ in the County's Land Use Bylaw.



- 3.2 New applications for development on lands within the Potential Serviced Non-Residential Development area currently designated ~~Commercial (C), Light Industrial (LI), Rural Business (RB) or Rural Industrial (RI)~~ shall be subject to any policies of this IMDP regarding servicing standards, access, landscaping and any other development standards found within the IMDP.
- 3.3 All applications for subdivision and development for the purpose of Potential Serviced Non-Residential Development within the IMDP area shall be directed to those areas identified on the Future Land Use Guide Map (Map 2) and shall comply with the policies of this IMDP.
- 3.4 Both councils recognize and acknowledge the areas identified for Potential Serviced Non-Residential Development is limited. The potential for future servicing of these areas has been established by using information from the *County of Newell No. 4 Proposed Development Areas around Brooks – Wastewater Collection Systems Study (2008)* and *The Town of Brooks Growth Study (2003)*.
- 3.5 All applications for redesignation or subdivision shall include a detailed area structure plan or conceptual scheme plan containing the information requirements as prescribed in Schedule ~~53~~, County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-07 1755-12~~, prior to consideration of a land use bylaw amendment or subdivision application. In addition to the requirements of Schedule ~~35~~, the County shall ensure that joint access is provided where possible and detailed plans regarding proposed/future water and sewer servicing are submitted which shall meet the requirements of this plan. Where applicable, the detailed plans for proposed or future water and sewer servicing should follow the current City of Brooks engineering standards.
- 3.6 All subdivision applications shall comply with the subdivision criteria found in Schedule ~~62~~, Rural Business (RB) or Rural Industrial (RI), County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-07 1755-12~~ for rural industrial / commercial uses.
- 3.7 Within the plan boundary, no approvals shall be given to new noxious industries.

## 4.0 Potential Serviced Urban Residential Development

### *Intent*

The intent of the Potential Serviced Urban Residential Development area is to acknowledge that:

- pressures for grouped residential uses such as acreage development, estate lot development and manufactured home communities are occurring within the plan boundary; and
- the development of such uses, depending on the proposed use, may require communal water and sewer services at an urban standard rather than a rural standard.

This document has the objectives to: firstly, discourage the development of grouped residential uses in areas that cannot be easily serviced by municipal infrastructure; and secondly, to minimize and limit the fragmented development of these types of uses that has already occurred. Therefore, landowners shall be required to either include proposals for communal services with their applications or provide details plans for future connections to the City's infrastructure.

### **Policies**

- 4.1 The area identified as Potential Serviced Urban Residential Development on the Future Land Use Guide Map (Map 2) currently designated as Agricultural (A) ~~or Urban Fringe (UF)~~ shall be redesignated to ~~Brooks Urban Fringe (BUFR)~~ in the County's Land Use Bylaw.
- 4.2 New applications for development on lands within the Potential Serviced Urban Residential Development area currently designated ~~Country Residential Acreage Residential (CR AR)~~ shall be subject to any policies of this IMDP regarding servicing standards, access, landscaping and any other development standards found within the IMDP or existing adopted area structure plans.
- 4.3 All applications for subdivision and development for the purpose of Potential Serviced Urban Residential Development within the IMDP boundary shall be directed to those areas identified on the Future Land Use Guide Map (Map 2) and shall comply with the policies of this IMDP.
- 4.4 Only the lands shown as Potential Serviced Urban Residential Development on the Future Land Use Guide Map (Map 2) may be considered for multi-lot development greater than four (4) lots.
- 4.5 Both councils recognize and acknowledge the areas identified for Potential Serviced Urban Residential Development is limited. The potential for future servicing of these areas has been established by using information from the *County of Newell No. 4 Proposed Development Areas around Brooks – Wastewater Collection Systems Study (2008)* and *The Town of Brooks Growth Study (2003)*.
- 4.6 All applications for redesignation or subdivision shall include a detailed area structure plan or conceptual scheme plan containing the information requirements as prescribed in Schedule 35, County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-07~~ 1755-12, prior to consideration of a land use bylaw amendment or subdivision application. In addition to the requirements of Schedule 35, the County shall require the applicant to submit the following additional information:
  - potential connection to urban services, utilizing the current City of Brooks engineering standards;
  - storm water management plan prepared by a certified APPEGA engineer;
  - the proposed alignment of internal roads and where applicable the coordination of access management with Alberta Transportation and the County of Newell;

|

- the dedication of municipal reserve in development of a comprehensive open spaces plan or where appropriate the payment or deferral of municipal reserve;
- landscaping and buffering plan to mitigate the impact of adjacent land uses or of transportation systems.

4.7 All subdivision applications shall comply with the subdivision criteria found in Schedule 26, Grouped Rural Residential (GRR) –County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-071755-12~~ for grouped country ~~and recreational~~ uses.

## 5.0 Potential Unserviced Rural Non-Residential Development

### *Intent*

The intent of the Potential Unserviced Rural Non-Residential Development area is to acknowledge that:

- pressures for unserviced non-agricultural uses are occurring within the plan boundary; and
- the development of such uses, depending on the proposed use, may not require communal water and sewer services at an urban standard.

This document has the objective to direct the development of grouped industrial or limited commercial uses in areas that cannot be easily serviced by municipal infrastructure but have other qualities, such as access to transportation routes and existing adjacent uses, which would be compatible with this type and scope of development.

### *Policies*

- 5.1 The area identified as Potential Unserviced Rural Non-Residential Development on the Future Land Use Guide Map (Map 2) if currently designated as Agricultural (A) shall be redesignated to ~~Brooks Urban-Fringe (BUFR)~~ in the County's Land Use Bylaw.
- 5.2 New applications for development on lands within the Potential Serviced Non-Residential Development area currently designated ~~Commercial (C), Light Industrial (LI)~~ **Rural Business (RB)**, or **Rural Industrial (RI)** shall be subject to any policies of this IMDP regarding servicing standards, access, landscaping and any other development standards found within the IMDP.
- 5.3 All applications for subdivision and development for the purpose of Potential Unserviced Rural Non-Residential Development within the IMDP area shall be directed to those areas identified on the Future Land Use Guide Map (Map 2) and shall comply with the policies of this IMDP.

- 5.4 Both councils recognize and acknowledge the areas identified for Potential Unserviced Rural Non-Residential Development is limited. The potential for future development of these areas has been established by considering the location of major transportation routes (Highways 1 and 36 as well as the Joanne Trucking Road) as well as the location of the area in relation to the Confined Feeding Operation (CFO) in the north which limits development.
- 5.5 All applications for redesignation or subdivision shall include a detailed area structure plan or conceptual scheme plan containing the information requirements as prescribed in Schedule ~~3-5~~, County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-071755-12~~, prior to consideration of a land use bylaw amendment or subdivision application. In addition to the requirements of Schedule ~~35~~, the County shall ensure that joint access is provided where possible and detailed plans regarding future water and sewer servicing are submitted which shall meet the requirements of this plan.
- 5.6 All subdivision shall comply with the subdivision criteria found in Schedule ~~62~~, **Rural Business (RB) and Rural Industrial (RI)** County of Newell ~~No. 4~~ Land Use Bylaw ~~1626-071755-12~~ for rural industrial / commercial uses.

## **6.0 ~~Country Residential Acreage~~ Development**

### ***Intent***

Although it is acknowledged that the City of Brooks has adequate land for residential growth within the life of this plan, land owners and developers have created pressures for rural country residential ~~and manufactured home parks~~ with the plan boundary. Prior to the Alberta Government's elimination of the Planning Act in 1995, this would not have been possible.

### ***Policies***

- 6.1 New applications for development on lands within the Intermunicipal Development Plan boundary which are currently designated ~~Country Residential (CR)~~ **Acreage Residential (AR)** shall be subject to any policies of this IMDP regarding servicing standards, access, landscaping and any other development standards found within the IMDP or existing adopted area structure plans.
- 6.2 Clustered multi-lot country residential development is the preferred pattern of development, and applications for subdivision will be encouraged to concentrate proposed lots to reduce parcel size and retain the balance of the parcel for agricultural use.
- 6.3 A parcel or a lot that is used or proposed to be used for ~~country residential acreage~~ development shall be limited to existing titles if already subdivided, or to a maximum of four (4) lots grouped together to preserve the integrity of agricultural lands and utilize on-site servicing.

- 6.4 No further subdivision over the density of four (4) lots shall occur without the provision of water and sewer services to urban standards or where levies have been established to collect servicing monies for future installation.
- 6.5 There is a concern regarding long-term sustainability of private sewage systems that have been installed in country residential areas. Therefore, both municipalities should monitor the sustainability of these systems to ensure that the continued and/or increased concentration of country residential development does not create a health problem.
- 6.6 City servicing to proposed grouped or multi-lot country residential development in the fringe area will not be encouraged without serious consideration being given to annexation of the development.
- 6.7 The County of Newell ~~No. 4~~ shall require, as a condition of approval, that existing standards as identified in Alberta Environment guidelines relating to private septic systems are met.

---

## **PART C: OTHER INTERMUNICIPAL POLICIES**

---

### **1.0 Intermunicipal Entranceways and Highway Corridors**

#### ***Intent***

Provincial highways provide an opportunity from which the travelling public initially experiences a community. Therefore approaches to urban centres, like the City of Brooks, are often considered as advantageous locations for the development of commercial and industrial uses. These types of uses leverage the proximity to the roadway not only as a means of access but also a showcase for their goods.

In many situations, the lands adjacent to highway corridors and corresponding intersections are often under the control of private land owners and many property owners have little regard for the visual impact they create. It is therefore the role of both municipalities, the County and the City, within this IMDP to create compatible standards for lighting, landscaping, signage, screening and fencing.

#### ***Policies***

- 1.1 The County shall ensure that each development and the corresponding area structure plan or concept plan includes policies addressing standards for lighting, landscaping, signage, screening and fencing along the edge of highway corridors.
- 1.2 Each municipality shall identify the important entranceways into the City of Brooks and establish common standards for development adjacent to these points. Standards should include but are not limited to landscaping, signage, screening and fencing. Architectural elements should enhance the visual appeal of intermunicipal entranceways.
- 1.3 Freestanding signage along entranceways is discouraged.

### **2.0 Key Transportation Routes**

#### ***Intent***

The City of Brooks is a community with many barriers to development. Key to integrating the different development areas is a functional transportation plan which attempts to overcome the challenges and define a holistic community. Some of the keys to solving transportation issues within the City's corporate boundary lie outside of its jurisdiction in the County of Newell. This document seeks to identify those transportation routes key to Brooks and frame the criteria for development of these routes.

### ***Policies***

- 2.1 The City and County will cooperate on the development and approvals of all future Transportation Master Plans.
- 2.2 All subdivision proposals within the plan area shall secure all right-of-way requirements for future road expansion. Particular attention should be given to major intersections requirements.
- 2.3 Standards for a hierarchy of roadways should be identified and established between the two jurisdictions. Access control regulations should also be established to ensure major collectors and arterials are protected.
- 2.4 If required by Alberta Transportation or the municipality, at the time of subdivision or development, the developer shall conduct traffic studies with respect to impact and access onto Highways 1, 36, 542 and 873. Any upgrading identified by such studies shall be implemented by the developer at its sole cost and to the satisfaction of the municipality and Alberta Transportation.
- 2.5 The City and County agree to cooperate in identifying and preserving the right-of-way corridor for the ~~Brooks Bypass road~~ truck route as depicted on Map 4.

## **3.0 Annexation and Urban Expansion Needs**

### ***Intent***

Although it is acknowledged through the Brooks Growth Study (2003) that the City has enough land within its corporate boundary to accommodate future growth for the next 30-50 years, there will continue to be pressures for certain other lands to be annexed by the City.

Identification of possible expansion areas will give an indication of lands that need to have special considerations. Policies are in place to ensure the opinion of all stakeholders into the expansion process.

### ***Policies***

- 3.1 In order to allow for the planning and installing of infrastructure, the City has identified in the intermunicipal development plan and municipal development plan processes general and long-term directions of growth. Annexation of these lands will occur in the framework of long-range planning documents.
- 3.2 Annexation boundaries shall follow legal boundaries and natural features to avoid creating fragmented patterns of municipal jurisdiction.



- 3.3 The City and County shall negotiate a formula for the determination of compensation on annexation. Negotiation may occur on any or all of the following:
- revenue or tax-sharing,
  - off-site levies and levy transfers, and
  - municipal reserve transfers.
- 3.4 Annexation involves a number of stakeholders that need to be involved in the process including:
- land owners directly affected by the application must be part of the negotiation process;
  - City of Brooks, who must make the detailed case for annexation and be a major participant in any negotiations;
  - County of Newell ~~No. 4~~, who must evaluate the annexation application and supporting documentation for the impact on its financial status and land base as well as ratepayer issues. The County will, as part of the negotiation with ratepayers, wish to see arrangements regarding, but not limited to:
    - property taxes,
    - use of land continuing as agriculture until needed for development,
    - ability to keep certain animals on site;
  - authorities such as Alberta Transportation and Alberta Environment;
  - Municipal Government Board, who will evaluate the application and responses from the stakeholders.
- 3.5 Within six (6) months upon a Municipal Board Order approving an annexation, the Intermunicipal Development Plan boundary shall be reviewed and amended as required to reflect the municipal boundary change.

## 4.0 Intermunicipal Agreements and Services

### *Intent*

A high degree of cooperation currently exists between the two jurisdictions and further opportunities for joint activities on a wide variety of issues may become available in the future.

### *Off-site Levies*

In order for an orderly, well designed, and adequately serviced subdivision to be developed, off-site levies will have to be applied to the development area over and above individual on-site servicing and development costs. These levies usually will include the combined estimated costs of:

- sanitary trunk lines,
- improvements to the sewage treatment facilities,
- water main extensions,

- storm water detention ponds,
- storm water sewer lines,
- collector and service roads,
- design and engineering fees.

In addition, if other services are supplied to develop a subdivision, development agreements with the municipality should include those other direct costs as well. The County of Newell will develop an Off-Site Levy and Development Fees Bylaw that will apply at the time of subdivision and development.

### ***Revenue and tax sharing agreements***

Revenue and tax sharing agreements evolve as a direct result of large facility developments, generally industrial or commercial in nature, that are located in a rural area. The impact of such a facility on neighbouring municipalities expresses itself through a shift in unforeseen pressures on residential, commercial and recreational needs. This shift can create fiscal inequities for which best practises and long-term planning could not have been foreseen. Revenue sharing agreements can signal to developers and industry that the municipalities are open for business and able to come to solutions that benefit the economic region as a whole. Annexation is certainly another avenue through which these agreements come to the forefront.

### ***Municipal, school, and environmental reserve***

The municipalities should be prepared to negotiate at the time of annexation a transfer of municipal, school or environmental reserve collected from prior subdivision of the lands under consideration for annexation.

### ***Policies***

- 4.1 For areas identified for serviced development, the County of Newell in cooperation with the City of Brooks shall prepare and adopt an off-site levy bylaw which identifies affected lands and associated levy costs.
- 4.2 In order to harmonize development standards within the identified development areas, both the County and the City shall jointly develop servicing standards to be implemented within the plan boundary.
- 4.3 It is recognized by the two municipalities that benefits can occur through cooperation and both shall explore the option of sharing future services and/or revenues through the development of special agreements.

---

## **PART D: PLAN ADMINISTRATION & IMPLEMENTATION**

---

Following the adoption of this plan by bylaw, there are a number of ways to ensure that the City's and County's goals, objectives and policies can be achieved. The plan's administration and implementation will be the ongoing responsibility of both councils whose actions must reflect the plan. But the support and cooperation of the Intermunicipal Development Plan Committee, public and private organizations and the public will also be needed for implementation.

### ***Guiding Principles:***

- 1. The City and County agree that they shall ensure that the policies of this plan are properly, fairly and reasonably implemented.***
- 2. The City and County shall monitor and review the policies of this plan on a regular basis or as circumstances warrant.***
- 3. The County's and the City's Land Use Bylaws and Municipal Development Plans shall be amended and maintained to reflect the policies of this plan.***

Both municipalities have adopted municipal development plans and land use bylaws and, as statutory plans, they are required to be consistent with all other adopted statutory plans. It would appear that after adoption of the Intermunicipal Development Plan, both the City's and the County's Municipal Development Plans and Land Use Bylaws may be inconsistent with the policies of this plan with respect to future growth aspirations, fringe area boundaries and annexation proposals and will require amendments. It is necessary to have these amendments considered for adoption at the same time as the Intermunicipal Development Plan.

### **1.0 Intermunicipal Development Plan Committee**

#### ***Intent***

This plan is intended to be an ongoing process to ensure the plan is maintained and remains applicable. A representative committee will ensure continued cooperation.

#### ***Policies***

- 1.1** An Intermunicipal Development Plan Committee shall be established and shall be a working committee consisting of three members from each council. ~~The hosting municipality will chair committee meetings and meetings will rotate between municipalities.~~ At least one member of the City's and the County's administrative staff should attend all meetings of the Committee.

- 1.2 The City and the County agree that the main functions of the Committee are:
- (a) to address concerns regarding the policies of the plan;
  - (b) to address proposed amendments to the plan;
  - (c) to address changes to land use districts or other land use amendments affecting the lands in the plan;
  - (d) to address issues in relation to implementation of plan policies, comments related to subdivision and/or development proposals;
  - (e) to engage in resolving any conflicts or disputes which arise from this plan — both municipalities will share costs associated with using outside assistance to resolve a dispute.
  - (f) any other land use issues deemed appropriate not explicitly identified in the plan.
- 1.3 Meetings of the Committee shall be held at least annually or at the request of either municipality. Committee meetings should be held as quickly as possible if any conflict arises, or if any matter is brought before it.
- 1.4 If a matter has been referred to the Committee for comment, the Committee shall issue written comments as soon as possible. Both councils agree that the Committee shall issue its comments in the form of recommendations.
- 1.5 The Committee shall strive to make consensus decisions wherever possible.
- 1.6 A matter may be brought before the Committee by the administrative staff of either the City or the County, or by any other person.
- 1.7 Where a matter involving the two municipalities cannot be resolved to the satisfaction of the Committee, the Committee is authorized to initiate the conflict resolution system in this plan, Part D, section 4.0 as follows.

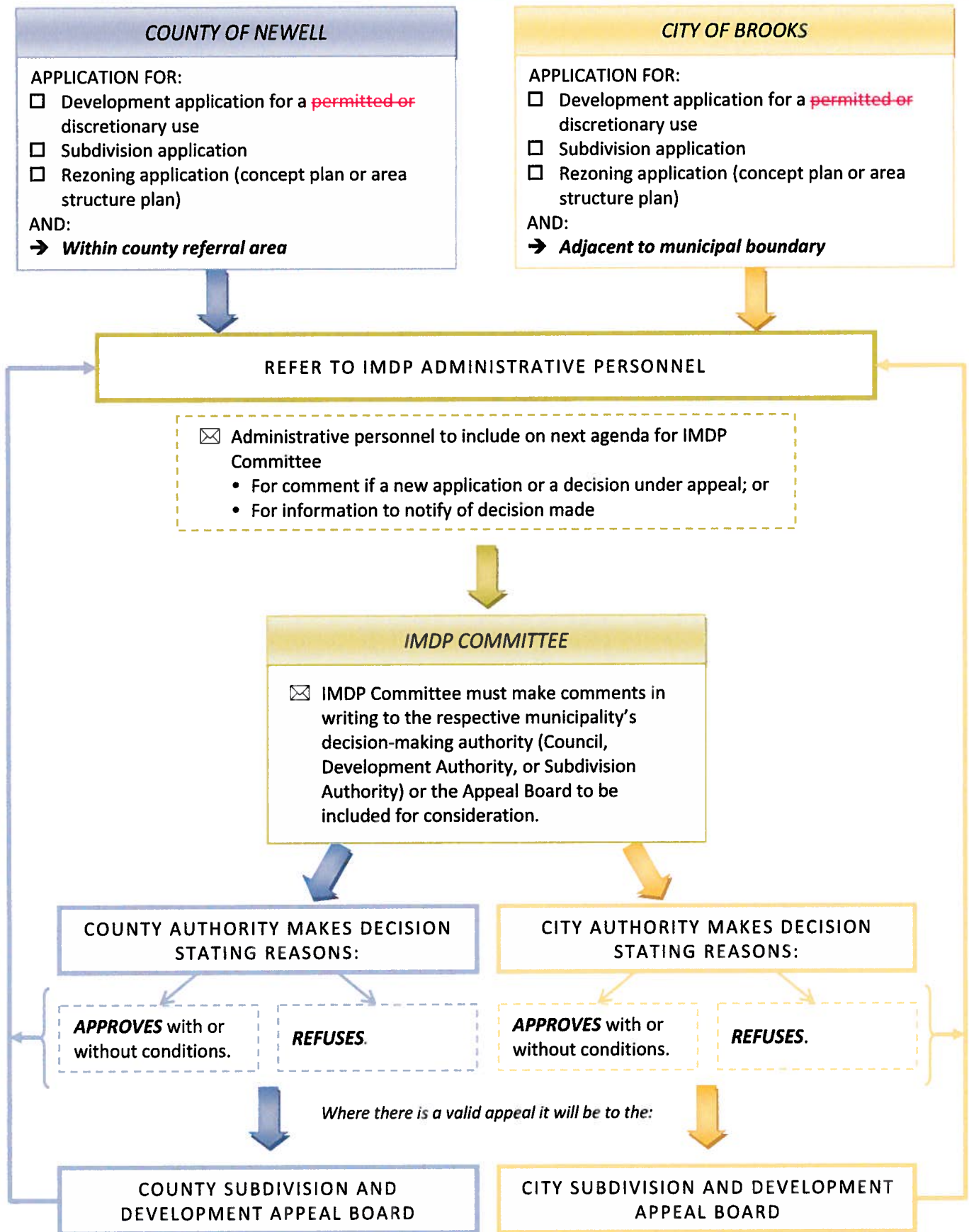
## **2.0 Referrals**

### ***Intent***

Land use issues are addressed at five main points in the approval system including:

- municipal development plans and amendments,
- all other statutory plans and amendments,
- land use bylaws and amendments,
- subdivision of a parcel and any appeal,
- development approval and any appeal.

Figure 1: Intermunicipal Development Plan Referral Flowchart



Each referral shall contain all available information for review and a municipality may request further information to be provided. In the case of all referrals, a timely written response is expected.

### **Policies**

- 2.1 As the first step in the referral process, all applications within the plan boundary or proposed documents affecting the plan boundary shall be submitted to the IMDP Planning Committee for comment. The full referral process is outlined in Figure 1 – Referral Flow Chart.
- 2.2 Municipal Development Plans and Amendments
  - (a) A newly proposed County of Newell ~~No. 4~~ Municipal Development Plan or amendment that will have an impact on this plan shall be referred to the City for comment.
  - (b) A newly proposed City of Brooks Municipal Development Plan or amendment affecting the municipal expansion policies shall be referred to the County for comment.
  - (c) The above referrals shall be made and considered prior to a public hearing.
- 2.3 All Other Statutory Plans and Amendments
  - (a) A newly proposed County of Newell statutory plan or amendment that will have an impact on this plan shall be referred to the City for comment.
  - (b) A newly proposed City of Brooks statutory plan or amendment affecting the municipal expansion policies shall be referred to the County for comment.
  - (c) The above referrals shall be made and considered prior to a public hearing.
- 2.4 Land Use Bylaws and Amendments (redesignation and text amendments)
  - (a) All land use bylaw amendments in the County of Newell ~~No. 4~~ which change a land use district or a part of the Land Use Bylaw which would affect the policies of this plan shall be referred to the City.
  - (b) The City shall refer all redesignation applications that are located adjacent to the County boundary.
  - (c) Any proposed new Land Use Bylaw in the County or City shall be referred to the other for comment.
  - (d) The above referrals shall be made and considered prior to a public hearing.
- 2.5 Subdivision Applications
  - (a) The County shall refer all subdivision applications within the boundaries of this plan to the City for comment.

- (b) The City shall refer all subdivision applications located on lands adjacent to the County boundary to the County for comment. The above referrals shall be made and considered prior to a decision being made.

2.6 Development applications

- (a) The County shall refer all discretionary use applications located in the plan boundary to the City for comment and may refer permitted use applications if there are some conditions that may alleviate a perceived conflict with a City property.
- (b) The City shall refer to the County all discretionary use applications, if the application is adjacent to lands in the County and any application involving a use of land or buildings which may have a noxious, hazardous or otherwise detrimental impact on land within the County.
- (c) The above referrals shall be made and considered prior to a decision being made.

2.7 Municipalities are encouraged to refer any requests for approval to each other in areas not contained in this plan if some impact may occur in the other jurisdiction.

### 3.0 Dispute Settlement

#### *Intent*

By its nature, the policies of this plan are general and make each municipality responsible for decisions made in their own jurisdiction. This suggests that disputes may arise from time to time. Using the following system, it is hoped the dispute can firstly be avoided, and secondly, settled locally. Only after a series of steps would the dispute go beyond the local level.

In the case of a dispute, the following process will be followed to arrive at a solution:

- Step 1** It is important to 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 or as required in this plan and prompt enforcement of the policies of the plan and Land Use Bylaw.
- Step 2** Should either municipality identify an issue related to this plan that may result in a more serious dispute, that municipality should approach the Intermunicipal Development Plan Committee to call a meeting of the Committee to discuss the issue.
- Step 3** Prior to the meeting of the Committee, each municipality through its administration, must ensure the facts of the issue have been investigated and clarified. Staff meetings may occur at this point to discuss possible solutions.
- Step 4** The Committee should discuss the issue with the intent to seek a solution by consensus.

- Step 5** Should the Intermunicipal Development Plan Committee be unable to arrive at a consensus, then either municipality will contact the appropriate chief elected officer to arrange a joint meeting of the two councils who will discuss possible solutions.
- Step 6** Should the councils be unable to reach a solution, either municipality may contact Alberta Municipal Affairs to commence a mediation process under the department's guidance.
- Step 7** In a case where further action under the Municipal Government Act is unavailable, the results of the mediation report will be binding on each municipality.
- Step 8** In the case of a dispute regarding:
- a statutory plan or amendment, or
  - a land use bylaw or amendment,
- a dispute under section 690(1) of the Municipal Government Act may be initiated.

## 4.0 Plan Validity and Amendment

This plan will not contain a "sunset" clause as other plans have, but rather, a method of continuous updating as required.

### *Policies*

- 4.1 This plan comes into effect on the date it is adopted by both the City of Brooks and County of Newell ~~No. 4~~. It remains in effect until either council rescinds the plan by bylaw after giving six months notice, or by mutual agreement.
- 4.2 Recognizing that this plan may require an amendment from time to time to accommodate an unforeseen situation, such an amendment must be adopted by both councils using the procedures established in the Municipal Government Act.
- 4.3 Third party applications for an amendment to this plan shall be made to either municipality and be accompanied by the appropriate fees to each municipality.
- 4.4 The Intermunicipal Development Plan Committee shall initiate a full-scale review of the plan in 10 years from the date of adoption and report to the respective councils on the success of the plan and the need for revision. This does not preclude periodic revision of portions of the plan, as outlined in 4.2 above, that are of mutual concern.



## APPENDIX

### DEFINITIONS

**Accessory Building** means a building or structure, incidental, subordinate and located on the same lot as the principal building, but does not include a building or structure used for human habitation.

**Accessory Use** means a use of a building or land, which is incidental to and subordinate to the principal use of the site on which it is located.

**Agricultural Operation** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land;
- (b) the raising of livestock, including game-production animals within the meaning of the "Livestock Industry Diversification Act" and poultry;
- (c) the raising of fur-bearing animals, pheasants or fish;
- (d) the production of agricultural field crops;
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- (f) the production of eggs and milk;
- (g) the production of honey (apiaries);
- (h) the operation of agricultural machinery and equipment, including irrigation pumps on site;
- (i) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- (j) the collection, transportation, storage, application, use transfer and disposal of manure; and
- (k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

**City** means the City of Brooks.

**Commercial Establishment** means a building, or part thereof, for the sale of goods or services to the general public.

**Confined Feeding Operation** means an activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the *Agricultural Operations Practices Act (AOPA)*, as amended from time to time, but does not include seasonal feeding and bedding sites.

**County** means the County of Newell ~~No. 4~~.

**Development** means:

- (a) an excavation or stockpile and the creation of either but does not include turning over soil with no immediate activity on the land in the near future; or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing of any of them in, on, over or under land; or
- (c) a change of use, or a building, or an act done in relation to land or a building that results in, or is likely to result in, a change in the use of the land or building; or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the intensity of use of the land.

**Discretionary Use** means the use of land or a building in a land use district for which a development permit may be approved at the discretion of the Municipal Planning Commission with or without conditions.

**Dwelling Unit** means a self-contained living premises occupied or designed to be occupied by an individual or by a family as an independent and separate housekeeping establishment and in which facilities are provided for cooking and sanitation. Such units include single-detached dwellings, modular homes, manufactured homes and moved-in buildings for residential use.

**Extensive Agriculture** means the general raising of crops and grazing of livestock in a non-intensive nature.

**Farming** means the use of land or buildings for the raising or producing of crops and/or livestock but does not include a confined feeding operation for which a registration or approval is required from the NRCB.

**Industry –**

**Isolated Light Industry** means industrial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing industrial uses, and that, in the opinion of the Municipal Planning Commission, would not substantially change the agricultural characteristics of an area.

**Light Industry** means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution use which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard, or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

**Noxious Industry** means industry which involves processing of an extractive or agricultural resource which is deemed to be hazardous, noxious, unsightly or offensive and cannot therefore be compatibly located in an urban environment. Examples should include, but are not limited to: anhydrous ammonia storage, abattoirs, oil and gas plants, seed cleaning plants, bulk fuel depots, livestock sales yards, gravel/sand pits or stone quarries, auto

wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature.

**IMDP Plan Boundary** means the referral area for the plan and all development applications and statutory bylaw amendments on lands within identified plan area will be referred to the IMDP committee.

**IMDP Focused Development Boundary** means the area of the plan boundary that development will be directed to. For the most part, areas outside of the Focused Development Boundary will remain agriculture.

**Noxious Use** means a use, usually industrial or commercial in nature which, by reason of emissions (i.e., air, water or noise), is hazardous to human health, safety or well-being and cannot reasonably be expected to co-exist in proximity to population concentrations.

**Permitted Use** means a use development in the Bylaw as a permitted use and for which the Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

**Principal Building or Use** means the building or use of land or buildings that constitutes the dominant structure or activity of the lot.

**Provincial Highway** means a road development as such by Ministerial Order pursuant to the Highway Traffic Act and described by plates published in the Alberta Gazette pursuant to Alberta Reg. 164/69 as 500, 600, 700 & 800 series or Highways 1 and 36.

**Public and Quasi-Public Building and Uses** means a building which is available to the public for the purpose of assembly, instruction, culture or community activity and includes, but is not limited to, such uses as a school or educational facility.

**Public Utility** means a system, works, plant, equipment or service owned and operated by a municipality or corporation under agreement with or franchised by the municipality, or by a corporation licensed under a Federal or Provincial Statute and which furnishes services and facilities to the public and includes, but is not limited to:

- (a) communication by way of telephone, television or other electronic means;
- (b) public transportation by bus or other means; and
- (c) production, transmission, delivery or furnishing of water, gas or electricity to the general public.

**Setback** means the perpendicular distance that a development must be set back from the front, side, or rear property lines of the building site as specified in the particular district in which the development is located.

**COUNTY OF NEWELL  
CITY OF BROOKS  
INTERMUNICIPAL DEVELOPMENT PLAN**

County of Newell Bylaw No. 1656-09, March 19, 2009  
City of Brooks Bylaw No. 09/04, March 16, 2009

Amended by County of Newell Bylaw No. 1730-11  
September 8, 2011

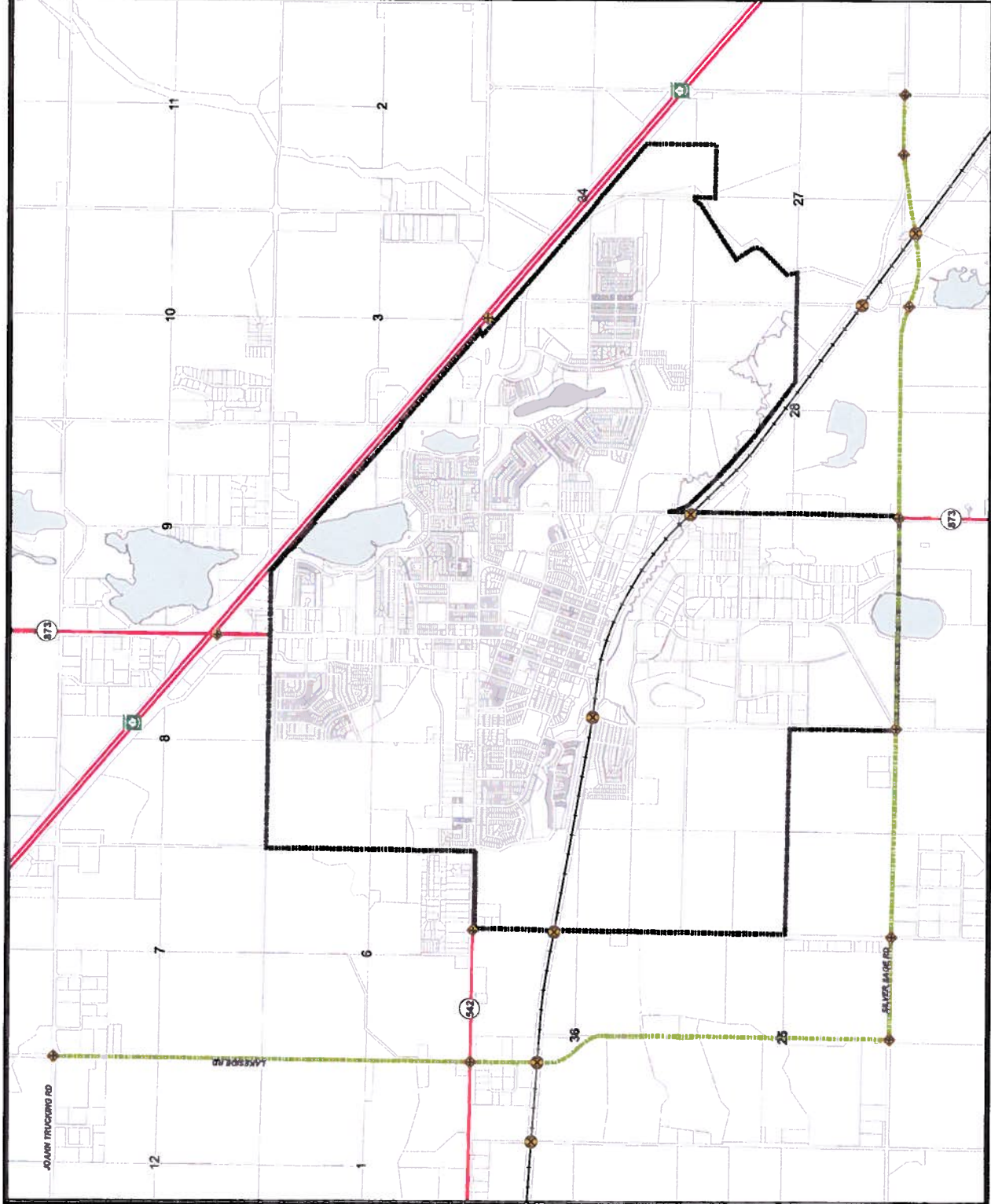
Amended by City of Brooks Bylaw No. 11/08  
September 6, 2011

Schedule B

TRANSPORTATION

MAP 4

- City of Brooks Boundary
- Transportation Network
  - Highway
  - Railway
  - Proposed Truck Route
- Transportation Crossings
  - Intersection
  - Rail Crossing
- Water Bodies



Logos for the County of Newell and City of Brooks are displayed. Below the logos is a scale bar in kilometers, marked at 0, 0.5, 1, and 2 kilometers.